

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RECEIVED

FEB 26 1979

.....
HAROLD WEISBERG,

Plaintiff,

v.

CLARENCE M. KELLEY, et al.,

Defendants.
.....

JAMES F. DAVEY, Clerk

Civil Action No. 78-0249

AFFIDAVIT

My name is Harold Weisberg. I am the plaintiff in this instant cause. I reside at Route 12, Frederick, Maryland.

1. In this instant cause I seek all records relating to the processing and release of what was officially represented as all FBI Headquarters records relating to the assassination of President Kennedy and the official investigation of that crime.

2. On July 3 last, or a half year ago, without having complied with my request, the Department of Justice moved to dismiss this case or in the alternative for summary judgment.

3. I then informed this Court that my request had not been complied with and that the Department was aware that my request had not been complied with. The Court appears not to have believed me.

4. I have just obtained new confirmation that my information request had not been complied with and of the Department's knowledge that it had not been complied with at the time it filed its aforementioned Motion.

5. The FBI marked the sixth month that passed after its misrepresentation and attempt to deceive and mislead this Court by its unannounced sending to me of five large cartons of previously unprocessed and withheld relevant records. These five large cartons reached me on Friday, January 5, 1979, without explanation or covering letter. The covering letter, which reached me on Monday, January 8, was not written until the day I received the thousands of pages of records. The covering letter makes general claim to exemption covering these many thousands of pages.

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6. It is possible that buried somewhere in those thousands of pages, in some unidentified carton, there may be relevant worksheets. As of now I have no way of knowing. If there are such worksheets, they will not be all of the records sought in my request and they will not be all of the records relating to the processing and release of these particular records. In fact, some of the records from the files in question have been referred elsewhere, this long after the aforesaid Motion.

7. It is obvious that I could not have received all the records relating to the processing and release of these five cartons of records as of the time of the aforementioned Motion, or six months prior to their processing and release.

8. It also is obvious that the FBI knew it withheld these records, knew they had not been processed and released and knew they were relevant in this instant cause as well as in other cases, all at the time of the filing of the aforesaid Motion and at all times since then.

9. One of these other cases is now before the court of appeals, to which false representations had been made by the Department. I have prepared a detailed affidavit setting forth the facts for my counsel to present to the court of appeals. I attach a copy of that affidavit and its exhibits to this affidavit as Exhibit 1 and thereby incorporate its representations in this affidavit.

10. Two of three FBI letters attached to Exhibit 1 make it clear that I was to have received the entire Headquarters file and indicate that, in fact, I had received it. The third and most recent of these FBI letters blandly informs me that this was not the case and that the five additional cartons of previously withheld records referred to in Paragraph 5 above have now been processed and sent to me.

11. This FBI letter of Friday last does not state that I have been sent any records relating to the processing and release of the records contained in these five cartons.

12. From the time of its Motion until now, the Department has not provided any records relating to the processing and release of the files released in December 1977 and January 1978.

13. On the day I received these five cartons of previously withheld records, I also received from a friend copies of Department and FBI records provided to

him. I have not been able to read all of the copies provided by my friend but I have skimmed them. They include records preliminary to the processing and release of these Headquarters records and thus are within my information request but have not been provided in this instant cause.

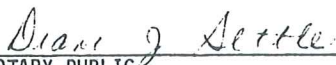
14. One of these records not provided under my information request refers to a request that contributed to the decision to process and release the Headquarters files as the biggest FOIA "mess" the FBI had ever made.

15. After the filing of the complaint in this instant cause, in another case I discovered unusual steps taken to hide embarrassing information held by Headquarters files. Thereafter I appealed the denial of this information that was consigned to an FBI memory hole. There has been no action on my appeal. No records relating to the decision to use these means to hide what can be embarrassing to avoid its disclosure have been provided to me.


HAROLD WEISBERG

Before me this 9th day of January 1979 Deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires 7-1-82


NOTARY PUBLIC

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

.....
HAROLD WEISBERG,

Appellant,

v.

U.S. DEPARTMENT OF JUSTICE,

Appellee
.....

No. 78-1107

AFFIDAVIT

My name is Harold Weisberg. I am the plaintiff-appellant in this case. I live at Route 12, Frederick, Maryland.

1. I am aware that ordinarily new information is not presented to the Court of Appeals. Because of the Department's baseless allegation in its Opposition of December 27, 1978, that I possessed the information provided in my Addendum when this case was before the district court, I provide full details on when and how I obtained and learned of the additional new information presented in this affidavit.

2. This information is in five cartons of FBI files I received on Friday, January 5, 1979. I saw the records referred to for the first time at about 5 a.m. Sunday, January 7, under circumstances described below. This information relates to the honesty of the Department's representations to this Court and the district court. It supports my prior affidavits, discloses the need for there to have been a search of Dallas FBI Field Office files for compliance in this instant case, and reflects the FBI's knowledge of this.

3. All of my files, records and work of any nature have been given to the

University of Wisconsin (Stevens Point Branch) as a result of a request made of me years ago by the Wisconsin Historical Society. I began the deposit in November 1976 after a meeting with the then chancellor of the university, now the governor of Wisconsin.

4. In order to preserve the integrity of all the records I receive under FOIA, I keep them in the form in which I receive them. I do not take any bound file or volume apart myself. I do not remove any copies for my own use. Instead, as I read each volume, I make notes indicating those of which I want copies for my work or to send to others. My wife then makes the copies indicated, keeping each volume intact, as I received it.

5. I also keep separate all original records I receive under FOIA. They are in a large number of filing cabinets in my basement. To facilitate their use by others, including the press, I have installed a table and chairs and extra lighting near them. If reporters or any others desire copies, we follow the procedure outlined in the preceding paragraph, keeping the original records exactly as I received them.

6. While doing this is burdensome and in our circumstances costly for us, my wife and I believe that this is absolutely essential to preserve the integrity of the records for the future because of their considerable historical importance. The Attorney General has determined the areas of my work are subjects of exceptional historical importance.

7. Because of our age, health and other limitations, it is impossible for my wife and me to do all that is necessary to file these records with the care and precision we believe is required. We are both past 65, both of impaired health, and my only regular income is from Social Security. Neither my wife nor I is now able to do some of the bending that is required by this filing. My

wife is not able to do the lifting and I am not able to do the standing that is required. I have had a local college student caring for these records on a part-time basis. She placed those records she handled in file folders, each identifying the material held, and began to make a card file so that those using the records would know which volumes and serials of what files there are.

8. This student has obtained a permanent job she intends to follow as her life's work. This means that until I can find other assistance, which is not easy out in the country and when I cannot pay for a full-time assistant, I have fallen behind in filing the records I have received. When I receive as many as 5,000 pages at a time, I have been able to do this work myself and I have done it. When I receive a larger volume of records, it now is impossible for me to set up the files. I am keeping the records as I receive them until I locate a new part-time assistant. To date the records I received on January 5 are the second batch I have not been able to file.

9. It is only by accident that I learned of what I herein report to the Court. Ordinarily, I would have carried these large cartons of records down to the basement filing area. If I wait a period of time after each trip, this effort is within my present normal physical capability. However, I suddenly lost consciousness on the Saturday before Christmas, without any apparent cause. From what my doctor told me, this was connected with my circulatory impairments. Thereafter, when I carried a different carton up from the basement, it was too much for me. For this reason I stacked the five large cartons I received from the FBI on Friday, January 5, one atop the other against a wall in my livingroom where they remain. I expected a guest who would be able to move these cartons for me on Sunday, January 7.

10. Contrary to prior FBI practice, there was no letter covering these five

cartons or it was delayed in the mail. I therefore did not know the content of the five cartons or why they were sent to me.

11. The guest expected is Howard Roffman, a young lawyer who moved to the Washington area recently after serving as clerk to a federal appeals court judge. Aside from being a close personal friend, Mr. Roffman is one of the few authentic subject experts, as distinguished from those who have commercialized the assassination of President Kennedy and those who in other ways have been irresponsible.

12. When I arise, usually about 4 a.m. or not long thereafter, it is my practice to launder the special venous supports I am required to wear. These are dried first by wrapping in a thick towel for about 10 minutes, then by air drying. On Sunday, January 7, with about five minutes to wait before completion of this daily chore and knowing Mr. Roffman would be interested in the content of the cartons, I opened the top one in the stack so I could inform him or so that, if he desired, he could examine the records.

13. The cartons used by the FBI are about a foot and a half long. They are high enough for several volumes to be included in a horizontal position on top of those that are packed tightly on a long side in a vertical position. Five volumes of FBI Headquarters File 62-109060 were packed in this horizontal position in the carton I opened. These are captioned "The Assassination" and are labeled "WORK COPY" on their cover sheets. They are identified as Volumes 1-5 of Serial 4180 EBF.

14. Superficial examination of these five volumes disclosed that all relate to FBI Laboratory records sent to the Dallas Field Office. They relate to other Laboratory testing, the analysis of specimens like samples of writing. However, the first record I noted in Volume 3 includes an empty cartridge case allegedly connected with the assassination and thus within my request. These five volumes do disclose the FBI practice of which I have informed both courts and to which

retired FBI SA Robert Frazier testified, that of sending all information to the Office of Origin, Dallas in this case. I have no way of knowing whether these five cartons hold other relevant information.

15. In the absence of any explanatory communication from the FBI, I cannot with certainty attest to the reason for sending me these five cartons of about 100 linear inches of records. I believe they are pursuant to the January 16, 1978, Order of Judge Gesell in my C.A. 77-2155. This required that the FBI promptly provide me with copies of the records relating to the assassination of President Kennedy that were made public with great fanfare in December 1977 and January 1978. I believe they also are pursuant to the subsequent administrative decision of the Department of Justice relating to the public role I serve in this matter, also requiring that all such records be provided to me. If I am correct in this, then these records are almost a year late in reaching me and appear to have been delayed until after it would ordinarily be too late for me to inform any court about their content.

16. If there is another possible explanation, from the content of these five volumes it cannot relate to any secrecy of source, process or procedure or to any exemption of the Act.

17. FBI Headquarters File 62-109060, of which these five volumes of Serial 4180 EBF are part, definitely is one of the files included within my C.A. 77-2155, the Order in that case, and the Department's subsequent administrative decision referred to in Paragraph 15 above.

18. All records relating to the processing and release of this and other relevant files are within my C.A. 78-0249. In that case the Department moved for dismissal or summary judgment months ago, prior to providing me with either these five cartons of relevant records or any records relating to their processing.

19. Affidavits making false claim to complete compliance in C.A. 78-0249 were provided by the FBI. Its FOIA Unit, which processed and provided the records referred to in this affidavit, also filed a false and misleading affidavit attesting to full compliance in C.A. 78-0249 by the since dismissed supervising FBI Special agent who is the unindicted co-conspirator referred to in my affidavit in this instant cause filed the very day I received these records, Friday, January 5, 1979.

20. It is beyond reasonable question that the 15,000 or more pages of records I did not receive until January 5, 1979, include records relevant in this instant cause, despite contrary assurances by the Department and its counsel.

21. For the reasons stated above and for other reasons, examination of all these many thousands of pages is impossible for me at this time. Because of the manner of binding the records, it is unsafe for me to remove those that are packed tightly on their sides for any further examination until they can be placed in file folders. The FBI binds the volumes it provides me without using the closing half of the "Acco"-type fastener. This means that the prongs of the half of the fastening device used are merely bent over and can tear records or, if forced back into the tightly-packed cartons, can cut me. I also dare not risk this because I live on a high dosage of blood anticoagulant and am under strict medical injunction against cutting or even bruising myself.

22. Another reason is the absence of the FBI's covering letter required to identify the records on the file folders.

23. However, the five volumes of Serial 4180EBF reflect the standard FBI practice of which I informed this and the district court, the practice of sending all relevant records to the Dallas Field Office from which I have received no such records in this instant cause. In addition, these five volumes begin with handwritten notations that go farther than I have previously informed any court. These

notations tabulate FBI Laboratory Identification Numbers with FBI Specimen Numbers, correlating each identification with the other.

24. From the foregoing, I believe it is certain that the FBI FOIA Unit knows that all assurances of compliance made in this instant cause and the others cited are not truthful and from this the Department and the FBI are aware of the untruthfulness. The FBI FOIA Unit is under the direction of a Deputy Assistant Director of the FBI.

25. In this case it is not possible that Department and FBI counsel are not aware of the untruthfulness of representations made to both courts and, in fact, I have personal knowledge of their awareness. I informed Assistant United States Attorney Michael Ryan beginning early in C.A. 75-226. Face-to-face and in writing I protested his false representations to the district court. I believe I also wrote the United States Attorney about this. AUSA Ryan and Emil Moschella of the FBI Office of Legal Counsel were both present when, on deposition, Mr. Frazier testified to the sending of all relevant records to the Dallas Field Office. In addition, in conferences with the Civil Division centering around C.A. 75-1996, I also gave this information to various Department legal and FOIA personnel. I then explained how this caused noncompliance and unnecessary litigation. I was given repeated assurances of awareness of these malpractices. I was told the Department was determined to end them and in an "only you, Dick Daring" sense of the Department's desire to use me and my special knowledge and expertise to effectuate this. As a result I was dragooned into serving as the Department's "consultant" in C.A. 75-1996 and, as I have attested, have not been paid nor had my cash costs replaced. In addition to all of this, a number of Department officials testified on this before a Senate committee and confessed awareness of the abuses to which I attest. They assured the Senate that these were going to end. Those who

testified include the deputy chief of the Civil Division, the head of its FOIA litigation section and the FBI's Deputy Assistant Director who is in charge of FOIA work.

