

File No: \_\_\_\_\_

Re: MURKIN - CIA REFERRALS

Date: \_\_\_\_\_  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
44-38861- 498	4/11/68	TELETYPE TO LEGAL ATTACHE, SANTO DOMINGO	2	2	b1, b3, b6, b7C, b7D
44-38861- 2404	4/17/68	INTERNAL MEMO	1	1	b1, b3, b6
44-38861- 1685	4/22/68	INTERNAL MEMO	2	2	b1, b3, b6
44-38861- 2461	4/28/68	INTERNAL MEMO	1	1	b1, b3, b6
44-38861- 2440	4/29/68	AIRTEL TO WASHINGTON FIELD OFFICE	1	1	b1, b3, b6
44-38861- 638	4/10/68	INTERNAL MEMO	1	1	b3, b6
44-38861- 1174	4/9/68	INTERNAL MEMO	3	3	b3, b6, b7C
44-38861- NOT RECORDED	5/22/68	INTERNAL MEMO	1	1	b1, b3
62-112697- 3	11/29/68	INTERNAL MEMO	4	4	b3
62-112697- NOT RECORDED	6/9/72	INTERNAL MEMO - (ORIGINAL FILED IN 105-82555-5683)	2	2	b1
62-112697- NOT RECORDED	6/15/72	INTERNAL MEMO - (ORIGINAL FILED IN 105-82555-5684)	2	2	-
62-112697- NOT RECORDED	6/16/72	INTERNAL MEMO - (ORIGINAL FILED IN 105-82555-5684)	3	3	-

**Inventory Worksheet**  
FD-503 (2-18-77)

File No: \_\_\_\_\_

Re: MURKIN - CIA REFERRALS

Date: \_\_\_\_\_  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
62-112697- NOT RECORDED	6/30/72	INTERNAL MEMO (ORIGINAL FILED IN 105-82555-5685	2	2	-
62-112697- 16	9/14/72	INTERNAL MEMO	2	2	-
62-112697- 18	9/18/72	TELETYPE FROM LEGAL ATTACHE, MEXICO CITY	2	2	b1
62-112697- 19	9/22/72	LETTER TO DIRECTOR, CIA	3	3	-
62-112697- 24	10/24/72	LETTER TO DAG	3	3	-

#1  
Jct D

*[Handwritten signature]*

①  
Jct D  
Dec 41

4/11/68

CODE

TELETYPE

URGENT

- 1 - Mr. Rosen
- 1 - Mr. G. C. Moore
- 1 - Mr. Griffith
- 1 - Mr. Atkinson

TO LEGAT SANTO DOMINGO  
FROM DIRECTOR FBI

*MURKIN*

VIA TELETYPE  
1238 PM  
APR 11 1968  
ENCIPHERED

ASSASSINATION OF MARTIN LUTHER KING, JR.

REURTELS NUMBERS TWO AND FOUR DATED APRIL EIGHT LAST.

PERTINENT DATA IN RETELS WAS INCORPORATED INTO LHM AND  
FURNISHED WHITE HOUSE, ATTORNEY GENERAL AND INTERESTED  
GOVERNMENT AGENCIES BY LETTER APRIL TEN INSTANT.

IN VIEW OF NATURE AND ENORMITY OF ALLEGATIONS MADE BY

**[REDACTED]** CONCERNING THIS MATTER, LEGAT MUST ENDEAVOR  
TO VERIFY OR DISPROVE SUCH ALLEGATIONS.

PHOTOGRAPH OF ONE **[REDACTED]** ALSO KNOWN AS

**[REDACTED]** BORN **[REDACTED]**  
AT **[REDACTED]** OR **[REDACTED]** BEING FORWARDED  
SEPARATELY.

BUREAU FILES REVEAL ABOVE INDIVIDUAL IS **[REDACTED]**

AND HIS PARENTS WERE **[REDACTED]** AND **[REDACTED]**

**[REDACTED]**  
**[REDACTED]**  
**[REDACTED]**  
**[REDACTED]**

20  
19  
18  
17  
16  
15  
14  
13  
12  
11  
10  
9  
8  
7  
6  
5  
4  
3  
2  
1

1 - Foreign Liaison Unit (route through for review)

1 - **[REDACTED]**  
1 - **[REDACTED]**

MAIL ROOM TELE

UNRECORDED COPY FILED IN 100-168197

REC-4 44-38861-498

19 APR 12 1968

*[Handwritten signatures and initials]*



TELETYPE TO LEGAT SANTO DOMINGO  
RE: ASSASSINATION OF MARTIN LUTHER KING, JR.

[REDACTED]

THIS INFORMATION WAS CLASSIFIED "SECRET" BY CIA.

CIA ON AUGUST NINE, SIXTY SIX, ADVISED IT HAD NOT HAD ANY  
OPERATIONAL INTEREST IN [REDACTED] AND ITS FILES  
INDICATED HE HAS "VERY UNSAVORY REPUTATION."

ADDITIONAL PERTINENT INFORMATION CONCERNING [REDACTED]  
WILL BE FORWARDED BY AIRTEL.

NOTE:

Legat in retels reported [REDACTED] had  
volunteered a third party had over heard a conversation in  
Santo Domingo between two Dominican communists in which  
it was alleged that [REDACTED] and [REDACTED]  
advocated the death of Martin Luther King and King's  
assassination would benefit the cause of black violence.

# Memorandum

2

- Tolson \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Mohr \_\_\_\_\_
- Bishop \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- Felt \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

*Doc #2  
Jot D*

TO : Mr. D. J. Brennan, Jr. *[Signature]*

DATE: April 17, 1968

FROM : S. J. Papich *[Signature]*

SUBJECT: MURKIN

*[Handwritten signature]*

*[Redacted]* Central Intelligence Agency (CIA), furnished the following to the Liaison Agent on April 17, 1968:

A CIA source, characterized as being very reliable, advised that on or about April 15, 1968, an individual identifying himself as *[Redacted]* a *[Redacted]* called at the *[Redacted]* office of the *[Redacted]* and asked to be *[Redacted]* as soon as possible. (It should be noted that reference is being made to the office of the *[Redacted]* *[Redacted]* He was asked to furnish his local address in *[Redacted]* and he refused to do so. He became very agitated and then left. So far he has not returned to the aforementioned office. CIA's source stated that *[Redacted]* answers the general description of the suspect in the instant case as reported in newspapers.

*[Redacted]* volunteered information indicating that he applied for *[Redacted]* in *[Redacted]* California, on June 16, 1964; and that he registered as a member of the *[Redacted]* in *[Redacted]* on February 21, 1968. He *[Redacted]* and *[Redacted]*. He was born April 8, 1937, in Missouri (town not given). CIA's source described him as 5'10"; 155 pounds; brown hair, receding hairline on both sides; a scar, not prominent, about two and one half inches long across the center of his forehead. His most outstanding characteristic was his grin, described as "disconcerting and resembling a grimace."

REC 44-38861-2404  
3

*[Redacted]* advised that this same information has been given to our Legat *[Redacted]* CIA is checking through available sources in *[Redacted]* to establish the whereabouts of *[Redacted]*. If this lead washes out, CIA would like to be advised.

**ACTION:** The above information is being directed to the attention of the Civil Rights Section of the General Investigative Division.

