Lillian & Harold Weisberg

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DATE REPLY DUE
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ASSIGNED TO

Dr. James B. Rhoads
Archivist of the United States
The National Archives
Washington, D.C. 20408

Dear Dr. Rhoads,

Much as I welcome your two letters of November 18, there are several comments they compel of me.

First of all, they prove the point I have made repeatedly without meaningful response from your agency, that there is the most essential evidence of the assassination in the possession of the government and not transferred to your agency as directed by the former Attorney General. This puts the government in the position of violating its own executive order, persisting in the violation after it has been called to official attention, and of suppressing evidence of the President's murder. Mr. Clark directed that everything be placed in the Archives and made available, and he was specific in declaring the national interest requires it.

The kind of self-serving error that has become all to common is repeated. You say, "We do not have a list of records relating to David W. Ferrie, nor has such a list been previously furnished you." At the time the late David Ferrie figured in the New Orleans news for the first time, Mr. Johnson did, in fact, in advance of press inquiry, prepare such a list. He told me he had done this in order to meet the anticipated inquiry from the press, and he did give me a two-part list. One part contained those documents not withheld, the other those withheld. In any event, I would appreciate a list of all withheld Ferrie documents, including the reason for withholding in each case.

This did not occur by

To the best of my recollection, you have never responded to my comment on your regular employment of evasive language, twice repeated in a single paragraph of your longer letter. You refer to what is "known to be among the records of the Warren Commission". Your archive consists of documents coming from other sources. One example is persuant to the cited executive order. When I request research materials of your agency, it is not essential that they come from the files transferred by the late Commission and I do want them if they are in other files. It is unfortunately the case that some of the most vital information was never in the Commission's possession, hence cannot be in their files. As a consequence of this withholding of information from the Commission by the executive branch, we now find agencies making the spurious claim that what they suppressed can be suppressed in perpetuity because it is "investigative files for law-enforcement purposes", a complete fiction, for the Commission had no such purposes or powers. So, I renew my requests for what you have not provided me if this data is contained in other files in your custody than those of the Warren Commission.

However, I must acknowledge that Mr. Kelley's November 3 letter represents a fine if belated step toward rectifying what I would have hoped you would by now have found an intolerable condition. I regret it is of limited application, was not spontaneous or in compliance with the executive order, and follows blatant misrepresentations to me.

I appreciate your references to CD7:284, of which I would like a copy, and to CE587, page 4. The second reference, however, introduces confusion, for it describes not a "missle" but "two small irregularly shaped fragments" 7x2 and 3x1 mm in dimension. These are not described in the provided receipt. Moreover, this exhibit says the receipt for the two fragments is "attached", and it is not. If you can provide the receipt said to have been attached, I would also like it. In addition, CE843 seems to show not fewer than three fragments.

The concluding paragraph of this letter departs from reality and ignores a rather long letter I wrote very long ago on precisely this point. If there was ever any doubt that I want and asked for everything on the autopsy, this letter eliminated that. As a matter of fact, I have several times asked you when I could expect meaningful response to questions I raised in that correspondence that to this day have never been addressed, by you or anyone else. I discussed this with you personally, in Judge Halleck's court, I have raised the question with Mr. Johnson and rather pointedly told him I do want everything on the autopsy and he did tell me everything had been provided. As a matter of fact, in the late Summer of 1967 I went into this with him in some detail because two pertinent reports had been segregated from a file and were withheld from me whereas the rest of the file had been released for research. I then told him I had completed the draft of a book on the autopsy and wanted everything for it.

This raises several other unanswered requests of similar character. I have asked why and how these two reports were denied me and still denied me even after the date on which they were promised when they had been made available to an author writing in favor of the government's position and were in a book he had published six months earlier. I have also asked, without response, if what I was written about Carlos Bringuier and Oswald's Marines handbook is really an answer to my request for a single page of it. You told me the book had been returned to Bringuier, but you have never answered my question, had this or other pages been copied from it prior to its return? We know some of it was copied, for the Commission published it - long after return of the book itself.

The receipt from which I had made request for what you have just provided refers to a November 26, 1963 "letter" described as "concerning laws and regulations". What you have sent is an unaddressed memorandum which makes no reference to "laws and regulations regarding the confidential nature of the events." I recognize that language can be employed loosely, but I would like the assurance the memorandum sent is what the receipt refers to and that there is no such letter, if it can be offered.

Sincerely yours,

Harold Weisberg