26. There is another remarkable coincidence in the timing of my receipt of these previously-withheld FBI records relating to its investigation of the assassination of President Kennedy. These records were withheld until immediately after the end of the life of the House Select Committee on Assassinations. The appearance is of withholding these records until the committee's legal existence ended or until it was not possible for that committee to hold any hearings involving the FBI.

27. The committee's final hearing, on December 29, 1978, was on evidence about which the FBI Laboratory was either grossly negligent in not developing or it withheld records of its work from both the Presidential Commission and the House committee.

28. The testimony was to expert analysis of a segment of the recorded Dallas police broadcasts in which by some mysterious manner an open microphone caused a constant broadcast that blocked use of that police communications channel at precisely the time the President was assassinated. The FBI had had this recording and had transcribed the audibly intelligible portions for the Warren Commission. This analysis caused the committee to alter its conclusions and to conclude that the President was assassinated as the result of a conspiracy. This conclusion is opposed to that of the FBI and the Warren Commission. The reasons for the changed committee conclusions are that shots were fired from two different places and more shots were fired than the available time permitted one person to fire. Each factor eliminates the possibility of a nonconspiratorial assassination. (One member of the committee, Congressman Christopher Dodd, is quoted in the press as insisting

there were three assassins. He is also quoted as having asked the committee's chief counsel on December 29 about the finding of still another bullet fragment in the President's limousine and as not having received an answer. No such fragment has been acknowledged publicly by the FBI and no reports of any tests on it have been provided to me in this instant cause. (See Paragraph 30 below.) As my prior affidavit and the expert testimony before the House committee reflect, the kind of scientific analysis just made for the committee was possible in 1964, when a similar test was made of a different recording. The foregoing alone is enough for the FBI not to want to attract any further attention to itself, as newly disclosed records could cause.

29. As the record in this case reflects, there is Department and FBI motive for withholding going back to virtually the moment of the assassination. Before there was a Presidential Commission, the FBI was directed by the President to make and report on a thorough investigation. I have studied that FBI report, which is of five volumes. In reporting on its investigation of so momentous a crime, the FBI did not report all the shots publicly known to have been fired, did not even mention the name of the third man wounded or that he had been wounded, and in fact did not even mention all the President's known wounds. All of this was in accord with the FBI's prior determination to ordain that there had been a lone-nut assassin,

a conclusion that could not coexist with fact,

a conclusion given the superficial appearance of tenability by withholding information and by misrepresentations from the moment of the crime to this point in this instant cause in which the records sought, if provided, could enable a total destruction of the lone-nut preconception that controlled the investigation.

This could destroy the integrity of all involved. It would be without question that this most terrible of crimes in a nation such as ours was and remains unsolved.

30. After I executed my previous affidavit and sent it to my counsel, I received and read a copy of the CBS transcript of Committee Chairman Louis Stokes' appearance on "Face the Nation" on Sunday, December 31. The questions of specimens that do not match their official descriptions and of missing fragments came up in questioning by George Lardner, Jr., of the Washington Post. (Pages 10 and 11 are attached as Exhibit 1) While the chairman's replies do not appear to be responsive, he did not dispute that the known fragments "didn't match" and that "fragments aren't there that were supposed to be there, according to your expert," Dr. Vincent P. Guinn. I have not received any reports relating to other fragments, those not matching the official specimens, or any reports relating to any missing fragments.

31. After I had prepared this affidavit, I received the FBI's letter covering the five cartons of records heretofore referred to. (Letter attached as Exhibit 2) This letter was not written until the day I actually received the five cartons in question. I received it on Monday, January 8. While the letter is indefinite, evasive and vague, all without legitimate need, and is what within my experience has become one of the FBI's now regular means of creating unnecessary confusion and extra work and other problems for me, it is unequivocal in one regard: these records are those I presumed, from FBI Headquarters. These are records I was to have received a year ago under Departmental administrative decision and court Order.

32. The letter does not identify the FOIA request. Although the FBI assigns sequential numbers to them, the letter cites none. It makes no reference to the relevant court Order or administrative decision. It also refers to the request as under the Privacy Act when obviously material "pertaining to the Assassination of President Kennedy, from investigative files" of the FBI, is not available to me under that Act.

33. That these records were in fact to have been provided a year ago is

established by the FBI's December 2, 1977, letter to me, attached as Exhibit 3. This letter states that the Headquarters records were to have been disclosed in full on two occasions. Of the second, the date of which had not then been set, it states that "A later second segment release will cover the balance of our substantive investigation concerning this historical event." (emphasis added) If there were records of other than "our substantive investigation," no such description can be applied to records relating to the Laboratory's scientific analysis of and reporting on evidentiary specimens.

34. That I was to receive the entire Headquarters file and that in fact this was under court Order was confirmed by the FBI under date of January 18, 1978. (Exhibit 4) That this was to be "the entire second release" is stated by the paragraph added to the form letter. As Exhibit 3 established, this was to have been the "balance" of those files.

35. Further checking after I received the January 5, 1979, letter discloses that on January 16, 1978, the FBI described the assassination file I received as "our total JFK Assassination investigation." (Exhibit 5, emphasis added) It is now apparent that this and the representation of my having received either the "balance" of or the "entire" file are all false and to the knowledge of the FBI were false at the time of the filing of the Opposition in this instant cause.

36. These five volumes that I saw for the first time early on the Sunday morning after my previous affidavit was filed leave no doubt about misstatement and misrepresentation in the Opposition (page 3, line 9ff.): "There is no indication that these memoranda have anything to do with the retention of scientific test results generated in the FBI Laboratory in Washington." I cannot conceive how anyone having anything to do with prosecutions involving FBI investigations and Laboratory testing would not know better than this. Moreover, these five volumes disclose that the originals of the reports were sent to Dallas. Carbon

copies were retained in FBI Headquarters files. FBI regulations and practice preclude the destruction of originals, as my prior affidavit establishes. From the extent of the Dallas "bulkies" there is little doubt about their retention or about compliance with the directives reflected in the Dallas records I obtained under C.A. 78-0322. (These are the records the Opposition would have this Court reject as "irrelevant.") The FBI's own recent count of the Dallas "bulkies" is of more than 25,000 pages, hardly a reflection of nonretention.

37. In addition, and once again reflecting the fact that more records are in the Office of Origin, Dallas, the Dallas "bulkies" are of eight cartons, compared with only five cartons of identical size holding Headquarters "bulkies." If every Headquarters "bulky" record is duplicated in the Dallas, there remain about 10,000 additional "bulky" pages in Dallas. This, too, addresses "retention" and of the kinds of materials sought in this instant cause and referred to in the Opposition.

38. If there is any doubt that experienced prosecutors were not unaware of the practices, policies and established regular procedures I report, and from my extensive study of many thousands of records reflecting such prosecutorial knowledge, I believe there should be none. It is completely impossible that the FBI was not aware of its own everyday policies, practices, established procedures and controlling regulations. I therefore believe that the Department's misrepresentations, misstatements and deceptions explicated in this and my prior affidavit are not accidental and have the intent of misleading the courts, wasting me by wasting my time, and defrauding me and, through me, defrauding the country of the records sought in this instant cause.


HAROLD WEISBERG

Before me this 9th day of January 1979 Deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires 7-1-82

Diane J. Little
NOTARY PUBLIC

sinister in that?

REP. STOKES: Well, the testimony we received was to the effect that within a period of twenty-four hours that J. Edgar Hoover and the FBI had concluded that James Earl Ray was the assassin, that he had acted alone, and for that reason, they then pressed the case as a fugitive case rather than looking into it with conspiratorial aspects. And, of course, there is other testimony that we received from the FBI in which they said that they did pursue it from a conspiratorial aspect. But I suspect that the Committee is pretty much unanimous in this feeling that they did not really pursue it from a conspiratorial aspect, and ^{that} in that respect, they performed their duties inadequately and they were negligent.

LARDNER: Let me ask you about the Kennedy assassination and one of the loose ends the Committee seems to have left in its hearings. Now that it said that another bullet was fired, there was testimony in September by one of your experts who did neutron activation tests on the bullet fragments, and he said that the fragments he got didn't match in weight the fragments ^{that} he was supposed to get. Are you doing anything to find any missing fragments of bullets that might have been involved in that assassination?

REP. STOKES: No, we don't make any further reference to any recommendations that additional neutron activation analysis be done.

LARDNER: No, I was asking about fragments that aren't there, that were supposed to be there, according to your expert.

REP. STOKES: Well, if I understand your question correctly, you ask, are we doing anything--

LARDNER: Are you causing a search for those?

REP. STOKES: No, we are not.

MORTON: Do you--you do agree, Mr. Chairman, that James Earl Ray was the assassin in the King murder?

REP. STOKES: Yes, we do, Mr. Morton.

MORTON: Was he paid for that, do you think? You, personally.

REP. STOKES: The Committee, in its open hearings conducted testimony with reference to the Committee's findings in that area. And I think it is the conclusion of the Committee, that he was not paid, he did not get the money.

MORTON: Well, where is the conspiracy then?

REP. STOKES: Well, the conspiracy is with reference to the city of St. Louis where there was testimony regarding a man by the name of Kaufman and a man by the name of Sutherland. And the testimony in the open hearing by Mr. Byers, who said that he was offered \$50,000 by Mr. Sutherland to kill Dr. Martin Luther King, after having been taken to the home of Mr. Sutherland by Mr. Kaufman. And, our investigation has revealed, through certain associations, the communication we feel of that offer to--to James Earl Ray.

LARDNER: Directly? Do you have a direct link to Ray that you feel you'll be detailing in your final report?

REP. STOKES: We feel that through the process of associations that we will be able, circumstantially, to be able to connect James Earl Ray to that conspiracy.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

January 5, 1979

Mr. Harold Weisberg
Route 12 - Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

Reference is made to your Freedom of Information-Privacy Acts (FOIPA) request for material, pertaining to the Assassination of President John F. Kennedy, from the investigative files maintained at Federal Bureau of Investigation (FBI) Headquarters in Washington, D. C.

The processing of the enclosures behind file and the bulky enclosures has been completed and the material is being furnished to you. The shipment will consist of five cartons and will be forwarded to you under separate cover.

Excisions have been made from these documents and other documents have been withheld in their entirety in order to withhold materials which are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552:

- (b) (1) information which is currently and properly classified pursuant to Executive Order 11652 in the interest of the national defense or foreign policy;
- (b) (2) materials related solely to the internal rules and practices of the FBI;
- (b) (3) information specifically exempted from disclosure by statute;
- (b) (6) materials contained in sensitive records such as personnel or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;



Mr. Harold Weisberg

- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:
 - (C) constitute an unwarranted invasion of the personal privacy of another person;
 - (D) reveal the identity of an individual who has furnished information to the FBI under confidential circumstances or reveal information furnished only by such a person and not apparently known to the public or otherwise accessible to the FBI by overt means;
 - (E) disclose investigative techniques and procedures, thereby impairing their future effectiveness.

Sincerely yours,

Allen H. McCreight/mw

Allen H. McCreight, Chief
Freedom of Information-
Privacy Acts Branch
Records Management Division

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

December 2, 1977

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Mr. Weisberg:

Reference is made to the Federal Bureau of Investigation's (FBI) forthcoming release of file materials, under the Freedom of Information Act (FOIA), concerning the assassination of President John F. Kennedy.

The first segment of these materials will be made available beginning 9:30 a.m., December 7, 1977, in Room 1060, J. Edgar Hoover Building, 10th Street and Pennsylvania Avenue, Washington, D. C. Two sets of the materials will be made available during business hours for public review.

We normally require 48 hours advance notice from individuals who desire to make an appointment to review materials in our reading room. However, with respect to this release, no appointments are necessary for the first week. You may contact us at telephone number 324-3520 for any later appointment.

Due to limitations in space available for reviewing documents, each news organization is requested to limit the number of reviewers to two per session.

Materials to be released are copies from the raw investigative files of the FBI as they were compiled chronologically in our central records system during the investigation. Details of the substantive investigation were incorporated in reports which the FBI furnished in 1964 to the President's Commission on the Assassination of President Kennedy (Warren Commission). As you may be aware, many of these FBI investigative reports became part of the documentary record made public with the Warren Commission's testimony and exhibits in 1964, and subsequently made available in the National Archives.

Mr. Harold Weisberg

Our first segment FOIA release will consist of 40,001 pages of duplicated FBI documents, and will cover the first months of the investigation into President Kennedy's murder in Dallas, Texas, on November 22, 1963. A later second segment release will cover the balance of our substantive investigation concerning this historical event. Pursuant to Title 28, Code of Federal Regulations, 16.9, there is a fee of ten cents per page for duplication. A complete copy of the first segment release can be purchased for \$4,000.10.