- SJP:clb *[Signature]* (4)
- 1 - Mr. McGowan (Long)
  - 1 - Liaison
  - 1 - Mr. Papich *[Signature]*

*[Handwritten signature]*



3

UNITED STATES GOVERNMENT

# Memorandum

#13  
104D

- Tolson \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Mohr \_\_\_\_\_
- Bishop \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- Felt \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

TO : Mr. W. C. Sullivan

DATE: April 22, 1968

FROM : Mr. J. A. Sizoo

SUBJECT: MURKIN

*McGuire*

At 6:35 pm 4/22/68, [REDACTED] Central Intelligence Agency (CIA), furnished the following information to Night Supervisor James F. McGuire by telephone:

[REDACTED]

[REDACTED]

[REDACTED]

Further, he does not know of any factual connection of these individuals with the King case. He said CIA sources were trying to develop this matter further. He also advised that CIA would send the FBI a written communication concerning this matter on 4/23/68.

At 9:10 pm 4/22/68, [REDACTED] CIA, orally advised that a check had been made with the [REDACTED] determined that [REDACTED]

[REDACTED]

- JFM:chs (7)
- 1 - Mr. Sullivan
- 1 - Mr. Rosen
- 1 - Mr. Helgeson
- 1 - Mr. J.A. Sizoo
- 1 - Mr. Papich
- 1 - Mr. J.F. McGuire

REC-48

CONTINUED OVER

44-38861-1685

APR 24 1968

Memorandum to Mr. Sullivan  
RE: MURKIN

[REDACTED]  
the assassination of Martin Luther King. [REDACTED] indicated that the entire information may be a complete hoax; however, CIA will advise FBI if any additional data comes to their attention.

ACTION:

The above information was orally furnished to Mr. Helgeson, General Investigative Division.

M

WCS  
/gd

UNITED STATES GOVERNMENT

# Memorandum

*Doc 4  
Jot D*

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

Mr. W. C. Sullivan *wcy ✓*

DATE: 4/28/68

J. A. Sizoo

MURKIN

*M. J. Gowan*

[redacted] Central Intelligence Agency (CIA), advised this date that a [redacted]

[redacted] Germany, had advised the American Embassy, Addis Ababa, Ethiopia, that he believed he had seen an individual whom he thought to be Eric Starvo Galt at the [redacted] on the afternoon of 4/23/68. Because he thought the individual looked like Galt he made an effort to get some information concerning him. He found he was registered at the hotel as [redacted]

[redacted] the [redacted] did not know if [redacted] had registered at the hotel as an American. In conversation with [redacted] the [redacted] learned that [redacted] was employed by the [redacted] (address unknown) and was en route to [redacted]

Bufiles contain no references to [redacted] or the [redacted]

[redacted] CIA, was advised that Bufiles contain no references to [redacted] or [redacted]

ACTION:

None. For information. This is being referred to the General Investigative Division.

JHK:brr (8)

- 1 - Mr. Sullivan *JHK ✓*
- 1 - Mr. Rosen
- 1 - Mr. Sizoo
- 1 - Mr. G.C. Moore
- 1 - Mr. McGowan
- 1 - Mr. McDonough
- 1 - Mr. Kavanagh

REC-31

44-38861-2461

*WRT*



5

*Doc #5  
Joh D*

4-29-68

Airtel

To: SAC, Washington Field

1 - Mr. Hudson

From: Director, FBI

MURKIN

On 4-28-68, a representative of CIA advised the Bureau that a [redacted] had advised the American Embassy, [redacted] that he believed he had seen an individual whom he thought to be Eric Starvo Galt at the [redacted] on the afternoon of 4-23-68. The individual was identified as [redacted] who is reportedly an employee of the [redacted] (address unknown).

Washington Field, check passport records for any identifying data concerning [redacted] and also attempt to determine through the Department of State any information concerning the [redacted] which reportedly is operating in [redacted]. If no information available in State Department records regarding the [redacted] determine whether State Department can obtain this information from the [redacted] Embassy.

Handle immediately.

1 - Memphis (info)

EX-110 REC 5 44-38861-2440

APR 30 1968

FJH:jlh  
(5)

NOTE: See memorandum from J. A. Sizoo to W. C. Sullivan dated 4-28-68, captioned "Murkin" JHK:brr.

MAY 3 1968

*Clayton*

*John*

*JH*

MAIL ROOM  TELETYPE UNIT

6

UNITED STATES GOVERNMENT

# Memorandum

Tolson	_____
DeLoach	_____
Mohr	_____
Bishop	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO: Mr. Rosen *[Signature]*

DATE: April 10, 1968

FROM: C. L. McGowan *[Signature]*

- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. Long

SUBJECT: MURKIN

This is the matter involving the assassination of Dr. Martin Luther King.

Liaison advised of the receipt of information from Richard Helms, Director of CIA, that one [redacted] was a possible suspect. According to information furnished by Howard Osborn, Director of Security of CIA, [redacted] has been a source of trouble to CIA for some time. Only recently Mr. Helms received a very cryptic telegram from [redacted]. In reviewing [redacted] they noted a photograph which bears a very strong resemblance to recent pictures of artist drawings of the killer which have appeared in local papers. The likeness was so striking that Mr. Helms thought it should be brought to the attention of the FBI immediately.

ACTION:

Senior Resident Agent Jesse Hall, Alexandria, Virginia, was telephonically contacted and instructed to obtain full details from the files of CIA Headquarters at Langley, Virginia, together with all background information on [redacted] as well as a photograph, so that this matter could be thoroughly checked out.

CRM:mcs *[Signature]*  
(5)

101

REC-31

44-38861-638

12 APR 16 1968

*[Handwritten initials]*

70 APR 18 1968



7

UNITED STATES GOVERNMENT

# Memorandum

Mr. DeLoach *ps*

DATE April 9, 1968

- Tolson \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Mohr \_\_\_\_\_
- Bishop
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- Felt \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen
- Sullivan
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

A. Rosen *AR*

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. McDonough
- 1 - Mr. Long
- 1 - Mr. Martindale
- 1 - Mr. Bishop
- 1 - Mr. Conrad
- 1 - Mr. Sullivan

**MURKIN**

*Handwritten signatures and initials:*  
*S. J. [unclear]*  
*D. [unclear]*  
*[unclear]*

This is the case involving the murder of Martin Luther King, Jr.,

4/4/68.

One of the most promising leads developed so far is the laundry tags appearing on a T-shirt and a pair of shorts apparently abandoned by the subject with the rifle that is believed to be the murder weapon. It has been determined that these laundry marks were made by a Thermo Seal marking machine manufactured by the Textile Marking Machine Company, Syracuse, New York. The manufacturer of this machine has advised that the laundry marks in question are unusual in that they consist of five characters whereas the usual code contains six characters.

These markings are also unusual because the first two characters are in smaller type while the remaining three characters are in larger type. The normal arrangement is for the first three characters to be in smaller type and for the following characters to be in larger type. The Textile Marking Machine Company has stated only a limited number of machines have been manufactured which print laundry marks in this manner. Investigation is proceeding on an expedited basis to locate these machines for the purpose of identifying the laundry marks.

