

3/25/75

MICHAEL NEEROPOL, AKA ROSENBERG, et al.,

Plaintiffs

Civil Action No.  
75-1121

v.

EDWARD H. LEVI, et al.,

Defendants

AFFIDAVIT

I, Thomas H. Bresson, being duly sworn, depose as follows:

(1) I am a Special Agent of the Federal Bureau of Investigation (FBI) assigned in a supervisory capacity to the Freedom of Information Act (FOIA) Section of the FBI, Washington, D. C.

(2) Due to the nature of my official duties, I am familiar with the procedure we follow in processing FOIA requests received at FBI Headquarters (FBIHQ), and specifically the plaintiffs' request for materials in our files concerning the espionage investigation and prosecution of Julius and Ethel Rosenberg. My previous affidavits of July 23, 1975, and August 7, 1975, have described these procedures, as well as the problems connected with them and the attempts we are making to respond to these FOIA requests and the plaintiffs' request in particular.

Additionally, due to my present and past official duties, as well as the experience and training I have had in the FBI, I am familiar with the filing and records systems of the FBI.

(3) The FBI is proceeding to comply with the Court's Order in the above-captioned litigation, dated August 27, 1975. Specifically, in compliance with paragraphs 1 and 2 of said Order, attached hereto are inventories of each and every document found in FBI files which are pertinent to the case of United States v. Julius Rosenberg, Ethel Rosenberg, et al., S.D.N.Y., Crim. No. 134-243. The inventories consisting of 1,786 pages, are attached hereto as Exhibits A to J.

*Aside what files were  
at most of - P.A. 83  
filed or not cleared  
by other persons. No...*

*They can see...*

Documents which are found after a notation of "see" references in FBI indices to each individual who is a main subject in the Rosenberg case (to wit: Julius Rosenberg, Ethel Rosenberg, Morton Sobell, Anatoli Yakovlev, Klaus Fuchs, Harry Gold, Ruth Greenglass, David Greenglass, Max Elitcher, Oscar Vago and Abraham Brothman) and those contained on the government witness list, will be included in a supplementary inventory to be filed October 21, 1975.

(4) In order to describe the manner in which the FBI is complying with the Order of the Court in this case dated August 27, 1975, the following brief description of this record keeping system is set forth:

(a) The FBI utilizes a case system of maintaining its estimated six million investigative, personnel, and administrative files by which all information on a given subject matter is channeled into one case file. In order to facilitate control of the file and accommodate multiple subject matters, a numbering system is used to indicate: (1) general classification and nature of the violation; (2) the individual case file in this category; and (3) serialization of each piece of mail in the file. For instance, the number 7-100-1 on a piece of mail indicates it is serial number 1 in the 100th file assigned in the Kidnaping (7) classification.

(b) The key to these numerically maintained files is our General Indices, presently consisting of approximately fifty-eight million index cards on all manner of subject matters but primarily a name index of individuals. A brief description of these indices is necessary before attempting to impart a further understanding of how our filing system operates.

(c) There are two types of cards maintained in our indices: "main" index cards and "see" (contraction for "see reference or cross reference) index cards. The former denotes that the name on the card is that of the subject of the file, such as John Doe, who is suspected of having transported a stolen car across a state line. The name on a "see" index card would be that of an individual who is not the main subject of the file but whose name only appears in a specific communication placed in the file of a different subject

matter, such as Richard Roe, who owns the car John Doe is suspected of having absconded with, and who was interviewed by us during the course of the investigation.

*How about outside n. to*

(d) Communications originating at FBIHQ and those received from FBI Field Divisions and sources outside the FBI are directed to the Files and Communications Division, FBIHQ, for their entry into the appropriate file.

*Edwin Bar's last name  
This provides for  
avoidance of subjects*

(e) The classifier in the Classifying Sub-Unit of the Mail Processing Unit of the Records Section in the Files and Communications Division designates the "subject" of the particular communication on which a "main" index card is prepared; assigns the classification showing the violation or nature of the matter involved; and designates names in the body of the communication on which "see" index cards are to be prepared.

*Documents say  
all card  
listed indexed.*

(f) The subject of the file may be on a variety of topics such as an individual, organization, company, publication, foreign intelligence activities, or such administrative items as office space, equipment, or automobile accidents involving FBI automobiles.

*This set may contain the heart of the study into  
but says how it is done - but it remains in the  
said about qualifications plus etc. on any other individual  
later on by whom a complaint*

(g) After the classifier has designated the "subject" and assigned the classification for the communication, the classifier designates the names in the body of the communication on which "see" index cards are to be prepared. The nature and extent of detail in the communication require the classifier to utilize judgment as to whether information should be designated for index cards. The classifier has general guidelines for each of the 185 classifications. The following are examples of what would be cross-indexed in a criminal-type matter: suspects; uncooperative individuals; anyone giving assistance to the subject, such as a person who allowed a bank robber to use his car while committing a bank robbery; persons passing, possessing and disposing of ransom money; fences of stolen property; titles of song sheets or films being distributed in violation of copyright laws; madames and procurers; persons suspected of harboring a fugitive, and the original complainants in a case. The complainant

is indexed so that the investigation can be identified should the complainant make inquiry regarding his allegation at a later date.