It will require substantial research effort by interested scholars to relate these FOIA materials to the public record. No index of our FBI materials is available to cross-reference these materials to other records of the assassination investigation, such as the material available at the National Archives.

I hope the above is of assistance to you.

Sincerely yours,



Allen H. McCreight, Chief
Freedom of Information-Privacy Acts Branch
Records Management Division



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
RECORDS DISCLOSURE COVER SHEET
FOI/PA BRANCH
RECORDS MANAGEMENT DIVISION

JAN 18 1978

Subject of Request: JFK Assassination

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Requester:

Enclosed are copies of documents from our files. Excisions have been made from these documents and/or entire documents withheld in order to protect materials which are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552 and Section 552a. The exemption number(s) indicated by a mark appearing in the block to the left of the subsection cited constitutes the authority for withholding the deleted material. (See below and reverse side of this sheet for an explanation of these exemptions.)

Section 552

Section 552a

- | | | |
|---|---|----------------------------------|
| <input checked="" type="checkbox"/> (b) (1) | <input type="checkbox"/> (b) (7) (A) | <input type="checkbox"/> (d) (5) |
| <input checked="" type="checkbox"/> (b) (2) | <input type="checkbox"/> (b) (7) (B) | <input type="checkbox"/> (j) (2) |
| <input checked="" type="checkbox"/> (b) (3) | <input checked="" type="checkbox"/> (b) (7) (C) | <input type="checkbox"/> (k) (1) |
| <input type="checkbox"/> (b) (4) | <input checked="" type="checkbox"/> (b) (7) (D) | <input type="checkbox"/> (k) (2) |
| <input type="checkbox"/> (b) (5) | <input checked="" type="checkbox"/> (b) (7) (E) | <input type="checkbox"/> (k) (3) |
| <input checked="" type="checkbox"/> (b) (6) | <input type="checkbox"/> (b) (7) (F) | <input type="checkbox"/> (k) (4) |
| | <input type="checkbox"/> (b) (8) | <input type="checkbox"/> (k) (5) |
| | <input type="checkbox"/> (b) (9) | <input type="checkbox"/> (k) (6) |
| | | <input type="checkbox"/> (k) (7) |

The decision to withhold exempt portions of our records is the responsibility of Clarence M. Kelley, Director of the FBI.

If you believe your name may also have been recorded by the FBI incident to the investigation of other persons or some organization, please advise us of the details describing the specific incident or occurrence and time frame. Thereafter, further effort will be made to locate, retrieve and process any such records.

Your request for information concerning yourself has been considered in light of the provisions of both the Freedom of Information Act (FOIA) (Title 5, United States Code, Section 552) and the Privacy Act of 1974 (Title 5, United States Code, Section 552a). It has been determined by the Attorney General that requests by individuals seeking information about themselves are governed by the Privacy Act. In addition, as a matter of administrative discretion, any documents which were found to be exempt from disclosure under the Privacy Act were also processed under the provisions of the FOIA. Through these procedures, you have received the greatest degree of access authorized by both laws.

You have thirty days from receipt of this letter to appeal to the Deputy Attorney General from any denial contained herein. Appeals should be directed in writing to the Deputy Attorney General (Attention: Office of Privacy and Information Appeals), Washington, D. C. 20530. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal."

See additional information on continuation page.

Allen H. McCreight

Allen H. McCreight, Chief
Freedom of Information-Privacy Acts Branch
Records Management Division

Mr. Harold Weisberg

Pursuant to the court order issued on January 16, 1978, you will be receiving the entire second release of JFK documents. This shipment will consist of sixteen cartons and will be forwarded to you under separate cover. These documents are being released to you without charge.

No. 78-1107 EXHIBIT 5



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

January 16, 1978

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Mr. Weisberg:

Reference is made to your Freedom of Information Act (FOIA) request for information pertaining to the Assassination of President John F. Kennedy on November 22, 1963, in Dallas, Texas, and to your request for a reduction in duplication costs.

Your request for a reduction in duplication costs has been granted. Therefore, upon receipt of your check or money order payable to the Federal Bureau of Investigation in the amount of \$5,436.30, the material which is presently available will be forwarded to you. This amount is for 90,605 pages at the rate of six cents per page.

We are also including the entire FBI Headquarters administrative file captioned, "Warren Commission" (Bureau file 62-109090), which consists of 8,150 pages. It has been decided to furnish our "Warren Commission" administrative file without cost to requesters of our total JFK Assassination investigation. This is in view of the essentially duplicative character of the administrative material contained in this file, which was also contained in the substantive files being released to you. These substantive investigative files are the files which you are purchasing. The total pages which you will be receiving is 98,755 pages.

Sincerely yours,

Allen H. McCreight

Allen H. McCreight, Chief
Freedom of Information-
Privacy Acts Branch
Records Management Division



Memorandum

EXHIBIT 4
7-29-65
Callahan
Trotter
Tele. Room
Holmes
Gandy

TO : MR. W. C. SULLIVAN
FROM : MR. W. A. BRANIGAN
SUBJECT: PUBLIC DISCLOSURE OF
WARREN COMMISSION RECORDS

- 1 - Mr. Belmont
- 1 - Mr. Callahan
- DATE: 7-29-65
- 1 - Mr. Conrad
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Malley
- 1 - Mr. Branigan
- 1 - Mr. Stokes

Memorandum from Mr. Rosen to Mr. Belmont dated 7-12-65 set forth facts concerning request of the Attorney General that we review pertinent documents in the possession of the National Archives relating to the assassination of President Kennedy for the purpose of recommending which of the material on file can be placed in the public domain. The Department furnished us with a set of guidelines to follow in making our review. (Copy of these guidelines is attached.) We have now completed our review of the pertinent material on file at the Archives. The purpose of this memorandum is to set forth our findings and our plans to complete this project.

We have reviewed over 2,000 documents and are prepared at this time to indicate which of these documents can go into the public domain as is. In our review we have been guided by the overriding policy favoring the fullest possible disclosure of this material. Our review has noted the reporting of some information which falls within the guidelines for excision and we are prepared to recommend the excision of such material on a page-to-page basis.

Examples of such material which falls within the guidelines are as follows:

REC-32 62-109090-463

Guideline 1 - Statutory requirements that prohibit disclosure. Example - Records of the Family Court in New York City concerning psychiatric treatment of Oswald as a youth.

Guideline 2 - Respect of security classifications. Examples - It has been necessary to classify some of our material in order to protect sensitive informants and investigative techniques and in line with classifications afforded material by other agencies. Examples - Considerable information was obtained from long-established sensitive sources of the Legal Attache in Mexico City. An anonymous source and a trash cover furnished some information reported and classified data from the Central Intelligence Agency (CIA) is among the material. We are, at this time, reviewing the Administrative Pages of our classified documents to determine if

JCS:hrt
(9)
Enc.

CONTINUED - OVER

ENCLOSURE
11/1/8 115-05

Memorandum

TO : Mr. A. H. Belmont

DATE: February 3, 1964

FROM : Mr. W. C. Sullivan

- 1 - Mr. Belmont
- 1 - Mr. J. P. Mohr
- 1 - Mr. Rosen
- 1 - Mr. Callahan
- 1 - Mr. W. C. Sullivan
- 1 - Mr. Branigan
- 1 - Mr. Baumgardner
- 1 - Liaison
- 1 - Mr. Foarde

SUBJECT: LEE HARVEY OSWALD
IS - R - CUBA

The Director has requested further analysis of the operations of SA Henry N. Wade while Wade was serving in the Bureau's Special Intelligence Service (SIS) in Ecuador. The requested information is set forth herein.

SA Wade entered on duty on December 4, 1939, and resigned September 1, 1943, to enter the Armed Forces. On June 1, 1942, he was placed on leave without pay after completing five weeks of SIS training. He left New Orleans, Louisiana, on August 3, 1942, and arrived in Quito, Ecuador, on August 16, 1942. He was in an undercover capacity as an employee of Transradio Press Service Incorporated, 521 Fifth Avenue, New York City. He was assigned SIS Number 345 and used the code name "James" in signing communications. Within Ecuador, he was referred to as Confidential Informant Number 6. He left Ecuador 5/2/43.

As an undercover man, Wade was not directly associated with the Legal Attache's Office in Quito but did submit his vouchers and reports through that office. He was also given a post office box in New York City through which he could communicate directly with the Bureau. While in training he received Spanish lessons, a course in coding and secret inks, and definite instructions regarding preparation of his expense vouchers.

Wade submitted vouchers twice monthly through the Legal Attache who reviewed and forwarded them to Bureau. They were then checked and approved and a check was transmitted to the SIS Office in New York City for Wade's account. The monetary unit in Ecuador is a sucre which was, during Wade's tenure, 7.3 cents or \$7.30 per hundred.

File review shows Wade operated under a system of controls requiring him to furnish complete data identifying informants used and payments made. It was policy to insist that receipts be obtained whenever possible. In the few instances where informants refused to sign receipts, Bureau was furnished all other data and record was still made of payment and informant who received same.

Enclosure

JJF:bmf
(10)

Classified by
Exempt from
Date of Declassification

SECRET

22 FEB 25 1964

PERS. REC. UNIT
PLH WFM #724

Handwritten notes and stamps on the right side of the page, including a routing slip with names and initials, and a large handwritten signature or set of initials.

Memorandum

CA 78-9249
 EXHIBIT
 [Handwritten initials and routing marks]

TO : A. H. BELMONT *W*

FROM : W. C. SULLIVAN *W.C.* *President*

SUBJECT: LEE HARVEY OSWALD -
 INTERNAL SECURITY - RUSSIA - CUBA

DATE: February 4, 1964

[Routing slip with checkboxes for various offices: Tolson, DeLoach, Mohr, Bishop, Casper, Callahan, Conrad, Felt, Gale, Rosen, Sullivan, Tavel, Trotter, Tele. Room, Holmes, Gandy]

Our attached memorandum, 2/3/64, details the Special Intelligence Service (SIS) operations of former SA Henry M. Wade, particularly his handling of informants. With regard to the \$1,075 advance received by Wade before going to Ecuador, the Director has asked whether there was an accounting for this money. The Director also asked to see the copies of Wade's vouchers and of receipts received from informants by Wade. This is to provide the requested information.

With regard to the \$1,075 advance to Wade on 7/6/42 before he left for Ecuador, this money was completely accounted for by Wade and was paid back to the Bureau in four installments. Wade's voucher for July, 1942, listed his expenditure for passage from New Orleans to Ecuador. Accordingly, when this voucher was paid, on 9/4/42, \$402.47 was withheld to be deducted from his advance account. The balance of \$672.53 was paid back to the Bureau by Wade in three installments during June, 1943, after his return to this country. Two installments, totaling \$587.48, represented money which would have been paid to Wade for vouchers submitted by him covering his legitimate expenditures during the last month he was in Ecuador and included \$307.55 for his air travel from Quito to Washington. Instead, this money was credited to the advance fund of Wade. The remaining \$85.05 was repaid to the Bureau on June 4, 1943, by deducting this amount from money due Wade on an expense voucher for the period 5/15-31/43 after he was back in the United States. Therefore, the total amount advanced to Wade was completely accounted for and repaid to the Bureau in the form of deductions by the Bureau from money due him on his vouchers which itemized expenditures in detail. A copy of the Bureau's ledger sheet on Wade's advance account is attached.

Copies of the vouchers submitted by Wade while in Ecuador and the receipts he received from informants there are attached. In a few instances, we even have receipts from sub-informants who assisted Wade's informants but were not paid directly by Wade. As mentioned earlier, Wade had SIS #345 and, within Ecuador, was referred to as Confidential Informant #6. He also used the code name "James."

Enclosures

- 1 - Mr. Belmont
- 1 - Mr. J.P. Mohr
- 1 - Mr. N.P. Callahan
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Branigan
- 1 - Mr. Baumgardner
- 1 - Liaison
- 1 - Mr. Foarde

JJF:gp

(10)

52 MAR 5 1964

PERS

ITEM # 725

ORIGINAL FILED

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

SAC, DALLAS (89-43)

DATE: 11/25/63

FROM: SA MILTON L. NEWSOM

SUBJECT:

ASSASSINATION OF PRESIDENT KENNEDY

Mr. WALTER BENT, Sales Service Manager, Eastman Kodak Company, Processing Service Division, 3131 Manor Way, and Mr. CHARLES BRONSON, Chief Engineer, Zarel Manufacturing Company, 9230 Denton Drive, were contacted by SAS MILTON L. NEWSOM and EMORY E. HORTON on 11/25/63.

Films taken by Mr. BRONSON at the time of the President's assassination including 35 mm. color slides which were taken with a Leica Camera, and 8 mm. Kodachrome film were reviewed. These films failed to show the building from which the shots were fired. Film did depict the President's car at the precise time shots were fired; however, the pictures were not sufficiently clear for identification purposes.

One of the 35 mm. color slides depicted a female wearing a brown coat taking pictures from an angle, which would have, undoubtedly, included the Texas School Book Depository Building in the background of her pictures. Her pictures evidently were taken just as the President was shot. Approximately five other individuals in the crowd were taking pictures at the time.

