

Extra copies

9/18/71

Dr. James B. Rhoads, Archivist
The National Archives
Washington, D.C. 20408

Dear Dr. Rhoads,

Dr. Angel's letter of the 16 claims to be in "reply" to three of mine dated August 20 and on dated August 22. Of these he says in your name "we have nothing to add to the statements made in our previous letters" and that you have prepared a copy of ON43, an utter meaningless, considering the length of time it has been in my possession.

This is perhaps as unabashed an expression of the contempt for the law, the disregard for the obligations imposed upon you by your position and the complete dishonesty of your custody of the imperishable archive on the assassination of a President as you have yet summoned yourself to express. If I can presently do no more than protest it, that I do, with vigor and sincerity.

What are the subjects on which you "have nothing to add"?

First of all, your usual lack of concern over the destruction of evidence of this heinous crime. I had asked if you were making an investigation to determine how it could have happened and to be informed of its result. You have nothing further to add than the nothing my civil action forced you to admit: that this evidence has been destroyed?

You, the man who has made so big a deal in every court action in which with such pretended purity of purpose you claimed that access had to be denied to this evidence only to preserve it? God save the country from such "preservation" as yours!

Have you no shame? No self-respect? You go to court, commit perjury there - and I dare you to sue me for slander - and lie to judges to say all this evidence has to be denied those who may use it to prove the government lied to the people only so that it can be held safely and all the time it is no longer safe? In what I have at last forced you to admit, ^{it} no longer exists? Need I remind you that your nobility of purpose and purity of soul are not expressed in this one disappearance of evidence, that what can't possibly be replaced no longer exists? And you so abuse citizens and courts and judges with that sanctimonious falsity that you swear to? And you do not propose to investigate to learn how this can or did happen?

While the very thought of having to sue my government for access to public information, most of all public evidence in the investigation of how a President was murdered, is sickening to me as I hope it would be to all citizens, I certainly welcome this evidence of your sincerity in making these spurious claims.

I have cited to you sworn testimony before a Committee of the Congress to the effect that Executive Order 10501 granted no such authority as you allege to the Warren Commission. Yet this is the basis for the withholding of the Warren Commission's executive sessions and you have nothing further to say? Cannot you cite me a law that vests this authority in the Commission so that you are not perpetuating an illegality? Is it too much for a concerned citizen to ask this or expect this, of you personally or of his government? I reminded you of the relevant portions of the official interpretation of the law, 5 U.S.C. 552 and you will not address this? You are arrogant enough to say no more than that you will say nothing, and the hell with citizens and the hell with the law? If this is the way you insist on leaving it, I can't take a club to you to make you discharge your obligations (for which I pay my excessive part of the cost), but I can regret it and can look forward to the day when you do.

I asked you to meet the obligation of the contract the legality of which you allege, that to deny me what you have denied me you prove "undignified" and "sensational" use by me of what I seek. You have no comment. This is because you know as I did that you alleged falsely in making this claim, and without making the claim you could not deny me what I sought and seek. You have no comment when out of one side of your mouth you said the contract prevented you from taking any pictures for researchers and out of the other, when my action compelled it of you, you said you would take those for which I asked? Is it not obvious that one side of your mouth is a liar?

In the past, when I have asked for all your relevant regulations, you have lied in saying you provided them when you didn't. When I got the most relevant one by accident and asked for a copy of that through another you lied to him and said it didn't exist. After my civil action you revised that and sent me the revised copy only (not relevant to anything prior to your revision), and to this day you have not provided me with the regulation relevant at the time of my request. So, when I ask for all your regulations and all your special interpretations of your regulations you first tell me to hire a lawyer and then tell me you have nothing else to say? I renew my request for all copies of all relevant regulations of whatever period during your custody of these records, all interpretations, and if I do not get them promptly I will consult the Senate and see if I misread its intent in passing the law.

I asked for your "assurance that all of what you have withheld under this citation is covered by this", that is, 5 U.S.C. 552 (b) (6), and you do not provide this assurance? If you cannot, then I ask for what you are withholding. You can't have it both ways.

You withhold under (b)(7) with respect to the killing of Oswald and the assassination of the President, fail to cite any federal law that conceivably could be involved or invoked, do this for the period of the Commission, which is now past, the Commission that had no law-enforcement purposes, and refuse any explanation or comment, and when I ask what the law requires of you, a citation, you fob me off with this newest of your endless offensive letters, this latest of your deliberate and illegal suppressions. The law does place the burden of proof on you, I have made proper requests, I submit I am entitled to meaningful and respectful answers and I again ask for precisely this without your wasting any more of my time or placing more needless obstacles in my path, another illegality.

If I have not by this time established in your mind the seriousness of my purposes or my determination to see to it that the will of the Congress is observed or that you and the rest of the government abide by the law, please tell me what else is required, for the last thing I want to do is drag you into court so you can again perjure yourself, again corrupt the courts, again debase your honorable and important functions. I ask for all the answers you have refused to give or specific and established reasons in each case for refusing it, or that for which I have asked and herewith ask again.

Sincerely,
Harold Weisberg