EX-115 REC-4-38861-1174

Richard Helms, Director of the Central Intelligence Agency, has furnished the Central Intelligence Agency file on [redacted] whom Helms considers a suspect because of his resemblance to an artist's conception of the subject and because of the Central Intelligence Agency's experience with [redacted]. The Central Intelligence Agency file states [redacted]

Enclosure *sent 4-9-68*  
 APR 24 1968  
 Wlm: yea *746*

REC'D - [unclear] OFFICE

CONTINUED - OVER



Memorandum to Mr. DeLoach  
RE: MURKIN

He has been a chronic letter writer to the Central Intelligence Agency criticizing them and the Government. By letter of [REDACTED] requested the Central Intelligence Agency to pay him [REDACTED]

The only record of [REDACTED] found in Bureau files is a memorandum from the Central Intelligence Agency, 1/18/68, advising us of his letters to the Central Intelligence Agency. No record can be located in the Identification Division but [REDACTED] fingerprints are being obtained from the [REDACTED]

A. C. Hayden, Intra-Division Information Unit of the Department, advised on the evening of 4/8/68 that Beatrice Rosenberg, a secretary in the Attorney General's office, had received a telephone call from a man identifying himself as [REDACTED] who said he resided at [REDACTED] Whitefield, North Carolina. [REDACTED] said he was calling the Attorney General to report that a white man was in his house, was drunk, had a gun and said he had killed Martin Luther King, Jr.

There is no Whitefield, North Carolina. There is a Whiteville, North Carolina. Investigation by the Charlotte Division has failed to locate a [REDACTED] or [REDACTED] in the Whiteville area and no record of a [REDACTED] has been located. No record of [REDACTED] could be found in Bureau files.

A pair of duckbill pliers was found among the personal effects believed to have been abandoned by the subject. These pliers bear a trademark of the Rompage Hardware Company, Los Angeles. Employees at the hardware company believe this is one of twelve pliers purchased in October, 1966. Employees have no recollection of the sale of these pliers but an exhaustive search is being made of charge sale records.

It is noted that the rifle believed to be the murder weapon was purchased in Birmingham, Alabama, 3/30/68. Binoculars found with the rifle were purchased in Memphis, 4/4/68. A latent fingerprint found on the rifle is identical with a latent fingerprint found on the binoculars. This presents a strong probability that these fingerprints are those of the subject.

↓ ↓ ↓  
- 2 - CONTINUED PAGE THREE

Memorandum to Mr. DeLoach  
RE: MURKIN

Other major avenues of investigation include checking out white Mustang automobiles, since one was seen leaving at a high rate of speed after the shot was fired; efforts to trace a bedspread or blanket found with the gun, and the immediate processing of all suspects as soon as they are developed.

**ACTION:**

1. Attached is a memorandum for the White House, the Attorney General, the Deputy Attorney General and the Civil Rights Division.

2. Investigation is continuing on an all-out basis.

*Chu*

*[Handwritten mark]*

*V*

*[Handwritten mark]*

*GK*  
*[Handwritten mark]*

*R*

*[Handwritten mark]*



Mr. D. J. Brennan, Jr.

May 22, 1968

S. J. Papich

COMMUNIST PARTY OF COLOMBIA  
INTERNAL SECURITY - COLOMBIA

*[Handwritten scribble]*

[REDACTED]

[REDACTED]

ACTION:

This information will be checked out by the Soviet Section for any significant indicators relating to the movement of funds through Soviet intelligence channels.

This information and enclosure are also being directed to the attention of the General Investigative Division in the event we desire to check any identified currency utilized by James Earl Ray against the attached listing.

Enclosure

SJP:cib  
(7)

- 1 - Mr. Branigan
- 1 - Mr. Wannall
- 1 - Mr. McGowan
- 1 - Murkin File
- 1 - Maison
- 1 - Mr. Papich

44-38861  
NOT RECORDED  
87 DEC 4 1968

ORIGINAL FILED IN



# Memorandum

- Assoc. Dir.
- Asst. Dir.
- Adm. Serv.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Laboratory
- Plan. & Eval.
- Spec. Inv.
- Training
- Legal Coun.
- Telephone Rm.
- Director Sec.

TO : Mr. E. S. Miller *(initials)*

DATE: November 29, 1973

FROM : W. A. Branigan *(initials)*

SUBJECT: COMMITTEE TO INVESTIGATE ASSASSINATIONS  
MISCELLANEOUS - INFORMATION CONCERNING

On November 21, 1973, Mr. [redacted] of the Central Intelligence Agency personally delivered the attached press release noting that the captioned committee was sponsoring a two-day conference at Georgetown University on November 23 and 24 in commemoration of the Tenth Anniversary of President John F. Kennedy's death. Mr. [redacted] particularly noted that former Special Agent William Turner was scheduled to be the moderator of a panel dealing with unique investigative techniques. In the program Turner is identified as a former FBI Agent, author of numerous books on investigative techniques. Among others appearing on the program are Fred Cook, Mark Lane, Harold Weisberg, all of whom who have been outspoken critics of the FBI.

The Central Intelligence Agency, according to Mr. [redacted] was concerned over the appearance of their ex-employees - Victor Marchetti and George O'Toole.

Mr. [redacted] advised that his Agency would have coverage of the conference and that he would be happy to pass along any data developed by their coverage.

ACTION:

For information. Anything of pertinence received from Mr. [redacted] will be made a matter of record. A copy of this memorandum has been designated for the personnel file of ex-Agent Turner.

WAB:hke  
(5)

62-112697  
Enclosure

- 1 - Personnel File of William Turner
- 1 - Mr. E. W. Walsh
- 1 - Mr. E. S. Miller
- 1 - Mr. W. A. Branigan

COPY RETAINED IN PERSONNEL RECORDS UNIT

UNRECORDED COPY FILED

REC-89

62-112697-3

EX-112

*NPC/gim*

DEC 3 1973

ENCLOSURE

*[Handwritten signature]*

XEROX

1973

5 DEC 13 1973

11741-1 XEROX

DEC 12 1973

*[Handwritten initials]*  
FAS: FLO: [unclear]  
(See FAS Cor 2)

COMMITTEE TO INVESTIGATE

ASSASSINATIONS

1520 16TH STREET, N. W.  
WASHINGTON, D. C. 20006  
(202) 232-1152

ROBERT SMITH  
DIRECTOR OF RESEARCH

JAMES LESAR  
COUNSEL

FOR IMMEDIATE RELEASE:

In observance of the tenth anniversary of President Kennedy's death, the Committee to Investigate Assassinations is sponsoring a two-day Conference at Georgetown University on November 23rd and 24th. A brochure describing the Conference and its program is attached. As you will note, several of the Nation's prominent writers and investigators of the assassinations of the past decade will speak.

While a number of different points of view on the subject will be represented, there is general consensus that the Executive Branch has failed to make known all the relevant facts of the assassinations. We believe that the Congress must ultimately take the initiative if the public is to learn all of the facts, and that Watergate has shown us that Congress' action depends largely on disclosures by an informed press and other news media.