Arrangements have been made with Mr. WALTER BENT whereby each package of film received for processing by that company, will be returned to the owner of the film with a slip of paper attached requesting the individual to notify the local FBI Office in the event pictures in the package reflect the scene when the President was assassinated. Mr. BENT advised this company does the processing for all the southwestern states. An airtel is being furnished southwest offices notifying them of the above arrangements in the event they receive calls of this type.

② - Dallas

MLN/as

(2) *ML*

89-43-493

SEARCHED	INDEXED
SERIALIZED	FILED
NOV-25 1963	
FBI - DALLAS	

C.A. 78-0249
EXHIBIT 9

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS

DATE: 11/26/75

FROM : CLERK [REDACTED]

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY

On November 26, 1975, DIXIE YATES, 1242 S. Britain, Irving, Texas, telephone number 254-8844, telephonically contacted the Dallas office of the FBI with the following information:

YATES stated that her daughter, LINDA CAROL YATES, worked as a secretary for maintenance at Braniff Airways in 1963. YATES stated that her daughter, LINDA, died after an operation in March 1974. While YATES was going through her personal effects, she came upon 14 black and white snapshots that had been taken by someone, possibly Braniff Airways, of President KENNEDY and his wife landing at Love Field on November 22, 1963. Four of the 14 photographs are of the Texas School Book Depository, one of which is a close-up. The other ten photographs are of President and Mrs. KENNEDY as they landed, deboarded, and entered their limousine at Love Field. At least one of the photographs of the Texas School Book Depository is not of the motorcade in front, but of the building itself. There is another photograph of the building showing the motorcade in front.

YATES stated that she has been in possession of these photographs since her daughter's death, but only upon viewing the CBS documentary about the Assassination on November 26, 1975, did she decide to notify the FBI. To her knowledge, the photos have never been seen before.

YATES stated that she would be glad to furnish these photographs to the FBI, but stated that she would like to eventually have them returned. YATES seemed to express a genuine desire to help the FBI and was not derogatory in any way. YATES was told she would be contacted by an agent re these photographs.

*11/26/75
17 items of black and white snapshots
11/15/63. (this is a close-up)
T.S.B.D. Building on November 22, 1963
None shown now (they were in motorcade)
She will return to home tomorrow
RBZ*

89-48-9676

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 26 1975	
FBI - DALLAS	

Smith

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (100-10461)

FROM : SA WILLIAM G. BROOKHART

SUBJECT: LEE HARVEY OSWALD, aka
IS R CUBA

DATE: 12-30-63

On 12-27-63, Mrs. JAMES D. SCRUGGS, 3215 O'Bannon Drive, Dallas, Texas, made available to SA WILLIAM G. BROOKHART a magazine of 8 mm Kodachrome II taken by her son, JAMES ROBERT SCRUGGS, using a Bell and Howe 8 mm Zoomatic Director series camera.

Mrs. SCRUGGS was given a receipt for the above-described film.

In view of the fact that JAMES ROBERT SCRUGGS has advised that the films he took do not include the assassination of President KENNEDY, and there are other films available of the Presidential Motorcade, these films are being returned to Mrs. SCRUGGS undeveloped and the receipt furnished to SA BROOKHART will be obtained and enclosed in the 1-A exhibit of this file.

WGB:mvb
(2)

100-10461-2135

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 31 1963	
FBI - DALLAS	

100

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

File No: _____ Date: _____ Detail: _____ (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	
6838	4/21/69	Airtel Fr NYO	1	1	B7C
6838	4/21/69	LHM	1	1	None
6839	3/19/69	AG let to a USA	1	1	None REFEL
unrecorded	4/26/69	CITREA let to Hoover	1	1	None
"	5/11/69	Bulet reply to above	1	1	None
6840	3/28/69	Tevons to Conrad	2	2	None
6841	4/30/69	Airtel Fr NO.	1	1	None
0	—	Searching Indices Slip	1	0	None b7c
6841	—	News Articles	2	2	None
—	—	Rating Slip b1	1	0	None b1
6842	4/30/69	Report	1	0	None b1
6843	5/10/69	let Fr Columbia	1	1	B7d

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

File No: _____

Reel _____

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	
6843	5/10/69	L.H.M.	9	9	b7c(p.4,5) p.8,9
6844	5/9/69	Let Fr Legat	1	0	to DCRU
6844	4/16/69	Telegram for Military Estab	2	0	referred to Army
-	-	Citizen letter and copy	3	3	None
6845	5/19/69	Bulet reply to a house	1	1	None
-	-	Routing Slip	1	0	referred to DCRU b1
6846	5/16/69	Report	1	0	referred to DCRU b1
Unrecorded	5/1/69	Jones to Bishop	1	1	None
6847	5/21/69	let Fr Omaha	1	1	None
6847	5/20/69	Letter Fr Citizen	1	1	None

M1

S 2772

File No: 12-109060

Re: JEK.

Date: 8/77
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Indicate statute if (b)(3) cited)
			Actual	Released	
6848	4-27-77	Changes To News	1	1	None
6849	5-24-77	██████████ Report ← b1	2	0	(b) - DERV
6850		"Changes To"	1	1	
6851		"Changes To"	-	-	
UNREC	b1 →	██████████ TENSURE To: DIRECTOR	1	0	(b) - DERV
6852	4/4/77	Dallas Airtel	5	5	None
6853	6/19/69	TECH To Hanson	2	2	None
UNREC	6/11/77	Buairtel To Minn	1	1	b7c
UNREC	6/13/77	Phoenix Airtel thru "	3	3	None
UNREC	6/14/77	Buairtel To Minn	2	2	b7c
UNREC	6/15/77	New Orleans Airtel	9	9	None
6854	6/11/68	Memphis letter	1	1	None

File No: 43-109060

Name: TEK

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	
9422	11/24	LA MP 2A	1	1	
9423	11/29	Cooker memo to Bellamy	3	3	
9424	11/26	LA: MP Bu	2	2	
9424	11/26	MC w/let Bu (cont)	11	0	DECL (b)(7) * b1 b7D
9425	11/24	CMR let Bellamy	1	1	
9426	11/31	DOT let Bu	2	2	
9427	11/16	Bu w/let	3	3	
9428	11/18	OL all Bu w/let	5	5	
9429	11/25	LA all Bu	1	1	
9429	11/25	2 MM	2	2	
9430	11/19	LA MP Bu	1	1	
	11/28	SE let Bu	1	1	

File No: 62-109060

Re: FER

Section

104

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	
7436	12/10	DL att Re	1	1	
7437	12/3	DL att Re	1	1	
7437	12/3	LHM	6	6	program witness wr. 475 pg 5 (b) 3) circum info re activities
7437	12/3	Russell memo to B. Helms	4		(b)(3) circum info re DEEL m b15
7438	12/3	Bu let DOT	7		(b)(3) circum info re DEEL m
7438	11/26	RR att Re	2	2	
7438	11/26	LHM	15	15	(b) 3) name of alleged witness
7439	12/11	LN att Re	2	2	
7440	12/11	LHM	5	5	
7440	12/11	LN att Re	1	1	
7440	12/11	RD att Re	1	1	
7440	12/11	LHM of mail	9	9	(b) 3) info relating messages & orders

File No: 62-109060 Ser: 278 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	
9576	10/2	CMR Lt. Sw. Sawyer	2	2	
9577	11/2	Transk Lt CMR	2	2	
9577	11/2	CMR Lt Sw Sawyer	1	1	
9578	11/2	Bu TP KC	4	0	not available Refs to CIA
	11/2	Cook Memo to Gallagher	1	0	as done
	11/5	DD memo	2	2	} Refs to not available & CIA b12
9579	11/5	KC TP Bu	4	4	
9580	11/9	Cooky memo to file	50	50	(50) copies to not available Possible by
9581	11/9	" " " "	20	20	Refs to DOS
9582	11/9	" " " "	1	1	
	11/10	50 all Bu	1	1	Refs to DOS
9583	11/9	me all Bu	2	2	b7c

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 6842

PAGE NO. _____

NO. OF PAGES 2

SECTION NO.

170

Royal Canadian Mounted Police

REFERRAL

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 6846

PAGE NO. _____

NO. OF PAGES 2

SECTION NO.

170

Royal Canadian Mounted Police

REFERRAL

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 6849

PAGE NO. _____

NO. OF PAGES 2

SECTION NO.

171

R.C.M.P.

REFERRAL

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. UNREC. Transmittal Slip

PAGE NO. _____

NO. OF PAGES _____

SECTION NO.

171

RCMP

REFERRAL

UNITED STATES GOVERNMENT

Memorandum

SAC, DALLAS (89-43)

DATE: 11/25/63

TO:

SA MILTON L. NEWSOM

SUBJECT:

ASSASSINATION OF PRESIDENT KENNEDY

Mr. WALTER BENT, Sales Service Manager, Eastman Kodak Company, Processing Service Division, 3131 Manor Way, telephone YL 7-4654, Dallas, telephonically advised his company had received two rolls of 8 millimeter Kodachrome and one roll of 35 millimeter film in a package from Mr. CHARLES BRONSON, Chief Engineer, Zarel Mfg. Company, 9230 Denton Drive, Dallas, Texas.

Mr. BRONSON enclosed a letter with his film, stating that the film had been taken at the instant President KENNEDY was assassinated. BRONSON also advised in the letter that from the position he was stationed when he took the film, he feels quite certain the Texas School Book Depository building was clearly photographed and he feels that the window from which the shots were fired will be depicted in the film. He stated for this reason he believes he may have a picture of the assassin, as he fired the shots.

Mr. BENT stated Mr. BRONSON's letter indicated he desired to be cooperative regarding the film with proper authorities and BENT is of the opinion that BRONSON will have no objection to turning the film over to proper authorities in the event it is of value to the investigation.

Mr. BENT stated that he would make arrangements with Mr. BRONSON to view the film at the Kodak Processing Center and would arrange this so that FBI Agents could be present at the same time interview BRONSON concerning his film of the scene.

Mr. BENT assured his full cooperation regarding all film received of a like nature that may possibly be connected with this matter and arrangements were made with him to immediately notify SA NEWSOM of any film of possible value.

2 - Dallas
MLN:rmb

(2)

89-43-518

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 25 1963	
FBI - DALLAS	
Newsom	

DL 89-43

The Eastman Kodak Processing Service Division receives all color film made by 8 millimeter Kodachrome in this area and also most other film for the area is processed by this division. Mr. BENT explained that his employees have not worked since Saturday and they are due back to work at 1:30 PM, 11/25/63. When processing of recent film orders begin, he expects other films taken at the approximate time of President's assassination.

He said that BRONSON's film should be processed and ready for viewing by 3:00 PM. He was told that SA NEWSOM would meet with him at that time.

UNITED STATES GOVERNMENT

Memorandum

CA 78-0249
EXHIBIT 16

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Adm.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Insp.
- Intell.
- Laboratory
- Legal Coun.
- Plan. & Insp.
- Spec. Inv.
- Training
- Telephone Rm.
- Director Sec'y

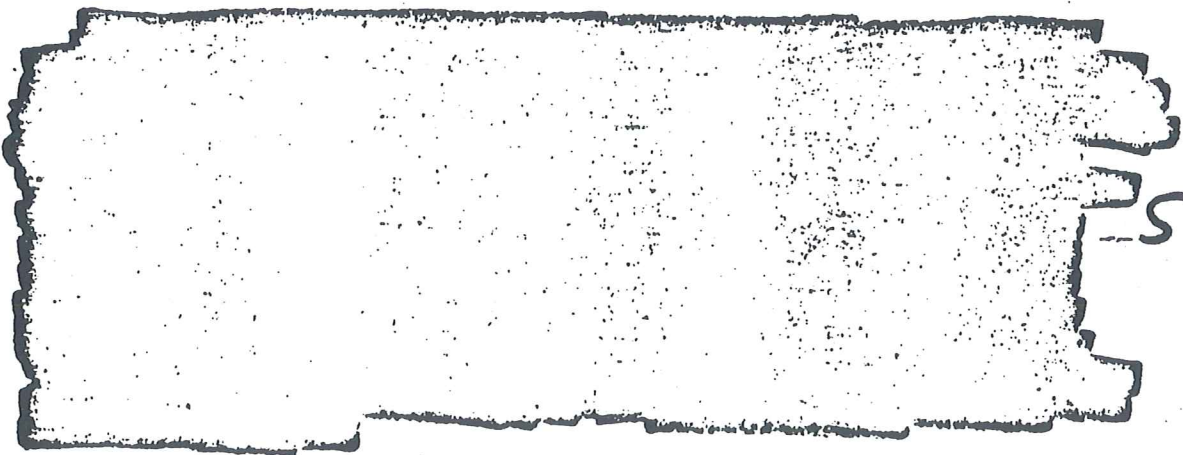
TO : MR. CALLAHAN

DATE: December 3, 1975

FROM : H. N. BASSETT *HNB*

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Reference is made to memorandum of 11/14/75 from Legal Counsel to Mr. Adams captioned "Subcommittee on Civil and Constitutional Rights, House Committee on the Judiciary" and the addendum of the Inspection Division, 11/18/75 (attached).



