

AFFIDAVIT OF HAROLD WEISBERG

I, Harold Weisberg, being duly sworn, depose as follows:

1. I am an author; I presently reside at Route 8, Frederick, Maryland.

2. I have written four published books on the investigation into President Kennedy's assassination. They are: Whitewash: The Report on the Warren Report; Whitewash II: The FBI-Secret Service Coverup; Photographic Whitewash: Suppressed Kennedy Assassination Pictures; and, Oswald in New Orleans: Case for Conspiracy with the CIA. I have also written one book on the assassination of Dr. Martin Luther King: Frame-Up: The Martin Luther King-James Earl Ray Case.

3. For the past decade I have devoted my full efforts to the study of these political assassinations. In the 1930's I was an investigator for and editor of the record of a subcommittee of the Senate Labor Committee. After Pearl Harbor I served in the OSS. I have also worked with the FBI and with several divisions of the Department of Justice in connection with my work for the Senate Labor Committee or through my writing. As a citizen I have helped other government agencies, such as the Treasury Department.

4. I have reviewed the affidavit of FBI Agent Marion E. Williams which was executed on August 20, 1970, but not submitted to the District Court until November 9, 1970, just five work days before the oral argument on November 16, 1970.

5. I state categorically that I have in my possession incontrovertible evidence, in the form of official government docu-

ments and records, which leads me to conclude that the spectrographic analyses whose disclosure I seek must necessarily disprove the official government theories about the assassination of President Kennedy.

6. The Williams affidavit contains many false statements. For example, paragraph four of the Williams affidavit states that the spectrographic analyses and other FBI documents relating to the assassination of President Kennedy are not disclosed ~~by~~ the FBI "to persons other than U. S. Government employees on a 'need-to-know' basis." This statement is false, if not perjurious. I can produce thousands of official FBI documents which disprove this assertion.

7. It is also false to imply, as ~~paragraph~~ five of the Williams affidavit does, that the disclosure of the results of these spectrographic analyses could lead to the exposure of confidential informants. In addition, it is misleading to suggest, as paragraph five of the Williams affidavit does, that I am asking for "raw data from investigative files." I am not asking for the "raw data", which would not be comprehensible to me in any event. I am simply asking for the typed reports on the results of those analyses.

8. The Williams affidavit suggests in paragraph five that the release of the spectrographic analyses to the American public would "seriously interfere with the efficient operation of the FBI and with the proper discharge of its important law enforcement responsibilities . . ." This is both untrue and illogical. The spectrographic analyses should do one of two things: either show that there is scientific support for the official government theories on

the assassination, in which case they will abate the tidal wave of public distrust and suspicion concerning the official explanation of the President's assassination; or else, as I am convinced they must if authentic and unaltered, they will disprove the official explanation of the assassination. If the results of the spectrographic analyses do disprove the official government explanation of the assassination, then their revelation ought to assist law enforcement purposes rather than interfering with the FBI's "proper discharge of its important law enforcement responsibilities."

8. From evidence in my possession I believe that the release of the results of the spectrographic analyses would reveal that the FBI deceived Warren Commission members as to what these analyses do in fact show. Contrary to the assertions contained in the Williams affidavit, I believe that the real reason the FBI continues to withhold these analyses is that they would prove that the FBI engaged in deception of Warren Commission members and the American public.

9. To my knowledge the only reports of the spectrographic analyses given to the Warren Commission members were merely second-hand paraphrases of the documents I seek. Some of these paraphrases, which are entirely meaningless, were published for commercial profit in former Dallas police chief Jessie Curry's book, JFK Assassination File. I know of other instances where paraphrases of spectrographic analyses done by the FBI have been publicly released.

10. Several years ago I discovered that a transcript of an executive session of the Warren Commission had been faked. This

executive session had been forced by three members of the Warren Commission who raised objections to the Warren Report's conclusion that there had been no conspiracy to assassinate President Kennedy. The three dissenting Warren Commission member thought that a transcript of their objections was being made and would be kept as a historical record. Long after the end of the Commission's work and the publication of its Report, the commission members were provided with ~~what~~vering letter and what purported to be a transcript of this meeting. The first page of the faked transcript counterfeits the work of Ward & Paul, the official reporter. The first and succeeding pages of this faked transcript were numbered to make it appear that they were in proper sequence with all preceding Warren Commission transcripts. However, this transcript is in fact a fake and does not include any verbatim report of the actual executive session. It also does not include the objections raised by Senator Russell and the other unsatisfied members of the Warren Commission.

10. I engaged ~~with~~home correspondence with Senator Richard Russell on this matter and met with him to discuss it. Senator Russell confirmed that the purported transcript of the executive session had indeed been faked.

11. Senator Russell also told me that he was convinced that there were two areas in which Warren Commission members had been deceived by the Federal agencies responsible for investigating the assassination of President Kennedy. These two areas were: 1) Oswald's background; and, 2) the ballistics evidence.

13. Judge Danaher's opinion concludes as a matter of fact that the FBI "collaborated with the Dallas police." (Slip opinion, p. 10) As a matter of fact, this is simply not true. Rather than collaborating with the Dallas police or other local law enforcement agencies with jurisdiction over the crime the FBI seized the evidence from them and never returned it. Attached hereto are some of a series of communications from Texas Attorney General Waggoner Carr, who was also Chairman of the Texas Court of Inquiry, which complain about the inability of Texas authorities to obtain the evidence in the possession of the federal government. Even the rifle which allegedly fired the shots was disassembled and sent to Washington, where it was received with some parts missing and never was returned to the Texas authorities responsible for investigating and prosecuting the crime.

14. I am willing to produce in court the documentary and other evidence which supports the statements which I have made in this affidavit.

HAROLD WEISBERG

FREDERICK COUNTY, MARYLAND

Before me this \_\_\_\_\_ day of November, 1973, deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires \_\_\_\_\_:

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