A press pass will be available for you at the Conference registration desk. For further information, please contact:

Ms. Andrea Wyatt  
Conference Coordinator  
(202) 232-1152

*memo W.A. Blumigan  
to Mr. E. S. Miller,  
11/29/73  
WA 15 ENCLOSURE*

1963 - 1973

## PROGRAM

FRIDAY - NOVEMBER 23

- 9:00 LATE REGISTRATION -  
Early Registrants pick up passes.
- 9:30 WELCOME:  
Mr. Bernard Fensterwald, Jr., Executive Director, Committee to Investigate Assassinations  
Mr. Norman Mailer, Author and Forwarder of *The Fifth Estate*
- 10:00 CURRENT STATUS OF PROMINENT ASSASSINATION CASES:  
JFK CASE - Mr. Robert P. Smith, Director of Research, Committee to Investigate Assassinations  
RFK CASE - Mr. Robert Hanson, Attorney, present counsel for Sirhan Sirhan  
KING CASE - Mr. James Lesar, Attorney, present counsel for James Earl Ray  
WALLACE CASE - Mr. Ronald Van Doren, Newsmen, Author, researcher into the background of Arthur Bremer  
ROCKWELL CASE - Ms. Meredith Rode, Professor at Federal City College, Authority in killing of George Lincoln Rockwell
- 11:30 UNIQUE INVESTIGATIVE TECHNIQUES:  
Mr. William Turner, Moderator - Former FBI Agent, Author of numerous books on investigative techniques  
Mr. George O'Toole - Former CIA Agent, Free-Lance Writer, expert on the FSE (Psychological Stress Evaluator)  
Mr. Robert Saltzman - Computer Engineer, lecturer on the Warren Commission Report

FRIDAY - Continued

- 12:30 BREAK FOR LUNCH
- 2:00 MEDICAL AND PHYSICAL EVIDENCE:  
Mr. Joseph Thompson, Moderator - Professor at Haverford College, author of *Six Seconds in Dallas*  
Dr. Cyril Wecht - Professor of Law and Forensic Medicine at Duquesne University; Coroner of Pittsburgh, Pa.  
Ms. Sylvia Meagher - Attorney, UN Official, author of *Accessories After The Fact*  
Mr. Roger Hanson - Attorney, counsel to Sirhan Sirhan  
Mr. Herbert MacDonnell - Professor of Criminalistics, Corning University; expert in case of Fred Hampton  
Mr. Mark Lane - Attorney, author of *Rush To Judgment and Executive Action*
- 6:00 BREAK FOR DINNER
- 8:30 WARREN COMMISSION REPORT: FACT OR FICTION -  
A slide show and lecture by Mr. Robert Saltzman

SATURDAY - NOVEMBER 24

- 9:30 ASSASSINATIONS AND THE MEDIA:  
Mr. John Henry Faulk, Moderator - Humorist and Author of *Fear On Trial*  
Mr. Robert Kaiser - Author of *RFK Must Die*  
Mr. Donald Freed - Co-Author of *Executive Action*  
Mr. Harold Weisberg - Author of *Frame Up*  
Mr. Ted Charach - Author of *Second Gun*  
Mr. Peter Noyes - Author of *Legacy Of Doubt*  
Mr. Fred Cook - Author of numerous books and articles
- 12:30 BREAK FOR LUNCH
- 2:00 THEORIES OF CONSPIRACY:  
Mr. Richard Sprague, Moderator - Computer expert and author  
Dr. Richard Popkin, Professor at Washington University; author of *The Second Oswald*  
Col. Fletcher Prouty - Former Liaison Officer between Pentagon and CIA; author of *The Secret Team*  
Mr. Robert K. Brown - Former Special Services Officer; expert in attempts on life of Castro  
Mr. Earl Galt - Reporter for Dallas Morning News, expert on Organized Crimes  
Mr. Victor Marchetti - Former CIA Agent; author  
Mr. Peter Dale Scott - Professor at Berkeley; Author of *The War Conspiracy*
- 5:00 INDIVIDUAL WORKSHOPS WITH THE SPEAKERS -  
Question and Answer Sessions
- 6:00 FINI



THE LAST THREE PRESIDENTIAL  
ELECTIONS HAVE BEEN DECIDED BY  
BULLETS:

1964 - result decided by the assassination of  
President John F. Kennedy

1968 - result decided by the assassination of  
Senator Robert F. Kennedy

1972 - result decided by the near-assassination of  
Governor George Wallace

WHAT is the evidence?

WHO fire the fatal shots?

WHY has there been such a concerted effort  
to withhold the facts?

WHO was really behind the assassinations?

COME SHARE THE FINDINGS  
OF THE NATION'S EXPERTS

AT A TWO DAY CONFERENCE

SPONSORED BY THE COMMITTEE TO  
INVESTIGATE ASSASSINATIONS

TO BE HELD AT

GEORGETOWN  
UNIVERSITY

GASTON HALL

Nov. 23-24, 1973

DECADE OF  
ASSASSINATIONS

1963 - 1973

JOHN F. KENNEDY • SYLVANUS OLYMPIO •  
ABDUL KARIM KASSEM • MEDGAR EVERS •  
"NGO" DINH DIEM • JIGME DORJI • ADIB AL  
SHISHAKLI • PIERRE NGENDANDUWE  
HASSAN ALI MANSOUR • MALCOLM X • VIOL  
LIUZZO • MARIO MENDEZ MONTENEGRO • SIR  
ABUBAKAR BALEWA • J.T.V. IRONSI AGUIYI  
HENDRIK VERWOERD • TRAN VAN VAN  
GEORGE LINCOLN ROCKWELL • CHE GUEVARA  
• MARTIN LUTHER KING • ROBERT F.  
KENNEDY • EDUARDO MONDLANE • TOM  
MBOYA • A.A. SHERMARKE • GEORGE  
WALLACE • SALVADORE ALLENDE •

Acting Assistant Attorney General  
Civil Division

Acting Director, FBI

1 - Mr. A. Rosen  
1 - Mr. D. J. Dalbey  
(Hotis)

June 9, 1972

1 - Mr. E. S. Miller  
1 - Mr. W. A. Branigan  
1 - Mr. J. P. Thomas

62-112697-  
BERNARD FERSTERWALD, JR. v. DEPARTMENT  
OF JUSTICE, USDC D.C., CIV. NO. 361-72

Reference is made to your communication captioned as above dated May 19, 1972, your reference 145-13-1727. You enclosed a copy of the complaint in the above entitled matter filed pursuant to the Freedom of Information Act and requested no later than June 9, 1972, a litigation report.

We are unable to prepare a litigation report in the form requested because this Bureau has had no communication written or oral with the plaintiff regarding his request for access to and the right to copy three photographs which were displayed in February, 1964, to one Pedro Gutierrez Valencia in Mexico City.

For your information, the Central Intelligence Agency (CIA) loaned certain photographs and, by cropping out the background of each, prepared them in February, 1964, for display by the FBI to Gutierrez. These photographs, as cropped, were displayed to Gutierrez and when he failed to identify any they were returned to CIA. Our representative in Mexico did not retain copies of the cropped photographs and did not send copies of these cropped photographs to the FBI Headquarters. CIA has stated that the photographs shown to Gutierrez were and are classified "Secret." A CIA representative in Mexico has informed our Legal Attache in Mexico that all items relating to this matter have been sent to CIA Headquarters.

The FBI has some uncropped photographs which were furnished by CIA in November, 1963, believed to be copies of the photographs which in cropped form were shown to Gutierrez in February, 1964. It is suggested that you may wish to consult with the General Counsel of CIA before answering the plaintiff. The specific photographs sought by the plaintiff are the property of CIA and a decision as to their release is properly within the purview of that Agency.