Referenced memorandum set forth results of the inquiry which had been conducted to date which clearly showed discrepancies in Hosty's allegations and it was recommended that Hosty be reinterviewed and confronted with the results of our inquiry. The Director agreed with this recommendation and also stated "Go all the way."



Enclosures - sent 12-4-75

- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Wannall

NOV 18 1975

SECRET

CONTINUED OVER

7 HNB:bhg
(5) 376

Classified by 3052
Exem. from GDS, 2.3
Date of declassification

Memorandum to Mr. Callahan
Re: Assassination of President John F. Kennedy

As an aside, Mr. Stern advised that he had been sent various news clippings concerning the Oswald visit to the Dallas Office prior to the assassination and the subsequent destruction of the note which Oswald had left. He asked me if I had reviewed Hosty's testimony before the Warren Commission and I told him that I had on two or three occasions. He inquired that in this review had he, Stern, asked any question of Hosty that might have elicited the fact that Oswald had visited the office. I told Mr. Stern that he had not asked any such question. He stated that he felt bad about this because apparently he had fallen down on his job although he agreed that he might not have received a truthful answer had he asked the key question. He further stated that certainly Hosty had had ample opportunity to advise him of that development during the conferences which he had held with Hosty prior to the latter's actual testimony. He asked if I would send him a transcript of any testimony which Hosty may subsequently furnish in which his, Stern's, name is mentioned and I told him that I would be glad to comply with his request.

OBSERVATIONS



Of particular significance is the fact that Hosty in his sworn statement of 11/14/75 specifically stated that upon his return to the Dallas Office following his testimony he noted "My name had been crossed out and former Assistant Special Agent in Charge Kyle Clark had written his name below mine and had initialed it for filing." There is no other way of interpreting this other than a categorical statement on Hosty's part; however, when confronted with the actual serial showing that Clark's name appeared nowhere on it he states, "I had assumed Clark's initials would have been on this serial since this case had been reassigned to Clark sometime after 11/22/63." It is noted that Hosty is due to be interviewed by representatives of the House Subcommittee on Civil and Constitutional Rights on 12/4/75.

Memorandum to Mr. Callahan
Re: Assassination of President John F. Kennedy

RECOMMENDATIONS

1. That no further inquiry be conducted relative to this particular issue.
2. That the attached communication be forwarded to the Department advising them of Hosty's allegation and the results of our inquiry.

Handwritten signature

Handwritten signature

Handwritten signature

CA 98-0249
EXHIBIT 17
[Signature]

The Attorney General

December 3, 1975

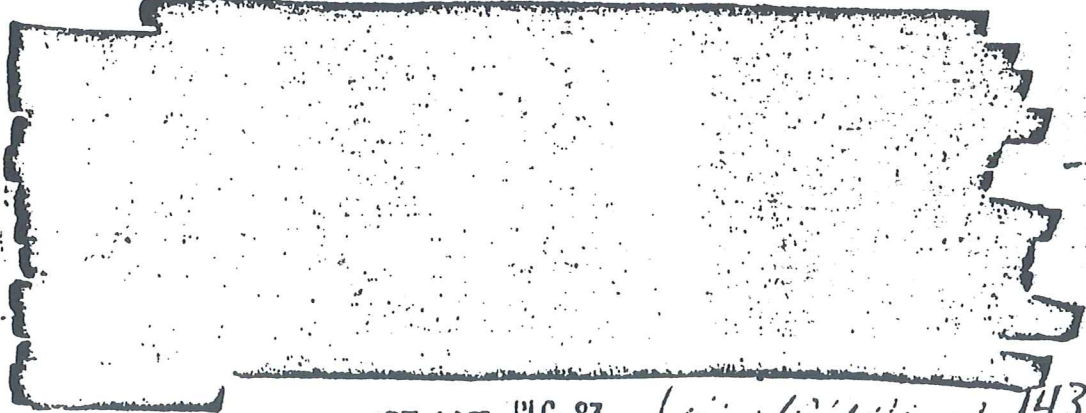
fst

Director, FBI

FEDERAL GOVERNMENT

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Reference is made to my memoranda of July 29, 1975, and October 1, 1975, captioned as above, which advised you of the results of this Bureau's inquiry concerning an allegation that Lee Harvey Oswald had visited the FBI office in Dallas sometime prior to the assassination of President Kennedy for the purpose of talking to Special Agent (SA) James P. Kosty, Jr. In the absence of Mr. Kosty, Oswald allegedly left a note which was threatening in nature. This visit and note were not reported following the assassination of President Kennedy by Oswald.



MAILED 7
DEC 4 1975

SI 1091 INC 87

143 TXI

SA Kosty, on November 14, 1975, furnished a sworn statement (attached) to SAC Williams in which he advised as follows: NOV 18 1976



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

- 1 - Mr. Adams (Sent Separately)
- 1 - Mr. Mintz (Sent Separately)
- 1 - Mr. Wannall (Sent Separately)

SECRET

See Note Page 7.
5/18/77 DJC

JAC:jmh
(9)

MAIL ROOM TELETYPE UNIT

Cl. off. by 3002
ES 1:5
Dist. of: class. division is: ref: ite

DEC 11 30:30
GPO: 1975 O-600-100

20

30

The Attorney General

[REDACTED]

S

[REDACTED]

S

[REDACTED]

S

[REDACTED]

S

Upon his return to the Dallas Office following this testimony he had occasion to look in volume I of the Oswald file and noted that both copies of the airtel were then the top serial in this volume. He observed that his name had been crossed out and former Assistant Special Agent in Charge (ASAC) Kyle Clark had written his, Clark's, name below Hosty's name and initialed the airtel for filing. He concludes that from the afternoon of November 22, 1963, until sometime in May, 1964, former ASAC Clark had retained the serial in his possession; however, felt that this would be proper in view of the fact the case was reassigned to Clark shortly after the assassination.

SECRET

The Attorney General

He stated he had not previously furnished this information concerning this particular airtel and its contents because it did not appear to be pertinent to previous inquiries until it became apparent that the House Committee might reopen the entire Oswald case.

Upon being advised of the contents of SA Hosty's sworn statement, the SAC of the Dallas Office was instructed to review pertinent files in his office. It was determined that the Washington Field Office airtel to the Director, two copies to Dallas, dated November 19, 1963, is serial 57 in the Oswald file (Xerox copy attached). A review of this serial determined that SA Hosty's name is crossed out in the block stamp but is initialed for filing by an individual using the initial "H." Former ASAC Clark's name does not appear on this serial, and it is believed highly probable that the initial "H" in this block stamp is that of Supervisor Howe. This determination is based on the following information contained in the Dallas files:

Serial 50 of the Oswald file is a copy of an airtel with two enclosures which the New Orleans Office sent to the Bureau, with copies to Dallas, dated October 24, 1963 (Xerox copies of this serial and the two enclosures, serials 49 and 48, attached). On serial 50 there appears the following handwritten notation: "48 - 49 - 50 c/o to JFH 10/28/63. Obtained from his box and initialed into file to complete file following 11/29/63 H." The interpretation of this written notation is as follows:

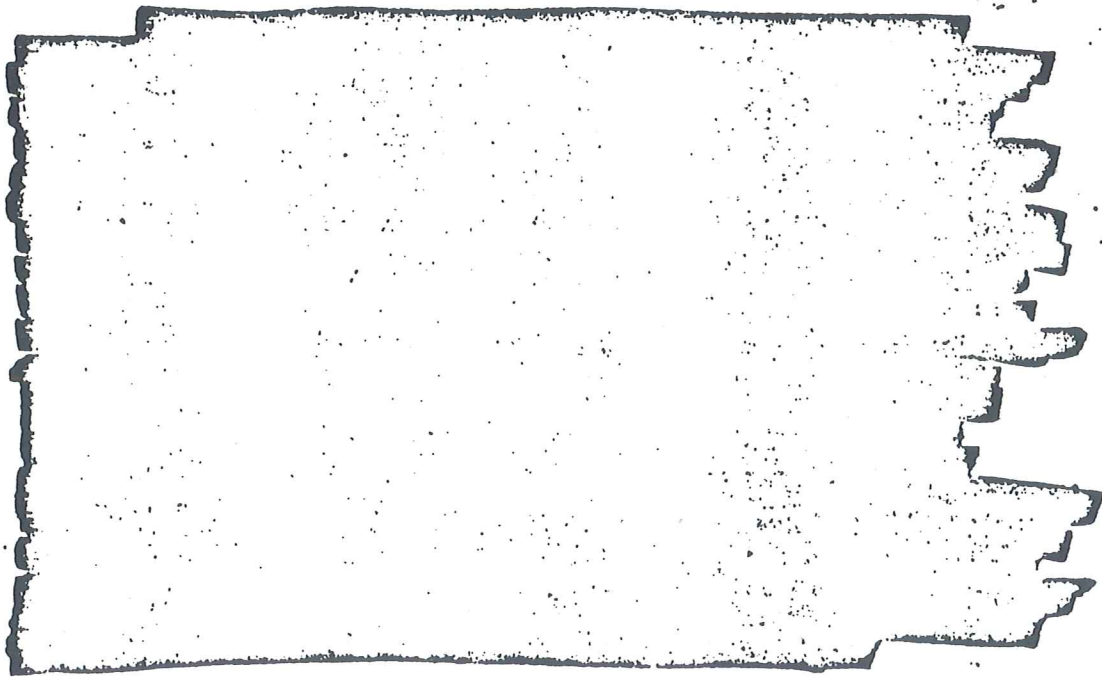
These three serials were charged out to SA Hosty on October 28, 1963, and apparently were still in his workbox the date of, or shortly after, the assassination and initialed into the case file by Supervisor Howe in order to have continuity of an extremely fast-moving case. It is also noted that SA Hosty's name is crossed off on all three of these serials and apparently initialed into the file by Supervisor Howe. While no such written notation appears on the above-mentioned serial 57, it is logical to assume that the same action was taken on this serial in order to get all pertinent material into the Oswald case file. The SAC, Dallas, in furnishing this information, advised that the "H" appearing in these block stamps is not identical to the "H" which SA Hosty used when initialing mail for file.

The SAC, Dallas, has also advised that the Oswald file has been "stripped" which means that duplicate copies of various serials in the file have been destroyed. This is standard operating procedure in our Chief Clerk's Offices in order to conserve space, and when a file is being stripped

The Attorney General

and there are duplicate serials available, the action copy is retained in the file. It can only be assumed that the second copy of the airtel in question has been destroyed since it was not located in any other logical file in the Dallas Office, such as the file on Marina Oswald or the assassination file itself. However, under normal operating procedures, when two copies of a communication are received in an office, both copies are block stamped; one is initialed by the supervisor for filing, known as the file copy, and the other copy is routed to the Agent who has the case assigned to him, known as the action copy. We know in this instance that the action copy has been kept since indexing is done from this copy and the one in file shows indexing of a name mentioned in the communication.

While the Chief Clerk in Dallas could not be positive, it is her definite opinion that after the stripping occurred, the various volumes were consolidated in order to save space. It has been determined that volume I of the Oswald file now contains 174 serials, thus placing serial 57 in the first half of this volume.



The Attorney General

[REDACTED]

S

[REDACTED]

S

In conclusion, SA Hosty stated that after reviewing copies of the above-referred-to serials, it appears that serials 48, 49 and 50 were placed in the file as the note indicated, to bring the file up to date. He states it is possible serial 57 was handled in the same manner; however, he still has doubts this was true with serial 57 because he was unable to locate either copy in the file and because of the statement made by Mr. Belmont that he was not to see this airtel.

The Attorney General



(S)

Enclosures - 6

1 - The Deputy Attorney General (Enclosures - 6)

1 - Assistant Attorney General
Criminal Division (Enclosures - 6)

NOTE: Based on memorandum Bassett to Callahan, dated 12/3/75, captioned
as above. HNB:bhg.

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 7437

PAGE NO. _____

NO. OF PAGES. 7

SECTION NO.

