

# Court Refuses to Release FBI Data in

WASHINGTON — Amateur investigators challenging the decade-old Warren Commission report on the assassination of John F. Kennedy failed in the Supreme Court Monday to force the FBI to make some of its records public.

The Supreme Court refused to review an appeals court decision that the FBI can keep the Kennedy files secret under provisions of the Freedom of Information (FOI) Act.

Harold Weisburg, author of four books on the assassination, had sought FBI reports on bullet fragments taken from Kennedy's body. He said the Warren Commission was not given the full reports

and, therefore, based its conclusions on inadequate and misleading information.

The FBI turned down Weisburg, as it has others who wanted portions of Kennedy files, on grounds that the FOI Act did not apply to "investigatory files compiled for law-enforcement purposes."

There could be no possible harm in making public the files, now over 10 years old, unless the FBI knowingly had suppressed evidence.

He said that by allowing the secrecy the courts acted as mere rubber stamps "even though no Federal law was violated, no prosecution is contemplated, and disclosure would not harm the agency's legitimate law-enforcement functions."

Weisburg said the Warren Commission was told only that the bullet fragments were "similar in metallic composition," leading to a conclusion that Lee Harvey Oswald acted alone when Kennedy was slain Nov. 22, 1963.

In asking for Supreme Court review, Weisburg said spectographic analysis could further determine whether different guns were used by finding "trace elements" incompatible with Oswald's weapon.

"Weisburg maintains that the disclosure of the reports he seeks would disprove the official theory of the assassination and show that the FBI deceived the Warren Com-

mission and the public as to what the results did in fact show," attorneys told the Supreme Court.

The appeals court in the District of Columbia said the FBI had met its obligations under FOI by providing testi-

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mony from a special agent claiming that release of the information would "seriously interfere with the efficient operation of the FBI and with proper discharge of its important law-enforcement function."