Enclosures - 2

105-82555

51 AUG 1 1972

1 - 62-81930  
① - 62-112697

DUPLICATE YELLOW  
LW:JPT:dld  
(10)

SEE NOTE PAGE TWO

895-55528-501  
ORIGINAL FILED IN

**Acting Assistant Attorney General  
Civil Division**

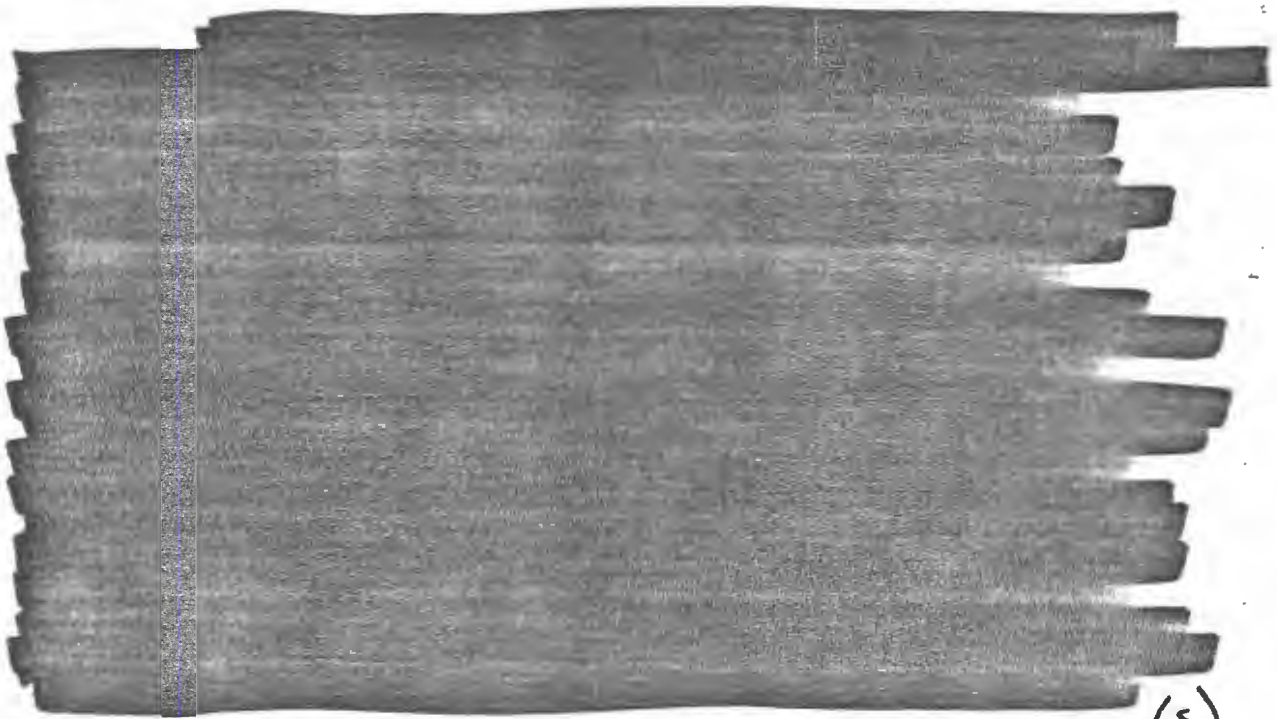
It was noted that in the plaintiff's letter to the Acting Attorney General dated April 11, 1972, a copy of which was forwarded to the FBI with your letter of May 18, 1972, the plaintiff stated that he had made inquiry of the General Counsel of CIA regarding the pictures.

Pursuant to the request of Mr. Jeffrey Axelrad of your office to Special Agent John B. Kotis of this Bureau on June 7, 1972, there are enclosed two copies of the plaintiff's letter of March 22, 1972, a copy of which was forwarded to this Bureau by the Acting Attorney General April 20, 1972.

In the event an affidavit is necessary regarding the uncropped photographs in the possession of the FBI and the interest of CIA in those photographs as well as in the cropped photographs shown to Gutierrez, such can be prepared in due course.

In the event further discussions are necessary in this matter, your representative may contact directly Special Agent John B. Kotis, telephone 175-2676 or Special Agent John P. Thomas, telephone 175-2181.

NOTE:



(5)



E. S. Miller

W. A. Branigan

BERNARD FENSTERWALD, JR. v. DEPARTMENT OF JUSTICE, USDC D.C., CIV. NO. 861-72

*Committee to Investigate Assassinations*

This proposes information be requested from Central Intelligence Agency (CIA) for use in responding to request of Civil Division, Department of Justice, regarding captioned civil suit under Freedom of Information Act.

Bernard Fensterwald, Washington, D. C., attorney associated with Committee to Investigate Assassinations, initiated civil action in U. S. District Court for District of Columbia on May 2, 1972, to obtain access to and right to copy three photographs of an unknown individual which were displayed by a Special Agent in Mexico City, Mexico, to one Pedro Gutierrez Valencia in connection with the investigation of the assassination of President Kennedy. Fensterwald involved Bureau in his complaint as a subordinate component of defendant, Department of Justice.

The specific photographs sought were obtained by our Legal Attache, Mexico City, from CIA, Mexico City, on 2/19/64 and then, when Gutierrez failed to identify the individual pictured, the photographs were returned to CIA. We have neither the actual photos displayed nor do we have copies of them in the form (backgrounds cropped out) in which they were shown. We do have copies of some uncropped photographs obtained from CIA in 11/63 in the same investigation which match the descriptions of those sought by Fensterwald. Inasmuch as we do not have those shown to Gutierrez, we cannot positively state that the pictures in our files are or are not identical with those shown to Gutierrez. The CIA pictures were classified "Secret" by CIA and are the property of CIA. We must determine whether CIA has the pictures sought, whether they are still classified and whether CIA would object to their release to Fensterwald.

Supervisors John B. Hotis, Office of Legal Counsel, and John P. Thomas, Espionage Section, discussed this matter with Mr. Jeffrey Axelrad, Civil Division, on 6/12/72 at his request. Axelrad said he does not want to publicly involve CIA in this

- 1 - 62-81830
- 1 - 62-112697

Enclosures  
105-82555  
JPT:pld  
(9)

~~ENCLOSURE~~

62-112697-

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133 JUL 28 1972

CONTINUED - OVER

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- 1 - A. Rosen
- 1 - D. J. Dalbey  
(Hotis)

6/15/72

- 1 - C. W. Bates
- 1 - E. S. Miller
- 1 - W. A. Branigan
- 1 - J. P. Thomas

Memorandum Branigan to Miller  
Re: Bernard Fensterwald, Jr. v. Department  
of Justice, USDC D.C., Civ. No. 861-72  
105-82555

matter inasmuch as CIA is not named in Fensterwald's complaint. He expressed the opinion that if CIA will not release the photographs, he will need an affidavit from an FBI Agent familiar with the Oswald file to the effect that the photographs in FBI files are classified under Executive Order 10501, as amended, and are part of an investigatory file compiled for law enforcement purposes. As such, they would be exempt from production under the Freedom of Information Act.

ACTION:

Attached for approval is a letter to CIA requesting information necessary for our response to the Civil Division.



- 1 - A. Rosen
- 1 - D. J. Dalbey (Hotis)
- 1 - C. W. Bates
- 1 - E. S. Miller

(E) ~~105-82555~~

BY COURIER

62-112697-

- 1 - W. A. Branigan
- 1 - J. P. Thomas

Date: June 16, 1972

To: Director  
Central Intelligence Agency

From: L. Patrick Gray, III, Acting Director

Subject: BERNARD FENSTERWALD, JR. v. DEPARTMENT  
OF JUSTICE, USDC D.C., CIV. NO. 361-72

A civil action was instituted against the Department of Justice in United States District Court, District of Columbia, by complaint of Bernard Fensterwald, Jr., dated May 2, 1972. Fensterwald, under the Freedom of Information Act, seeks access to and the right to copy three photographs described in an FBI memorandum dated February 24, 1964, which was submitted to the President's Commission on the Assassination of President Kennedy, generally known as the Warren Commission. The memorandum became Warren Commission Document Number 566. A copy of that memorandum is enclosed. The photographs in question are described on pages 3 and 4 of that memorandum in the paragraphs commencing with "On February 20, 1964..." and concluding with "...occurrence described above."