184

Sec Service

REFERRAL

CA 78-0249
EXHIBIT 19

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060
SERIAL NO. 7580
PAGE NO. _____
NO. OF PAGES 30

SECTION NO.
187

DOJ

REFERRAL

CC-152722

File No: 105-82555-#19 Re: LEE HARVEY OSWALD

Date: 8/72
(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	
1487	1/24/64	Bu tel - M; same	1	1	
1486	1/22	Bremen → Sullivan	1	1	
1484	1/24	Bu AF → WFO	1	1	
1489	1/20	SE AF → Bu same	2	2	
1490	1/21	Miami → Rosen same	1	1	
1491	1/22	Rosen → Belmont	1	1	
1492	1/23	LA tel → Bu	1	1	
1493	1/24	AP RDD → Bu same	1	1	
1494	1/16	Bremen → Sullivan	3	3	
1495	1/17	KC tel → Bu	1	1	b7d
1495	1/24	Bu tel - KC	1	1	b7d
1496	1/23	Bu (HLC) → DC	2	2	

File No: 105-82555 in CEC HARVEY OSWALD

Date: 4/77
(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	
2090	2/22	OK AT → BU	2	2	
2091	2/25	BU AT → ME	2	2	
2092	2/25	BU ED → NY	1	1	
2093	2/25	BU TD → JP	2	2	
2094	2/25	BU AT → ME	1	1	
2095	2/9	BU (all) OK → J. A. T. K.	2	2	
2095	2/11	Supp. Attorney → BU	2	1	b1. Reg. and Reg. 1.1
NR	2/19	WFO AT → BU	7	7	AT 9/1/52
NR	2/19	OK ED → BU	4	4	
NR	2/20	BU AT → R. M. K.	5	5	
NR	2/19	OK ED → BU	10	10	

105-82555

GC 92777

File No: 105-82555-

Re: LEE CHARLES BROWL

Date: 8/77
(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	
2458	3/11/69	Bu Ltr → DL tomb.	2	2	
2459	3/11	Bu Ltr → Rankin tomb.	2	2	
2460	3/12	Bu Ltr → DL tomb.	3	3	
2461	3/12	Bu Ltr → Sgt M.L.	3	3	
2462	3/28	Rpt of SA J. McHenry of SA.	33	33	WC 4476 Dawg B 522 476
2463	3/11	Rpt of SA J.E. Murray of SA.	38	83	WC 4476-1 - Request marked confidential, b7c b-1 p 142, 5, 6, 7
2464	3/27	memo Barragan → Sullivan	2	0	DCRI re classification of 301 on [redacted] b1x is in [redacted] bid
2464	3/26	Bu Ltr → NY tomb.	4	0	b-1 p 142 Pit + 2 of b-1 is in [redacted] bid
2465	3/5	DL NY → BU tomb.	2	2	encls referred [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]
2465	3/3	BU NY → HQ tomb.	1	1	

91

SECTION 714

5-2762

File No: 105-82555

Re: OSWALD

Date: 8-77
(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	
4100	6/16/64	NY Tel. To Bu.	1	1	NONE
4101	6-16	Bulet to NO	3	3	"
4102	6-15	WFO airtel to Bu.	2	2	"
4103	"	Moore memo to Sullivan	1	1	"
4104	6/12	NY airtel to Bu	1	1	"
4105	6/9	SF airtel to Bu.	6	6	" b12
4106	6-8	Ottawa let airtel to Bu	5	5	B-1 b7D referred
4106	6-16	Hoover let. to Rankin	2	2	B-1 on p 2
4107	6-10	OL airtel to Bu	3	3	NONE
4107	6-16	Hoover let to Rankin	2	2	"
4108	6-10	Men Dept airtel to Bu	5	5	B-7-D P. 1 source symbol
4109	6-11	mm airtel to Bu.	4	4	B-1 pp 1-2 referred OSA

P. 1 of 3

FBI/DOJ

FD-503: 204 : 4908 → 4734
Inventory Worksheet
FD-503 (2-18-77)

INDEXED IN:

b7c

File No: DS-82555 Re: OSWALD Date: 8/22/77 (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	
unrecorded	8/21/64	MEMO: BANN → BU	2	0	Refer Army
unrecorded	8/21/64	U.S. SW. BASSER RUSCOOD'S Bu	11	0	Refer to OSWALD B-1) MEMO: BANN → BU B-2) SWICE JB: [redacted] ACOR 607D
unrecorded	8/21/64	MEMO: BANN → BU	2	0	
unrecorded	8/21/64	MEMO: BANN → BU	4	4	
unrecorded	8/21/64	MEMO: BANN → BU	2	2	
unrecorded	8/21/64	MEMO: BANN → BU	2	2	
unrecorded	8/21/64	MEMO: BANN → BU	5	5	
unrecorded	8/21/64	MEMO: BANN → BU	1	1	
unrecorded	8/21/64	MEMO: BANN → BU	16	16	G-2 MEMO: BANN → BU → MEMO: BANN → BU b1
unrecorded	8/21/64	MEMO: BANN → BU	2	2	

CA 98-0249
EXHIBIT 2

OPTIONAL FORM NO. 10

UNITED STATES GOVERNMENT

Memorandum

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

TO : W.C. SULLIVAN

DATE: 1-16-64

FROM : W.A. BRANIGAN

- 1 - Belmont
- 1 - Rosen
- 1 - Sullivan
- 1 - Malley
- 1 - Branigan
- 1 - Turner

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY - RUSSIA

The following observations and recommendations are submitted for your consideration in connection with the proposal of the President's Commission to furnish all reports in the Ruby and Oswald cases to the prosecution and defense attorneys for the Ruby murder trial in Dallas:

1. We believe that the FBI has done a good job of investigation in this matter both before and after the assassination. We have nothing to hide and if all of the facts were to be made public and reviewed by the public, it is felt that the Bureau would not be criticized by reasonable people and legitimate organizations. However, in this instance, we are caught in the crosscurrents between the left and the right and each is trying to make a big conspiracy out of the assassination. They as well as others who have political or personal axes to grind will seize upon every opportunity to criticize the investigation as illustrated by some of the publicity since the assassination.

2. The issue in the murder trial is very narrow - whether Ruby was sane - and unless the attorneys intend to make a spectacle of it, the contents of our reports should not be disclosed. However, there is the definite danger that attempts will be made to persuade the jury that Ruby's action was justified because subject was directed by the Russians or the Cubans. Parts of our reports may be lifted out of context and by omission or innuendo the impression left that there was in fact such a conspiracy and that our investigation which failed to uncover it was incomplete.

The manner in which the reports were written add to this danger. The allegations were reported as received and then run out. The results of investigation may be hundreds of pages from the raw allegation and spread among several Dallas reports or those of other field offices. Time and the volume of information did not permit reporting the results of investigation along with the allegation.

TERRY TERRY

105-82555
EIT:cgw
(9)

- 1 - 62-109090 (President's Commission)
- 1 - 44-24016 (Ruby)

*All memo
1-20-64
Belmont to Tolson
Sullivan to Tolson
Malley to Tolson
Branigan to Tolson
Turner to Tolson*

105-82555-1494

22 JAN 21 1964

UNRECORDED COPY FILED IN

Memo for Mr. Sullivan
Re: LEE HARVEY OSWALD
105-82555

RECOMMENDATION

It is recommended that the above facts be pointed out to the Commission; that we suggest that there be stringent conditions against publicizing our reports if they are given to the attorneys; and that we tell the Commission that we will set the record straight in any instance where only part of the facts are lifted from our reports and publicized.

3. Before disseminating our raw reports to the Commission we were careful to classify only those which included classified information from another agency or where it was necessary to protect a Bureau source. In some instances only a small portion of the report was of this nature but in accordance with classification rules, the whole report was classified.

RECOMMENDATION

It is recommended that we inform the Commission concerning the specific portions of the classified reports which cannot be declassified and which should, therefore, not be furnished to the attorneys in the Ruby prosecution.

4. There is a danger that the Bureau will be criticized for reporting rumor, gossip or other information which might be embarrassing to various individuals. Because of the nature of this case, the field was instructed to report everything. The reports, therefore, contain every allegation about Oswald, his acquaintances and associates; critical statements made by various individuals about President Kennedy and his family; allegations by mental cases; other persons trying to be helpful, et cetera. To assist in evaluating the information, we included in the reports data from our files

Memo for Mr. Sullivan
Re: LEE HARVEY OSWALD
105-82555

regarding many of the persons who furnished information particularly those who had a history of mental instability. We also included in the reports such things as the report of the autopsy of President Kennedy which the family did not want publicized; a statement of a captain of police in Dallas that he could not rely upon what General Walker said, et cetera. Some gossip could be regarded as libelous.

RECOMMENDATION

It is recommended that we specifically point out to the Commission that the reports contain information of this kind which in some instances could cause embarrassment to some citizens and in others could be considered by the persons named as unwarranted publication.

5. There is a danger that demands may be made upon the Bureau to identify our confidential sources of information. In these reports wherever possible we attributed the information to the original sources but we did use T symbols to cover such sources as

[redacted] people who requested their identities concealed and our own confidential informants who for the most part were utilized to characterize persons or organizations mentioned in the reports.

RECOMMENDATION

Although we can answer inquiries concerning Western Union or bank sources by advising that a subpoena should be issued to obtain the information, it is recommended that we point out to the Commission that we cannot disclose the other sources without compromising our informants, damaging our relations with other agencies or breaching confidences, all of which would be detrimental to our future investigative operations.

It is believed that the above recommended action will serve to alert the Commission as to the dangers of releasing our reports and put us in a better position in the event such release later results in criticism of the Bureau.

1/1

V. P. A.

Date: 2-11-64

To: Director, FBI

~~SECRET~~

(Bufile : 105-82555)

Attention : _____

From: Legal Attache, Ottawa

(163-364)

442878

Title LEE HARVEY OSWALD	Character IS - R Reference Hycab 1-28-64.
-----------------------------------	--

Remarks:

7/12/77 md
 Classified by 2040
 Exempt from GDS Category 1
 Date of Declassification Indefinite

*All paragraphs secret
 unless otherwise marked.*

COPY AND SPECIMENS
 RETURNED IN LAB.



35 FEB 14 1964

EXP. PROC.

Dissensionation

- May be made as received
- May be made as indicated by stamp on enclosure

Following offices would be interested in receiving copies of enclosures:

Dallas; New Orleans; Detroit

Status with this office:

- RUC
- Pending
- 5 - Bureau (1 cc - Dallas; New Orleans; Detroit (Enc. 4)
- 1 - Ottawa

INVESTIGATOR

(6)
 JHG

*Subscribed
 dated*

Do not write in space below	
105-82555-2095	REC 27
FEB 14 1964	

REC-98

CA 78-0249
 Tolson _____
 Belmont _____
 Mohr _____
 Casper _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Gale _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan *vic*

DATE: August 12, 1964

FROM : W. A. Branigan

- 1 - Belmont
- 1 - Rosen
- 1 - Sullivan
- 1 - Malley
- 1 - Liaison
- 1 - Branigan
- 1 - Stokes

SUBJECT: LEE HARVEY OSWALD
 INTERNAL SECURITY - RUSSIA - CUBA

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE

CONFIDENTIAL

Handwritten initials and signatures
 T. J. R.

[REDACTED]

[REDACTED]

[REDACTED]

105-82555

JCS:pah
(8)

Handwritten notes:
 Airtel to DL 8/10/64
 with cc of [unclear]
 1964-101 [unclear]
 8/17/64 [unclear]

CONTINUED--OVER

CONFIDENTIAL

Classified by 2040
 Exempt from GDS, Category 1
 Date of Declassification Indefinite 9/26/77

69 EF : 1964

4718 Sec 204

Memorandum to Mr. Sullivan
Re: LEE HARVEY OSWALD
105-82555

CONFIDENTIAL

RECOMMENDATIONS:

(1) That liaison obtain from the State Department its official report on this incident.

(2) That State be asked if they intend to disseminate to Central Intelligence Agency and to the President's Commission. If not, State should be informed that Bureau will find it necessary to make dissemination of the information in our possession.

JES
Sullivan

JS

Q

8/13/64

NE Jessup State, requested to furnish info. C-112

8/17/64

W. Jessup furnished info from C-112 to Jessup

It has been furnished to Warren Commission

It has been furnished to C-112

C-112

attached
rel

CONFIDENTIAL

FBI

Date: September 25, 1964

Transmit the following in _____

(Type in plain text or code)

AIRTEL

VIA COURIER

(Priority or Method of Mailing)

TO: Director, FBI (105-82555) Attention: Criminal Section

FROM: Legat, Ottawa (163-364) (P) *11-11-64*

SUBJECT: LEE HARVEY OSWALD, aka *11-2-64*
IS - R - CUBA *11-11-64*

Re Ottawa airtel dated September 24, 1964.

Enclosed are original and five copies of letterhead memorandum setting out results of interviews of COLIN DAVIES and KENNETH G. ARMSTRONG

ARMSTRONG's statement indicates that SIMILAS knowingly deceived ARMSTRONG into buying the story by promising him pictures which he knew to be non-existent. The paragraph on page 13, center column, of the July issue of LIBERTY Magazine wherein he states a picture he took showed two figures beside the gun barrel, etc., was actually the main point of interest of this story. There is doubt that such a picture ever existed or exists now. if SIMILAS had taken the picture showing the assassin or assassins, it would have been exclusive and every medium would have been after it. According to COLIN DAVIES, the reporter, it would have been "The Million-Dollar Picture." No news editor would miss the opportunity of a scoop of this nature. SIMILAS told ARMSTRONG he had mailed this photograph, along with others, to the LIBERTY Magazine fully three months after he had been paid for the pictures lost by the Toronto Telegram and which supposedly contained this picture.

SIMILAS' story both DAVIES and ARMSTRONG, contains too many inconsistencies and "outright lies" to be taken seriously. he is an opportunist who saw a chance to cash in on the fact that he had witnessed the assassination and in order to do so, he had to make his story as convincing as possible, and that it is unfortunate that by a coincidence the negatives which would prove the lie have been lost.

- 6 - Bureau (Encs. 6)
- (2 - Dallas, Liaison dir.)
- 1 - Ottawa


MLI:MEG

Approved: *[Signature]*
Special Agent in Charge

Sent _____ M Per _____

105-82555-5026
SOVIET SECTION
[Signature]

Co Co



Extra copies of this airtel are furnished for
the Dallas office (100-10461).