(h) In security-type investigations, the classifier is governed by the type of investigation and the nature and extent of the information in the communication. The classifier will generally index associates and relatives of the subject and members of organizations under investigation or determined to be possibly subversive. As an example, in the event a new subject is developed in connection with an espionage investigation already underway, that subject will be indexed to the "main" file of the espionage case as a new subject, and information concerning the new subject will then be channeled to the "main" file already established regarding the espionage investigation.

*U.S. Security Agency  
+ main file*

(i) During the course of an espionage investigation, information is reported concerning many named individuals who do not qualify as subjects of the investigation, but who have a role in the development of the case, for example, either as a potential suspect, innocent or unwilling participant, or future witness. These named individuals, appearing in communications already determined to be channeled to the "main" file established regarding the espionage case, are indexed as "see" references in order that information concerning these individuals will be retrievable through search of our General Indices.

*will not be a subject of the case*

(j) It can be thus seen that we have the capability of retrieving any information we may have on a sufficiently identifiable individual in our files at FBIHQ. Further, because of our numbering system, it is possible to limit our search for this information to a specific subject matter; that is, if we desire information concerning John Doe in the context of any connection he may have had to a specific kidnaping case (for example file number 7-100, as previously described), we review our General Indices to ascertain if we have an index card on John Doe with the file number 7-100. This file number would be followed by a third number which would designate the particular serial reference in the file containing the information desired. We would then obtain the file the index card referred to and review the information in file. We would then know we had located all information

*on the subject to be searched*

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in our possession concerning any connection John Doe had to our investigation of that particular kidnaping. We would also know, from the types of numbers on any other index cards maintained on John Doe, that any other information in our files concerning him would not relate to the kidnaping case in which we were interested.

(5) In connection with plaintiff's request, we first identified the "main" index cards regarding the following: Julius Rosenberg, Ethel Rosenberg, Morton Sobell, Anatoli Yakovlev, Klaus Fuchs, Harry Gold, Ruth Greenglass, David Greenglass, Max Elitcher, Oscar Vago and Abraham Brothman. The above named individuals were identified and information concerning them was specifically requested by plaintiffs in their initial FOIA request dated February 20, 1975. These individuals represented the "key" or principal subjects who related to the Rosenberg case, and each of these individuals is identifiable in our General Indices with "main" files. In cases of extensive investigation, a "main" file will consist of many volumes or sections. Each of the above named individuals has a main file consisting of multi-sections.

We determined that the "main" index cards concerning the above individuals represented "main" files consisting of a total of 363 sections of files, each section estimated to consist of between 150-200 pages. These are the files which pertain to the case of the United States v. Julius Rosenberg, Ethel Rosenberg, et al. In accordance with the Order of the Court, these files have been inventoried.

The next step was to identify the "see" reference index cards to the above named individuals. We have determined this represents a total in excess of 6,000 file references and these are being inventoried in accordance with the Order of the Court as indicated in paragraph 3, supra.

(6) The above searching procedures would, based on my knowledge of the FBI filing procedures, and the fact the above named individuals represent the principal subjects who related to the Rosenberg case, identify FBI records pertinent to the Rosenberg case. Because of this, the following procedure has

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been followed with regard to locating information in FBI files which relates in some manner to the Rosenberg case concerning the list of Government witnesses (excluding, of course, those appearing on the list but identified as "key" or principal subjects in this affidavit): The names have been searched through our General Indices to identify every instance in which the name of the witness appeared as a reference in one of the Rosenberg "main" files. For example, if the name of the witness Thomas O. Jones is referenced to the "main" files of Julius Rosenberg, Harry Gold, and/or Klaus Fuchs, et al., it will be listed on a separate inventory.

(7) The inventories attached hereto as Exhibits A to J have been prepared in accordance with the foregoing procedures. The exhibits are broken down as follows:

- Exhibit A pertains to Julius and Ethel Rosenberg main files and consists of 330 pages.
- Exhibit B pertains to David and Ruth Greenglass main files and consists of 72 pages.
- Exhibit C pertains to Morton Sobell main files and consists of 247 pages.
- Exhibit D pertains to Klaus Fuchs main files and consists of 206 pages.
- Exhibit E pertains to Harry Gold main files and consists of 142 pages.
- Exhibit F pertains to Anatoli Yakovlev main files and consists of 34 pages.
- Exhibit G pertains to Max Elitcher main files and consists of 39 pages.

Exhibit H

pertains to Abraham Brothman main files and consists of 80 pages.

Exhibit I

pertains to Oscar Vago main files and consists of 32 pages.

Exhibit J

pertains to Nathan Gregory Silvermaster (Harry Gold and Abraham Brothman, subjects) main files and consists of 604 pages.

Thomas H. Bresson

Thomas H. Bresson  
Special Agent  
Federal Bureau of Investigation  
Washington, D.C.

Subscribed and Sworn to before me this 25<sup>th</sup> day of

September, 1975.

Maryann T. [Signature]

Notary Public

My commission expires 12/31/77.