It may be noted that a copy of the memorandum, classified "Confidential," was previously furnished to your Agency on March 4, 1964. The memorandum was declassified by the Department of Justice on January 14, 1971.

Our Legal Attache, Mexico City, Mexico, advised in February, 1964, that the three photographs shown to Pedro Gutierrez Valencia on February 20, 1964, were among photographs furnished to a representative of his office by your Mexico City station on February 19, 1964, and at that time they were reportedly classified "Secret." On June 5, 1972, our Legal Attache, Mexico City, reported that the three pertinent photographs were not in his possession, were never made a part of his file, were not forwarded to FBI Headquarters

- 1 - 62-81830
- 1 - 62-112697

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DUPLICATE YELLOW

SEE NOTE PAGE THREE

ORIGINAL FILED IN 105-82555-5684



Director  
Central Intelligence Agency

and were apparently returned to your Mexico City station in February, 1964, following Gutierrez' failure to identify the individual pictured therein. The Legal Attache also reported that your field representative had informed him that all pertinent material in this matter had been forwarded to CIA Headquarters.

In order that this Bureau may respond to requirements of the Civil Division of the Department of Justice in this matter, it is requested that your Agency furnish the following information:

1. Are the photographs shown to Gutierrez in the possession of your Agency?
2. Would your Agency object to the release to Fensterwald of those photographs in the form in which they were shown to Gutierrez, that is, with backgrounds cropped out?
3. Were the photographs prepared and furnished by your Mexico City station to our Legal Attache for display to Gutierrez copies made from those photographs which were made available to the Legal Attache by your Mexico City station on November 22 or 23, 1963? It is noted that we are in possession of uncropped copies of the latter. A cropped version of one of those photographs (Odon Exhibit number 1) was displayed to Marguerite Oswald on November 23, 1963, and subsequently became the subject of a November 7, 1964, affidavit of Richard Helms, then Deputy Director for Plans. That affidavit is set out on pages 469 and 470 of Volume XI of the published "Hearings Before the President's Commission on the Assassination of President Kennedy."
4. Would your Agency object to the release to Fensterwald of copies of the uncropped photographs obtained from your Mexico City station on November 22 or 23, 1963?
5. What is the security classification of the aforementioned photographs made available by your Agency on November 22 or 23, 1963, and February 19, 1964?
6. If your Agency would oppose release of any of the photographs mentioned above, can you suggest reasons why, in your opinion, they should not be released? Such reasons should

Director  
Central Intelligence Agency

relate as directly as possible to the Freedom of Information Act, as, for example, that the photographs are exempted from disclosure by statute, or come within one or more of the exemptions specified in the Act. Any exemption should be specifically identified and discussed. If appropriate, a statement of facts demonstrating the manner in which production of the photographs requested would prejudice the operations of your Agency should be included.

Preliminary discussions on this matter have been held with the Civil Division of the Department of Justice. At this time it is the tentative opinion of the Civil Division that if your Agency objects to the release of the photographs to Fensterwald, an affidavit of a representative of this Bureau must be prepared stating in effect that the photographs are classified material under Executive Order 12801, as amended, and are part of an investigatory file compiled for law enforcement purposes. No mention of the Central Intelligence Agency in the affidavit is contemplated at this time.

The Civil Division has requested that this matter be handled most expeditiously inasmuch as the Freedom of Information Act provides that actions under it "shall take precedence on the docket over all other causes...and expedited in every way." In addition, a motion for Summary Judgment was filed by Fensterwald on June 8, 1972. Mr. Jeffrey Axelrad, Civil Division, Department of Justice, has stated that he is available for consultation with representatives of your Agency should you desire to contact him prior to responding to this communication.

Enclosure

1 - Acting Assistant Attorney General  
Civil Division

NOTE:

See memorandum W. A. Branigan to E. S. Miller, dated 6/15/72, captioned as above, prepared by JPT:pld.

1 - Mr. S. B. Donahoe  
1 - Mr. D. J. Dalbey  
(Hotis)  
6/30/72

Kr. E. S. Miller

1 - Mr. C. W. Bates  
1 - Mr. E. S. Miller  
1 - Mr. W. A. Branigan  
1 - Mr. J. P. Thomas

W. A. Branigan

**BERNARD FENSTERWALD, JR. v. DEPARTMENT OF JUSTICE, USDC D.C., CIV. NO. 861-72**

This recommends Office of Legal Counsel expeditiously furnish Department with attached photographs urgently needed by Civil Division in connection with captioned Freedom of Information suit.

○ Bernard Fensterwald, Washington, D. C., attorney associated with Committee to Investigate Assassinations, initiated civil action in U. S. District Court for District of Columbia on 5/2/72, to obtain access to and right to copy three photographs of an unknown individual which were displayed by a Special Agent in Mexico City, Mexico, to one Pedro Gutierrez Valencia in connection with the investigation of the assassination of President Kennedy. Fensterwald involved Bureau in his complaint as a subordinate component of defendant, Department of Justice.

The photographs sought by Fensterwald were obtained by Legal Attache, Mexico City, from Central Intelligence Agency (CIA), Mexico City, on 2/19/64, displayed to Gutierrez and returned to CIA. CIA, Mexico City, later sent them to CIA Headquarters. By letter 6/16/72, we asked CIA if it would object to release to Fensterwald of its photographs in form (background cropped out) in which they were shown to Gutierrez. CIA responded that under no circumstances may the uncropped photographs be released, but it has no objection to release of copies cropped as they were for Gutierrez. CIA furnished us a copy of each photograph showing only the individual in whom Fensterwald is interested, stating that these photographs are not "the actual ones shown to Gutierrez, but the description (in Fensterwald complaint) is sufficiently detailed to conclude that they are either the same photographs or copies thereof." On 6/29/72, Assistant U. S. Attorney Robert N. Verdig, Jr., USDC, Washington, D. C. (SDC), contacted Supervisor John B. Hotis, Office of Legal Counsel, and stated that he is representing the Government in this matter. He asked about availability of the photographs and was referred by Mr. Hotis to Supervisor J. P. Thomas, Domestic Intelligence Division, for assistance. Mr. Verdig said that

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① - 62-112697  
Enclosures  
105-82555

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62-112697-  
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Memorandum Branigan to Miller

Re: Bernard Fensterwald, Jr. v. Department  
of Justice, USDC D.C., Civ. No. 861-72  
105-82555

Court had directed him to appear in USDC, WDC, on the morning of 7/5/72, to respond to Fensterwald's Motion for Summary Judgment. Jeffrey Axelrad, Civil Division, Department of Justice, has advised that if the photographs are not produced then, there is every indication that the Court will grant the judgment. Mr. Verdig was informed that the photographs have been received. He asked that a copy of each photograph be made available to him no later than Monday morning, 7/3/72. He stated that upon receipt of the copies, he would give them to Fensterwald and have Fensterwald sign a precept dropping the suit. SA Thomas informed Mr. Verdig that every effort would be made to comply with his request.

It may be noted that Mr. Verdig, who said he is well acquainted with "Bernie" Fensterwald, called SA Thomas later on 6/29/72 to advise that he had told Fensterwald he expected to be able to give him the photographs on 7/3/72. He also said "Bernie" had asked him to ask the Bureau, as a favor, if it would also furnish him with negatives for each photograph, which Fensterwald would pay for. Fensterwald said he wanted the best negatives possible to make copies of the photographs. Mr. Verdig asked if we would do this favor for "Bernie." Verdig was informed that the FBI Laboratory does not do photographic work for private individuals and that there was no reason apparent why an exception should be made for Fensterwald. (Fensterwald's Committee to Investigate Assassinations has persistently requested material relating to the assassination which has not been released to the public. These requests have required a great expenditure of effort on the part of the Bureau to the extent that they might be considered a campaign of harassment of the Government).