INNES

he knew a Toronto man who had witnessed the assassination of President Kennedy and would I be interested in the story.

"Following this discussion, I subsequently contacted NORMAN SIMILAS and met him at the Park Plaza Hotel. On our first meeting we discussed his visit to Dallas and the events leading up to the assassination. This discussion probably lasted three hours and I got a lot of background.

"There were two subsequent meetings at which I got the remainder of the information that I wanted for my story.

"SIMILAS offered to supply me with pictures which were taken prior to and during the assassination. These were to be used to illustrate the story. SIMILAS supplied me with some pictures and he said he was having prints made of the other ones. It was my understanding that one of these pictures was the one in which two persons and the gun barrel could be seen, and these were to be forthcoming when developed. I phoned SIMILAS a day or so later and he said they had been mailed to me from a Post Office on Yonge St. I felt that they may have been misdirected and would be arriving at any time. After a week had gone by, ✓ Albert Plock, Art Director of Liberty, and I went through the entire amount of mail received during the previous weeks but we found nothing. I mention this because it was so important to the story to have that picture which contained the two faces at the window. We still held out hope that they might arrive in time for the second installment; however, they never did arrive.

"As I completed each portion of the manuscript I submitted it to SIMILAS for his approval or whatever changes he might suggest. I also went back and double checked on facts he had mentioned previously and his account was basically the same each time.

"The paragraph appearing in the center column on page 13 of the July issue of Liberty beginning, 'Will the investigation committee ...,' was discussed between SIMILAS and me, and originally this appeared in LIFE Magazine.

"It was obvious to me that SIMILAS must have done considerable research and read most of news and views published in order to form the opinion expressed in the next column regarding the assassin's perch.

"The second installment was completed and was set in galley-type, but was never published. Liberty Magazine ceased publishing after the July issue was released.

"I cannot think of anything else which would be of assistance to you except that before the story was used I showed HAROLD COOK, the publisher, SIMILAS' signature of approval which would eliminate the possibility of a misunderstanding between us.

(Signed) Kenneth G. Armstrong"

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 105-82555

SERIAL NO. 5565

PAGE NO. Entire Document

NO. OF PAGES 5

SECTION NO.

232

CIA

REFERRAL

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	
1670	6-25-64	Letter to Bureau	4	4	DCRY - 28-31-64
1671	7-6-64	Hoover to Rankin	1	1	None b1J GA
1672	6-15-64	Investigative let	1	1	None C
1673	6-3-64	Rankin to Hoover	2	2	None
1673	6-30-64	Buaires to NY	2	2	None
1674	6-26-64	Rankin to Hoover	1	1	None
1675	6-15-64	WFO Airtel William	9	9	None
DUNCAN		TRANSLATION FR. SPANISH	7	7	RAW FILE COPY MISSING COPY PAGE
UNREC	6-29-64	Dallas Airtel	1	1	None
1676	7-7-64	Buaires to Hoover	1	1	None
1676	7-3-64	Rankin to Hoover	2	2	None
1677	7-7-64	Buaires to Dallas	1	1	None

File No: 44-24016 Re: JACK RUDY Date: 8/77 (month/year)

Date: 6-25-64
CONFIDENTIAL
(Bufile : 44-24616)
Attention : _____
(163-364)

To: Director, FBI
From: Legal Attache, Ottawa

Title	Character
JACK L. RUBY, Aka.; LEE HARVEY OSWALD, Aka. (deceased) VICTIM	CIVIL RIGHTS
	Reference LHM dated 6-3-64, at Dallas, Texas.

[REDACTED] (c)

[REDACTED] (c)

1 cc - [unclear] 7/1/64
1 cc - [unclear] 7/1/64
T/S
2 cc es 7/27/77

[REDACTED] (c)

Following offices would be interested in receiving copies of enclosures:
Dallas (44-1632)

Status with this office:
 RUC
 Pending
3 - Bureau (1 cc - Dallas)
(Enc. 13)

1 - Ottawa
MLI:jhc
(4)
12. ENCLOSURE

Do not write in space below	
1670	ESP 4
18 JUL 7	



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

June 25, 1964

JACK L. RUBY;
LEE HARVEY OSWALD -
VICTIM

[REDACTED]

COPIES DESTROYED

21 JAN - 2 1973

Classified by 5040
Exempt from GDS, Cat. 1
Date of Declassification Indefinite

11/17/77 ETG/TLC



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

June 25, 1964

JACK L. RUBY;
LEE HARVEY OSWALD -
VICTIM

[REDACTED]

[REDACTED]

11-11-64
C

C

ASSASSINATION
OF PRESIDENT JOHN

F. KENNEDY

62-109060

INVENTORY

WORK SHEETS

(SECTIONS 1-70)

RELEASE

COPY 4

PART 1

File No: _____

Re: _____

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	
1334	12/3/63	Citizen let and true copy	3	3	None
1334	12/5/63	Bulet reply	1	1	None
1335	12/2/63	Citizenlet	1	1	None
1335	12/5/63	Bulet reply	1	1	None
1336	11/29/63	Roses to Belmont	1	1	None
1336	11/29/63	302 on Grrer	3	3	None
1336	"	302 on Kellerman	4	4	None
1336	"	302 on Behn	2	2	None
1338	12/2/63	Brennan to Sullivan	1	1	None
1337	11/29/63	State Dept Document	2	0	Refer to State Dept.
1338	11/23/63	TT Fm Dallas	3	0	B-1 to Dept JK
1339	11/27/63	TT Fm Dallas	2	2	B7E

FBI/DOJ

CA 98-0249
EXHIBIT 29

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

File No: 98-658 SACM-3

Re: JEK ASSASSINATION

Date: 5/18
(month/year)

Exemptions used or, to whom referred
(Identify statute if (b) or (3) cited)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b) or (3) cited)
			Actual	Released	
278	11/29/63	TELETYPE FROM ST. LOUIS, MO TO SAC, DC	2	0	Previously Released
279	11/22/63	MEMORANDUM FROM SAC, MO TO SAC, DC	1	1	
280	11/29/63	TELETYPE FROM SAC, MO TO SAC, DC	3	0	Previously Released
281	11/22/63	MEMORANDUM FROM SAC, MO TO SAC, DC	3	3	
282	11/29/63	TELETYPE FROM ST. LOUIS, MO TO SAC, DC	2	0	Previously Released
283	11/22/63	MEMORANDUM FROM SAC, MO TO SAC, DC	2	2	
284	11/24/63	LETTER FROM DC TO SAC, MO	1	0	Previously Released
285	11/24/63	TELETYPE FROM DC TO SAC, MO	6	0	Previously Released
286	11/29/63	MEMORANDUM FROM SAC, MO TO SAC, DC	4	0	b1 refer CIA
287	11/29/63	TELETYPE FROM DC TO SAC, MO	3	0	Previously Released
287a	9/25/77	ROUTINE SLIP FROM MO TO DC	1	1	
288	11/23/63	TELETYPE FROM ST. LOUIS, MO TO SAC, DC	2	0	Previously Released

0-70 (Rev. 1-7-77)

TO: SAC

- Albany
- Albuquerque
- Alexandria
- Anchorage
- Atlanta
- Baltimore
- Birmingham
- Boston
- Buffalo
- Butte
- Charlotte
- Chicago
- Cincinnati
- Cleveland
- Columbia
- Dallas
- Denver
- Detroit
- El Paso
- Honolulu

- Houston
- Indianapolis
- Jackson
- Jacksonville
- Kansas City
- Knoxville
- Las Vegas
- Little Rock
- Los Angeles
- Louisville
- Memphis
- Miami
- Milwaukee
- Minneapolis
- Mobile
- Newark
- New Haven
- New Orleans
- New York City
- Norfolk

- Oklahoma City
- Omaha
- Philadelphia
- Phoenix
- Pittsburgh
- Portland
- Richmond
- Sacramento
- St. Louis
- Salt Lake City
- San Antonio
- San Diego
- San Francisco
- San Juan
- Savannah
- Seattle
- Springfield
- Tampa
- Washington Field
- Quantico

TO LEGAT:

- Bern
- Bonn
- Brasilia
- Buenos Aires
- Caracas
- Hong Kong
- London
- Madrid
- Manila
- Mexico City
- Ottawa
- Paris
- Rome
- Tokyo

SAC, New Rochelle (MRA) ASAC, Rapid City ("Min")

RE: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY. RE TELEPHONIC REQUEST OF MR. MALLEY.

(Date)

1. Re report SA _____ dated _____ at _____.
2. Re Dallas (office) teletype/airtel/letter dated 11/23/63
A/ dealing with conversation of transcript.
3. Re enclosure to _____ airtel/letter dated _____ at _____.
4. Other _____.

The following changes in classification have been made in the above communication(s).

- a. Declassified
- b. Classified Top Secret, exemption category 2
by 3002, date 3/24/77, date of automatic declassification Indefinite
- c. Downgraded to _____, exemption _____
- d. Upgraded to _____, exemption _____
by _____, date _____, date of automatic declassification _____

89-43-287a

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 28 1977	
FBI - DALLAS	

gce

Bufile 62-109060-1338
Urfile

FBIHQ Division and Section

J.F.K.

Assassination

62-109060

Section 17

Release
Copy

1

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 62-109060

SERIAL NO. 1338

PAGE NO. ALL

NO. OF PAGES 3

SECTION NO.

17

CIA

REFERRAL

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (89-43)

DATE: 11/22/63

FROM : SA W. R. HEITMAN

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

[REDACTED]

ANDERSON advised SA ELTON RUDD is proceeding to Dallas in the Naval Attache plane, a C-47, ID # 50752. It is due to arrive at Love Field at approximately 2 AM, 11/23/63.

[REDACTED]

*Heitman meeting NAVY 50752 (plane)
from Mexico City
due in Love Field 2:47 AM
Heitman advised*

Clark Anderson

WRH:ej
(3)

*Loop
Heitman*

to meet plane

89-43-103

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

Heitman

C.A-78-0249
EXHIBIT 32

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

11/13

WASHINGTON 25, D.C.

November 23, 1963

Honorable James J. Rowley
Chief, U. S. Secret Service
Washington, D. C. 20220

Dear Mr. Rowley:

There are enclosed the results of our inquiry into the assassination of President John F. Kennedy and background information relative to Lee Harvey Oswald.

Additional information with respect to this matter will be furnished to you when available.

Sincerely yours,

J. Edgar Hoover

Enclosure

104



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D. C.
November 23, 1963

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
DALLAS, TEXAS, NOVEMBER 22, 1963

President John F. Kennedy was shot and killed by an unknown assailant at approximately 12:30 p. m., November 22, 1963, in Dallas, Texas. Investigation was immediately instituted in an effort to identify and apprehend the person responsible for this assassination.

At approximately 2:00 p. m., information was received that a suspicious person had entered the Texas Theater which is located about six tenths of a mile from the four hundred block of East 10th Street in Dallas where J. D. Tippitt, a Dallas Police Department patrolman had been shot and killed about 1:13 p. m. Officers of the Dallas Police Department and FBI Agents converged on the theater and took into custody Lee Harvey Oswald who resisted arrest and attempted to fire a .38 caliber revolver which was taken from his person.

State complaints were filed on November 22, 1963, charging Oswald with the murder of President Kennedy and Patrolman Tippitt.

Investigation has established that Oswald was employed at the Texas School Book Depository which has been identified as the building from which the fatal shots were fired at the President. A fellow employee stated he took Oswald to work on the morning of November 22, 1963, at which time Oswald was carrying a package of sufficient length to contain a disassembled rifle and which Oswald said consisted of curtain rods. Oswald was observed on the fifth floor of the building in which he was employed at approximately 11:50 a. m., November 22, 1963. Oswald was again observed inside the building shortly after the shooting but could not be found thereafter. Another fellow employee stated shots were fired "right over his head" while this employee was watching the car occupied by President Kennedy passing in front of the building. A witness to the shooting stated that the shots were fired by

Assassination of President John F. Kennedy

a white man from a window on the sixth floor of the building in which Oswald was employed. This witness later selected Oswald in a line-up as the person who resembled the individual he observed fire the rifle from the window. The witness could not make a positive identification. Mrs. Earlene Roberts, 1026 North Beckley Street in Dallas, stated Oswald, using the name of O. H. Lee, had lived at her residence since October 14, 1963, and at about 1:00 p. m., November 22, 1963, came to her residence, picked up a jacket and left hurriedly.

A 6.5 caliber Italian carbine rifle with a four-power scope was found on the sixth floor of the building in which Oswald was employed and from which the shots at the President were fired. Investigation by our Chicago Office has revealed that a weapon of this description and identical serial number was sold to one A. Hidell, Post Office Box 2915, Dallas, Texas, on March 28, 1963, for \$21.45. This Post Office Box at that time was rented by Mrs. Lee H. Oswald, believed to be the mother of suspect. Oswald, at the time of his arrest, had in his possession a Selective Service card in the name of Alex Hidell. The recovered rifle as well as the .38 caliber revolver taken from Oswald, were immediately brought to the FBI Laboratory for examination.

