

WASHINGTON (UPI) - THE

SUPREME COURT REFUSED TODAY TO ORDER THE FBI TO REMOVE THE SECRECY LABEL ON ITS FILES ON THE JOHN F. KENNEDY ASSASSINATION.

THE COURT DECLINED TO REVIEW A LOWER COURT RULING WHICH HELD THAT THE FBI HAS BROAD POWERS TO DETERMINE WHAT IT CAN SUPPRESS UNDER THE FREEDOM OF INFORMATION ACT.

THE LEGAL ACTION WAS BROUGHT BY HAROLD WEISBERG, AUTHOR OF FOUR BOOKS ON THE ASSASSINATION. HE HAD ASKED THE FBI FOR ITS SPECTROGRAPHIC ANALYSIS OF BULLET FRAGMENTS FOUND AT THE SCENE OF THE KENNEDY SHOOTING IN DALLAS ON NOV. 22, 1963.

THE FBI REFUSED THE REQUEST ON GROUNDS THE EVIDENCE WAS PART OF "INVESTIGATORY FILES COMPILED FOR LAW ENFORCEMENT PURPOSES" AND THUS EXEMPT FROM THE FREEDOM OF INFORMATION ACT. THE ACT IS INTENDED TO FORCE GOVERNMENT AGENCIES TO PROVIDE THE PUBLIC WITH OFFICIAL DOCUMENTS ON REQUEST.

WEISBERG'S ATTORNEYS ARGUED THAT THE ACT PLACED THE BURDEN ON THE FBI OF SHOWING WHY THE EVIDENCE SHOULD NOT BE RELEASED IN CASES WHERE "NO PROSECUTION IS CONTEMPLATED AND DISCLOSURE WOULD NOT HARM THE AGENCY'S LEGITIMATE LAW ENFORCEMENT FUNCTIONS."

THE LOWER COURTS SAID HOWEVER THAT THE FBI HAD MET ITS OBLIGATIONS BY PROVIDING AN AFFIDAVIT FROM A SPECIAL AGENT, SAYING RELEASE OF THE INFORMA-

Mr. Weisberg: This is a copy of the U.P.I. dispatch received Monday (May 13th) at the Newhall Signal newspaper in Newhall, California. Since my parents happen to own the newspaper, they gave it to me.

It is the only place out here where I read more than a one-paragraph story on the Supreme Court's decision.

I have also enclosed a copy of our story (ZNS's) of the same decision after getting further details from you by telephone.

I am extremely interested in the J.F.K. assassination, and would be most anxious to receive word from you if you develop anything new — particularly something that can be written or presented in form for radio.

Again, let me say how much I enjoyed and respected your book — Whitewash. I intend in the near future to read your other works too.

Sincerely,


Jon Newhall

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TION WOULD "SERIOUSLY INTERFERE
WITH THE EFFICIENT OPERATION OF
THE FBI AND WITH THE PROPER
DISCHARGE OF ITS IMPORTANT LAW
ENFORCEMENT RESPONSIBILITIES."