ACTION:

With your approval, attached photographs will be expeditiously conveyed by the Office of Legal Counsel to the Department for transmittal to Mr. Verdig on 7/3/72. Office of Legal Counsel will coordinate this matter with Mr. Axelrad, Civil Division, and have arrangements made for a receipt for the photographs to be secured from Fensterwald. It may be appropriate to remind Mr. Axelrad that, as he previously stated, no mention is to be made in the public record of proceedings in this matter of the CIA.

UNITED STATES GOVERNMENT

# Memorandum

TO : E. S. Miller *WMS*

FROM : W. A. Branigan *WAB*

SUBJECT: BERNARD FENSTERWALD, JR. - FREEDOM OF INFORMATION REQUEST

- 1 - Mr. D. J. Dalbey
- 1 - Mr. E. S. Miller
- 1 - Mr. W. A. Branigan
- DATE: 9/14/72
- 1 - Foreign Liaison Desk
- 1 - Mr. J. P. Thomas

- Felt
- Baker
- Butler
- Bishop
- Callahan
- Cleveland
- Conrad
- Dalbey
- Jenkins
- Marshall
- Miller, E.S.
- Ponder
- Soyars
- Walters
- Tele. Room
- Mr. Kinley
- Mr. Armstrong
- Ms. Herwig
- Mrs. Neenan

This recommends Deputy Attorney General be informed we have initiated efforts to locate photographs sought by subject under provisions of Freedom of Information Act.

Subject has filed a request under Freedom of Information Act for 20 photographs shown to a Pedro Cutierrez Valencia in Mexico City on 2/20/64 during investigation of assassination of President John F. Kennedy.

Fensterwald is head of "Committee to Investigate Assassinations," which apparently is trying to link in a conspiracy the murders of John and Robert Kennedy and Martin Luther King, Jr., as well as to prove his theory that Lee Harvey Oswald was an FBI informant. Fensterwald has made repeated requests for material not available to the public regarding the Oswald case.

Mexico City Letterhead Memorandum 2/24/64, which was subsequently declassified and made Warren Commission Document 566, states that on 2/20/64 Gutierrez examined 20 photographs of possible white male Americans and stated that none of them was identical with the American previously identified by him as Oswald whom he claimed to have seen in Mexico City on 10/1/63. FBI Headquarters' files indicate the photographs in question were furnished to Legat, Mexico, by Central Intelligence Agency (CIA), Mexico, and were not submitted to FBI Headquarters. We must determine: whether they are in Legat's files and if so, obtain them; if not in Legat's files, what disposition was made of them. It seems obvious that we must ultimately consult with CIA if the photographs can be located regarding release of them to Fensterwald. If photographs are located, Domestic Intelligence Division will confer with Office of Legal Counsel regarding

Enclosures

- 1 - 105-82555 (Lee Harvey Oswald)
- 1 - 62-112697 (Fensterwald)

REC-66  
11/1/72

62-112697-16  
25 SEP 20 1972  
*J.P. Thomas*

105-82555-  
62-112697-16

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58 SEP 20 1972

SEP 21 1972

CONTINUED - OVER

Memorandum to Mr. E. S. Miller  
Re: Bernard Fensterwald, Jr. - Freedom of Information  
Requests

response to Deputy Attorney General regarding production.  
In the interim, Deputy Attorney General will be informed that  
we have initiated efforts in response to his request.

ACTION:

1. With your approval, attached cable will be  
sent to Legat, Mexico instructing efforts be made to locate  
or determine location of photographs.

2. With your approval, attached letter will be  
sent to Deputy Attorney General informing him action on his  
request has been initiated.

*IPT*

*EM*

*DEM/CCM*

*WSC*

*DJD*  
*JAM*





MEX 105-3702 PAGE TWO

THREE TO SAC, DALLAS, IN WHICH HE RECORDED DELIVERY OF THE  
LATTER SERIES OF PHOTOS AT DALLAS, MAKES NO MENTION OF  
THE QUOTE TWENTY PHOTOGRAPHS OF POSSIBLE WHITE MALE  
AMERICANS UNQUOTE. FURTHERMORE, THE MEXICO CITY LHM OF  
FEBRUARY TWO FOUR, ONE NINE SIX FOUR, INDICATES THESE  
TWENTY PHOTOS WERE NOT RECEIVED BY LEGAT, MEXICO FROM  
CIA [REDACTED] UNTIL FEBRUARY ONE NINE, ONE NINE SIX FOUR.

CIA [REDACTED] ADVISED ON SEPTEMBER EIGHTEEN  
INSTANT THAT THE TWENTY PHOTOGRAPHS ARE NOT AVAILABLE AT  
MEXICO CITY BUT MAY BE AVAILABLE AT WASHINGTON HEADQUARTERS.

END

EJF FBI WASH DC

3rd cc Mr. Schwartz

- 1 - D. J. Dalbey
- 1 - E. S. Miller
- 1 - W. A. Branigan
- 1 - J. P. Thomas

RA

Committee To Investigate Assassinations BY COURIER

*Delivered to CIA  
by CIA courier 9-25-72  
Camm*

Date: September 22, 1972  
 To: Director  
 Central Intelligence Agency  
 From: L. Patrick Gray, III, Acting Director  
 Subject: FREEDOM OF INFORMATION ACT REQUEST -  
 BERNARD FENSTERWALD, JR.

~~X~~  
 Bernard Fensterwald, Jr., Washington, D. C., attorney, has made application to the Department of Justice under provisions of the Freedom of Information Act for access to "Twenty (20) photographs of 'white male Americans' referred to at the bottom of page 4 of an FBI Report of February 24, 1964, which was Warren Commission Document 506, which was declassified on Jan. 24, 1971." In a cover letter dated August 23, 1972, to the Deputy Attorney General, transmitting Form DJ-113 regarding the aforementioned photographs, Mr. Fensterwald stated that it is his desire to examine those photographs and any records which relate to identification of the persons photographed.

REC-21 62-112697-19

The "FBI Report" mentioned by Mr. Fensterwald is actually an FBI memorandum, a copy of which was furnished to you as an enclosure to my letter dated June 16, 1972, entitled "Bernard Fensterwald, Jr. v. Department of Justice, USDC D.C., Civ. No. 361-72." The specific photographs involved in Mr. Fensterwald's current requests are those mentioned in the final paragraph on page 4 of that memorandum. Neither the photographs sought nor copies of them were located through a search of FBI Headquarters files. Inquiry was made of our Legal Attache, Mexico City, Mexico, regarding the photographs and he advised that the photographs sought were received by him from your Mexico City Station on February 19, 1964. They were not entered into the files of our Mexico City Office and it appears that, following their display to Pedro Gutierrez Valencia, they were returned to your representatives in Mexico. On September 13, 1972,

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- Felt \_\_\_\_\_
- Baker \_\_\_\_\_
- Bates \_\_\_\_\_
- Bishop \_\_\_\_\_
- Callahan \_\_\_\_\_
- Cleveland \_\_\_\_\_
- Conrad \_\_\_\_\_
- Dalbey \_\_\_\_\_
- Jenkins \_\_\_\_\_
- Marshall \_\_\_\_\_
- Miller, E.S. \_\_\_\_\_
- Under \_\_\_\_\_

62-112697  
 158905682555 (Lee Harvey Oswald)  
 1 - 62-812307 (FOI Act)  
 JPT:dld/pld (10)

*(Handwritten initials)*  
 DEM  
 WIRE  
 JPT

MAIL ROOM  TELETYPE UNIT

SEE NOTE PAGE THREE



Director  
Central Intelligence Agency

your Mexico City Station advised the Legal Attache that the photographs are not available at Mexico City, but may be available at your Headquarters.