It was determined that a bullet found on one of the stretchers at the hospital following the admittance of President Kennedy had been fired from the rifle referred to above. Examination also identified two bullet fragments found in the Presidential car as having been fired from this same weapon. Other examinations in the FBI Laboratory are continuing.

A brown paper bag possibly used to carry the rifle was found near the window on the sixth floor of the building from which the shots were fired. A latent fingerprint developed on this bag by the FBI Identification Division was identified with the left index finger impression of Lee Harvey Oswald.

Assassination of President John F. Kennedy

With respect to background information concerning Oswald, his birth date has been verified at New Orleans, Louisiana, as October 18, 1939. He attended high school at Fort Worth, Texas, and according to records of the Office of Naval Intelligence, enlisted in the United States Marine Corps at Dallas, Texas, on October 24, 1956, for a three-year term. He was released to inactive duty on September 11, 1959, but his military obligation continued until December 8, 1962.

According to information received from the State Department, he indicated to the American Embassy in Moscow on October 31, 1959, that he wished to renounce his American citizenship. He claimed at the time that he had been a radar operator in the Marine Corps and had told Soviet officials that if he were granted Soviet citizenship, he would make known information concerning the Marine Corps, which was in his possession. On this occasion he declared, "I am a Marxist." The United Press on November 15, 1959, reported that Soviet authorities had refused to grant Oswald Soviet citizenship, but would permit him to live in Russia as a resident alien.

Office of Naval Intelligence reported that Oswald had been undesirably discharged from the Marine Corps Reserve on August 17, 1960.

On January 30, 1961, Oswald corresponded with the then Secretary of the Navy John B. Connally, with respect to his undesirable discharge requesting that appropriate action be taken to change his status and indicating he intended to return to this country. This was followed by a letter dated March 22, 1962, directed to Assistant Director of Personnel, Brigadier General Tompkins, United States Marine Corps, at which time he made a similar complaint.

Information has likewise been received from the Office of Senator John G. Tower (Republican - Texas) that during 1961 Oswald had requested that Senator Tower intercede in his behalf with Soviet authorities, so that they would allow him to return to the United States.

According to information received from the State Department on May 17, 1962, Oswald and his wife, a Soviet citizen, had been granted exit permits to leave Russia, and the State Department had given approval for their travel to the United States accompanied by an infant child.

Assassination of President John F. Kennedy

Oswald was interviewed by Special Agents of this Bureau at Fort Worth, Texas, on June 26, 1962, at which time he was curt, sullen and arrogant. He declined to answer questions as to why he made the trip to Russia or his experiences while there. He indicated that he had been employed as a sheet metal worker in a television factory and admired the Russian form of Government. He claimed familiarity with the theories of Karl Marx, but denied being a member of the Communist Party or having renounced his United States citizenship. According to Oswald, the Soviets never attempted to obtain information from him nor did he make any deals with the Soviets in order to obtain permission to return to the United States. He disclaimed any affiliation with Soviet Intelligence.

Upon reinterview on August 16, 1962, he acknowledged recently visiting the Soviet Embassy in Washington, D. C., but indicated his visit was solely to register his wife's current address as required by Soviet law. He again denied requesting revocation of his United States citizenship or allegiance to the Soviet Government.

According to information developed by this Bureau, Oswald was arrested on August 9, 1963, for disturbing the peace in New Orleans, Louisiana, as a result of distributing a pamphlet for an organization known as "Fair Play for Cuba." He pleaded guilty and elected to pay a fine of \$10.

Oswald was interviewed on August 10, 1962, at which time he indicated he was unemployed and had been in New Orleans for approximately four months. While there he read literature distributed by the Fair Play for Cuba Committee which he considered not to be communist dominated or controlled. He corresponded with the Committee at 799 Broadway, New York City, and paid a \$5.00 membership fee. He received a membership card in the New Orleans chapter dated June 6, 1963, signed A. J. Hidell.

The Fair Play for Cuba Committee is a pro-Castro organization founded during the Spring of 1960, whose function is to propagandize the Castro regime.

The Central Intelligence Agency advised that on October 1, 1963, an extremely sensitive source had reported that an individual identified himself as Lee Oswald, who contacted the Soviet Embassy in Mexico City

Assassination of President John F. Kennedy

Inquiring as to any messages. Special Agents of this Bureau, who have conversed with Oswald in Dallas, Texas, have observed photographs of the individual referred to above and have listened to a recording of his voice. These Special Agents are of the opinion that the above-referred-to individual was not Lee Harvey Oswald.

A highly confidential source of this Bureau advised that an individual identifying himself as Oswald on November 18, 1963, was in contact with the Soviet Embassy in Washington, D. C., at which time he referred to a recent meeting with Comrade Kostin at the Soviet Embassy in Mexico City. This individual indicated that he originally intended to visit the Embassy in Havana, Cuba, where he would have had time to complete his business, but that he had been unable to do so. He furnished his address as Box 625, Dallas, Texas, and claimed to be the husband of Marina Nikolovna Oswald, a Soviet citizen and father of Audrey Marina Oswald, born October 20, 1963, at Dallas, Texas.

Oswald during previous interviews with FBI Agents claimed to have married his wife, Marina Nikolovna Oswald, nee Frusakova, at Minak, Russia, on April 20, 1961. He likewise claimed an American passport, number D992523, issued at New Orleans, Louisiana, on June 25, 1963, for proposed travel of three months to one year as a tourist to England, France, Germany, Holland, USSR, Finland, Italy, and Poland. He indicated an intention to depart from New Orleans during the latter part of 1963.

Additional information developed by this Bureau indicated one Lee Oswald during September, 1962, was a subscriber to "The Worker" an east coast communist newspaper.

CIA Withheld Details on Oswald's Call

By Ronald Kessler
Washington Post Staff Writer

In late September, 1963—eight weeks before the assassination of President Kennedy—Lee Harvey Oswald telephoned the Soviet embassy in Mexico City and tried to make a deal.

In exchange for unspecified information, he wanted a free trip to Russia.

This conversation was intercepted and recorded by the Central Intelligence Agency at the time. But it was not then turned over to the FBI, which has responsibility for investigating possible spies, and it was not later turned over to the Warren Commission during its investigation of the assassination.

The unanswered question is why not?

The existence of the CIA telephone intercept of Oswald's conversation in Mexico City and the contents of the still-secret transcript have been verified by The Washington Post. The Post has also verified that the CIA failed to turn over the complete

transcript to either the FBI or the Warren Commission.

Instead, the CIA gave the FBI in October, 1963, only a brief report saying Oswald had made contact with the Russians. It gave the Warren Commission a transcript of the taped conversation but for unexplained reasons failed to include in the transcript Oswald's offer of information and his suggestion that the Russians would want to pay his way to the Soviet Union.

The Post has also determined that the CIA, for unexplained reasons, told the Warren Commission that it learned of most of Oswald's activities in Mexico City only after the assassination. The fact is, however, that the CIA monitored and tape-recorded his conversation with both the Russian and Cuban embassies in Mexico City in the fall of 1963, before Kennedy's death.

It was the CIA's belief that the two embassies were heavily involved in the spy business and that, specifically, they were operational bases for intelligence activities directed at the United States.

So, with the full cooperation of the Mexican government, CIA wiretaps were installed on telephone lines going into both embassies.

The CIA was especially interested in U.S. citizens who made contact with the embassies.

Thus, when Oswald showed up in Mexico City in late September and telephoned the Russian embassy, his conversation was picked up from the wiretap. A transcript was made and circulated in the CIA offices in the American embassy in Mexico City.

The station chief at that time was the late Winston M. Scott, who personally reviewed all transcripts emanating from wiretaps on Soviet bloc installations.

The Oswald transcript, according to a CIA translator who worked with Scott, aroused a lot of interest.

"They usually picked up the transcripts the next day," he said. "This they wanted right away."

What that transcript contained is a matter of some dispute, and the CIA says it routinely destroyed the tape before the assassination. But some

See OSWALD, A7, Col. 1



LEE HARVEY OSWALD
... telephoned Soviet embassy

C.A-78-0249
EXHIBIT 33

... public function to which,

... of

... of a few ...

CIA Withheld Details on Oswald Call

OSWALD, From A1

people who saw the transcript or heard the tape before the assassination recall that Oswald was trying to make a deal.

One of them is David A. Phillips, a former CIA officer, who now heads the Association of Retired Intelligence Officers and is a leading defender of CIA activities. Phillips was stationed in Mexico City at the time.

The transcript revealed, Phillips recalled, that Oswald told the Soviet embassy: "I have information you would be interested in, and I know you can pay my way" to Russia.

The stenographer who typed up the transcript and the translator who prepared it had similar recollections.

"He said he had some information to tell them," the typist said in an interview in Mexico. "His main concern was getting to one of the two countries [Russia or Cuba] and he wanted them to pay for it. He said he had to meet them."

The Warren Commission later concluded the Russians and Cubans were not much impressed by Oswald. This view is supported by Sylvia Duran, a Mexican citizen who worked in the Cuban embassy at the time of Oswald's visit. She talked to Oswald on Sept. 27, 1963, and recalls the meeting in some detail.

In a joint interview in Mexico City with this reporter and Post special correspondent Marjorie Simons, Duran said Oswald told her that he wanted to travel to Cuba and Russia and displayed documents to show me he was a "friend" of the Cuban revolution. Among other things, he claimed to be a member of the American Communist Party.

Duran said she informed Oswald that in order to travel to Russia he would have to obtain permission from the Soviets. Oswald went off and returned later in the day to inform Duran that he had obtained the necessary permission. Duran said she called the Soviet embassy and was told Oswald's application for a visa would take three to four months to process. Informed of this, Duran said,

Oswald "got really angry and red. He was gesticulating." Duran said she had to call for help from the Cuban consul who got into a shouting match with Oswald and told him to get out. Duran said she never saw him again.

However, Duran's story covered only the first day of Oswald's five-day stay in Mexico City. Oswald later referred in a letter to "meetings" he had in the Soviet Embassy.

How interested the CIA was in Oswald's dealings with the two embassies is uncertain.

The translator and typist who handled the transcript of the intercepted conversation recalled that the level of interest was high. But the CIA's own actions led to a different conclusion.

The agency waited until Oct. 10, 1963, to notify the FBI of Oswald's activities. And its teletyped report made no mention of Oswald's offer of information in exchange for a free trip to Russia or of his attempts to travel to Cuba and Russia. "On October 1, 1963," the teletype message said, "a reliable and sensitive source in Mexico reported that an American male, who identified himself as Lee Oswald, contacted the Soviet Embassy in Mexico City inquiring whether the embassy had received any news concerning a telegram which had been sent to Washington."

That was strictly a routine handling of the matter, and similar to the standard reports made to the FBI at that time on other contacts with the communists by American citizens in Mexico.

Even after Kennedy's assassination, the CIA failed to turn over to the Warren Commission the full transcript of the telephone intercept it had made in Mexico City. Oswald's offer of information to the Russians in exchange for passage was omitted from the transcript, and the CIA claimed it did not know of most of Oswald's activities in Mexico City until after the assassination.

The significance of the CIA actions is difficult to assess. The FBI in the fall of 1963 was already showing in-

termittent interest in Oswald and might or might not have intensified that interest if it had been told of Oswald's conversations.

Whether the new information would have affected the Warren Commission's deliberations is also an open question. The commission investigated the possibility of a foreign conspiracy and concluded there was no evidence to show Oswald acted on behalf of a foreign power.

Nevertheless, there is yet no explanation for the CIA's handling of Oswald's conversations. The CIA today refuses to comment, saying it would not be appropriate in the light of an impending investigation by the House Select Committee on Assassinations.

"When asked if they could explain the agency's actions, some CIA officers stationed at the time in Mexico City said the CIA may have had a relationship with Oswald that it sought to conceal. The CIA has denied this."

David W. Belin, who was an assistant counsel to the Warren Commission and later executive director of the Rockefeller commission's probe of the CIA, said that if the Warren Commission had known of Oswald's conversations and other new information, it would have been less sure that the assassination was not part of a foreign conspiracy.

Sen. Richard S. Schweiker (R-Pa.), who led the Senate intelligence committee's probe of the assassination, said that investigation would have taken on an "entirely different direction and perspective" if the committee had been aware of Oswald's conversations.

In interviews with The Post, Belin, who documented the CIA plots against Castro in his capacity as executive director of the Rockefeller commission, revealed the CIA also did not tell the Warren Commission of a report from an alleged witness to a meeting in Mexico City between Oswald and Cuban intelligence agents.

At the time, Cuban agents coordinated their more important activities

with agents of the KGB, the Soviet intelligence service.

Belin called on the CIA to make full disclosure of its knowledge of Oswald and his contacts with the Cubans and Russians.

Belin, a staunch defender of the Warren Commission's conclusion that Oswald was the lone assassin who killed Kennedy, said he recognizes the CIA's concern about disclosing secret sources and intelligence techniques. But he said a greater national interest would be served by disclosing the truth.

A CIA spokesman specifically denied that the agency has a report of a meeting between Oswald and Cuban agents. "The agency is aware of only one such specific allegation, and that was debunked," the spokesman said.