In order that this Bureau may respond to the request of the Deputy Attorney General regarding preparation of a response to Mr. Fensterwald's request, would your Agency please furnish the following information:

1. Are the 20 photographs displayed to Gutierrez or copies of them in the possession of your Agency?

2. Are any records relating to identification of the persons photographed currently in possession of your Agency?

3. What is the current security classification of the photographs and of records pertaining to them?

4. If the photographs and/or records pertaining to them are available, would your Agency object to the release to Fensterwald of them?

5. If your Agency would oppose release of any of your aforementioned material, can you suggest reasons why, in your opinion, they should not be released? Such reasons should relate as directly as possible to provisions of the Freedom of Information Act. Any exemption should be specifically identified and discussed. If appropriate, a statement of facts demonstrating the manner in which production of the photographs and/or records requested would prejudice the operations of your Agency should be included.

Inasmuch as Mr. Fensterwald has in the past instituted civil action against the Department of Justice within a relatively short time after having requested access to official records under provisions of the Freedom of Information Act, a prompt response to this inquiry would be appreciated.

1 - The Deputy Attorney General

Director  
Central Intelligence Agency

NOTE:

Fensterwald, head of the "Committee to Investigate Assassinations," has made repeated requests for information relating to the assassination of President John F. Kennedy and has sued the Government to obtain such information on at least two occasions. He now seeks 20 photographs, which Legat, Mexico, showed to Gutierrez on 2/20/64 in an attempt to identify an individual Gutierrez claimed was Lee Harvey Oswald and whom Gutierrez claimed to have seen in Mexico City on 10/1/63. Inasmuch as Gutierrez did not recognize the subjects of any of the photographs, they were not retained by Legat, Mexico. By letter dated 9/15/72 we informed the Deputy Attorney General that the photographs were not at FBI Headquarters and that we were attempting to locate them through Legat, Mexico.

ser 17

The Deputy Attorney General

- 1 - Mr. D. J. Dalbey
- 1 - Mr. E. S. Miller
- 1 - Mr. W. A. Branigan
- 1 - Mr. J. P. Thomas, 1972

October 24, 1972

Acting Director, FBI

FREEDOM OF INFORMATION ACT REQUEST -  
BERNARD FENSTERWALD, JR. J.S. MEXICO

Page 2

Reference is made to my letter dated September 15, 1972, and to my letter to the Director, Central Intelligence Agency, dated September 22, 1972. A copy of the latter communication was directed to you.

As stated in the referenced communications, the photographs sought by Mr. Fensterwald, described in his letter to you dated August 28, 1972, are not in FBI files. The General Counsel of the Central Intelligence Agency informed this Bureau by letter dated October 11, 1972, that there is no way in which the 20 photographs sought can be identified by that Agency. The General Counsel commented that since the pictures had no relevance to the Lee Harvey Oswald case, no identification was made at the time they were displayed to Pedro Gutierrez Valencia in Mexico in 1964, and unless they were otherwise of intelligence interest, they would have been routinely destroyed. The General Counsel requested that we reply to Mr. Fensterwald along these lines without specifically identifying the Central Intelligence Agency.

Accordingly, pursuant to the request in your September 6, 1972, letter, enclosed herewith are the original and one copy for your files of a letter for your signature in response to Mr. Fensterwald, stating the unavailability of the 20 photographs he sought.

Enclosures - 2

62-112697

MAILED 2  
OCT 24 1972  
-FBI

ENCLOSURE

- 1 - 105-32555 (Lee Harvey Oswald)
- 1 - 62-81830 (FOI Act)

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(9) 8 JAN 12 1973

ST-104

18 DEC 19 1972 WJC

SEE NOTE PAGE TWO

- Felt
- Baker
- Bates
- Bishop
- Callahan
- Cleveland
- Conrad
- Dalbey
- Jenkins
- Marshall
- Miller, E.S.
- Ponder
- Soyars
- Walters
- Tele. Room
- Mr. Kinley
- Mr. Armstrong
- Ms. Herwig
- Mrs. Neenan

MAIL ROOM  TELETYPE UNIT



The Deputy Attorney General

NOTE:

Fensterwald, head of the "Committee to Investigate Assassinations," has made repeated requests for information relating to the assassination of President John F. Kennedy and has sued the Government to obtain such information on at least two occasions. He now seeks 20 photographs, which Legat, Mexico, showed to Gutierrez on 2/20/64 in an attempt to identify an individual Gutierrez claimed was Lee Harvey Oswald and whom Gutierrez claimed to have seen in Mexico City on 10/1/63. Inasmuch as Gutierrez did not recognize the subjects of any of the photographs, they were not retained by Legat, Mexico. By letter dated 9/15/72 we informed the Deputy Attorney General that the photographs were not at FBI Headquarters and that we were attempting to locate them through Legat, Mexico. By letter to CIA, copy to the Deputy Attorney General, 9/22/72, we asked CIA if it could locate the photographs. As indicated above, CIA is unable to do so and does not desire to be identified with them in correspondence to Fensterwald.

October 25, 1972

- 1 - Mr. D. J. Dalbey
- 1 - Mr. E. S. Miller
- 1 - Mr. W. A. Branigan
- 1 - Mr. J. P. Thomas

*dk*

Bernard Fensterwald, Jr., Esq.  
 Fensterwald and Ohlhausen  
 905 16th Street, Northwest  
 Washington, D. C. 20006

105-82555-  
62-81830-

Dear Mr. Fensterwald,

With reference to the request contained in your letter of August 28, 1972, for access to 20 photographs displayed to Pedro Gutierrez Valencia on February 20, 1964, which photographs were mentioned in Warren Commission Document 566, a thorough search of pertinent records has been made at my request.

Please be advised that the photographs have not been located and there does not appear to be any way in which they can be identified at this late date. Inasmuch as it was determined at the time they were displayed to Gutierrez that they had no relevance to the Lee Harvey Oswald case, no identification of them was made. Be further advised that unidentified photographs of no relevance are routinely destroyed.

Sincerely,

Deputy Attorney General

ENCLOSURE

DJD  
/SK

62-112697

- 1 - 105-82555 (Lee Harvey Oswald)
- 1 - 62-81830 (FOI Act)

REC-2  
ST-104  
62-112697-24  
W/EC

18 DEC 19 1972

JPT:dld  
(10)

Bureau Hold

JPT/FJW

WGC

DE Mwan

- Felt \_\_\_\_\_
- Baker \_\_\_\_\_
- Bates \_\_\_\_\_
- Bishop \_\_\_\_\_
- Callahan \_\_\_\_\_
- Cleveland \_\_\_\_\_
- Conrad \_\_\_\_\_
- Dalbey \_\_\_\_\_
- Jenkins \_\_\_\_\_
- Marshall \_\_\_\_\_
- Miller, E.S. \_\_\_\_\_
- Ponder \_\_\_\_\_
- Soyars \_\_\_\_\_
- Walters \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Mr. Kinley \_\_\_\_\_
- Mr. Armstrong \_\_\_\_\_
- Ms. Herwig \_\_\_\_\_
- Mrs. Neenan \_\_\_\_\_

MAIL ROOM  TELETYPE UNIT