

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0322
 :
 WILLIAM H. WEBSTER, ET AL., :
 :
 Defendants :
 :

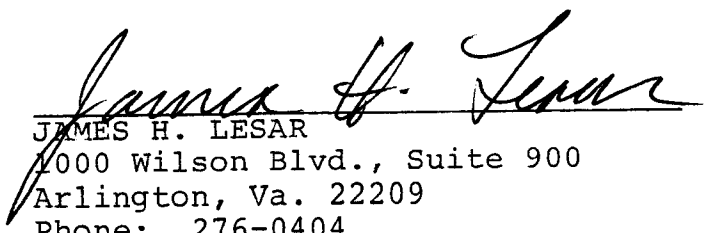
HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0420
 :
 FEDERAL BUREAU OF INVESTIGATION, : (Consolidated)
 ET AL., :
 :
 Defendants :
 :

MOTION FOR LEAVE TO FILE ATTACHED APRIL 10, 1983
AFFIDAVIT OF HAROLD WEISBERG

Comes now the plaintiff, Mr. Harold Weisberg, and moves the Court for leave to file the attached April 10, 1983 affidavit of Mr. Harold Weisberg.

A Memorandum of Points and Authorities in support of the motion and a proposed Order are attached hereto.

Respectfully submitted,


JAMES H. LESAR
1000 Wilson Blvd., Suite 900
Arlington, Va. 22209
Phone: 276-0404

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0322
 :
 WILLIAM H. WEBSTER, ET AL., :
 :
 Defendants :
 :

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0420
 :
 FEDERAL BUREAU OF INVESTIGATION, : (Consolidated)
 ET AL., :
 :
 Defendants :
 :

MEMORANDUM OF POINTS AND AUTHORITIES

One of the disputed issues in this case concerns the need to search the Dallas and New Orleans field offices for "ticklers." The FBI has maintained that there is no need to search for "ticklers" because "most FBI field offices, including the Dallas and New Orleans Field Offices, do not produce or maintain 'ticklers,'" and because "there are no such documents in the Dallas and New Orleans Field Offices." Fifth Declaration of John N. Phillips (executed July 2, 1982), ¶4. The FBI's answers to plaintiff's first set of interrogatories no longer make such blanket denials, but they remain highly qualified. For example, the response to Interrogatory 1, which inquires whether the Dallas Field Office created "tickler"

files during the course of the investigation into the assassination of President Kennedy, states:

If plaintiff is asking whether the Dallas Field Office created files consisting of photostatic or carbon copies of the originals of investigative documents, the purpose of which was to enable a Special Agent or other employee to follow the progress of the Kennedy investigation including the need to take further action, the answer is "no." Indeed, the creation of these types of files has never been standard operating procedure with the Dallas office.

If the plaintiff is asking whether individual agents in the Dallas Field Office have utilized a system of chronologically arranged index cards which contain reminders to take certain action on specified dates with respect to any of the Field Office's investigations, the answer is "yes." Such a system, however, would not have been restricted to the Kennedy investigation nor has the office ever retained index cards the specified dates of which have lapsed.

Late on March 30, 1983, plaintiff began examining copies of some records provided by the FBI in this litigation which he believes show that "ticklers" were created and maintained by the Dallas Field Office. Mr. Weisberg's affidavit carefully sets forward the evidence that the FBI's representations regarding the existence of "ticklers" in the Dallas Field Office have not been accurate. Attached to his affidavit are 13 exhibits taken from Dallas Field Office records compiled by him for other purposes. These exhibits would appear to provide strong documentary evidence from the FBI's own records that the Dallas Field Office did create "ticklers" of a different kind than the FBI has admitted to. This, in turn, casts serious doubt on the FBI's claims that there is no need to search its Dallas office for such records.

It should be noted that the "tickler" notations on these exhibits are of the kind which indicate that the purpose of the ticklers "was to enable a Special Agent or other employee to follow the progress of the Kennedy investigation," notwithstanding the FBI's denial of this in its answer to Interrogatory 1. The tickler notations at the bottom of these Dallas Field Office documents cover such important investigative matters as "rifle," "crime scene search," "photos just prior to shooting," "rifle," "bullet-fragments taken from Gov. Connally," etc. See April 10, 1983, Weisberg Affidavit, Exhibits 1-12.

A second dispute in this case has involved whether or not the FBI's search for records on "critics" and "criticism" of the investigation into President Kennedy's assassination was meaningless because such records would not be indexed under these subjects but instead under the names of the persons and organizations who were (or are) the critics. The FBI has asserted that it does not index only under names but also under such matters as "event, activity, etc." Fifth Declaration of John N. Phillips, ¶7. Semantically, the FBI's assertions on this score fall far short of an assertion that records on the critics are likely to be indexed under the topics such as "critics" and "criticism" rather than under the names of the persons and organizations who constitute the critics. More importantly, plaintiff has recently reviewed records newly released to another requester who made them available to him. These new records consist of internal FBI memoranda concerning the House Select Committee on Assassinations. With regard to its Kennedy assassination records, the FBI repeatedly states that it no "topi-

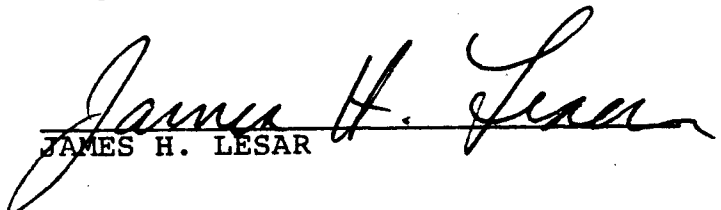
cal retrieval capability." See April 10, 1983 Weisberg Affidavit, ¶¶22-24, Exhibits 14-16.

Such information bears on the credibility of the FBI's representations, and thus the Court should permit Weisberg to file his affidavit.

Furthermore, it should be pointed out that Weisberg and his counsel have moved with about as much dispatch as they can in presenting this information to the Court. Weisberg first came across the information on the "ticklers" late on March 30, 1983. On Friday, April 1, 1983, he made a special trip into town to mail a draft affidavit concerning ticklers to his counsel. His counsel, who did not receive this draft until the afternoon of April 5th, when he was busy with other matters, revised the affidavit and read it to Weisberg over the phone late on April 7th. On April 10th, plaintiff's counsel took the revised draft to Frederick, Maryland, where Weisberg signed it. Given the circumstances under which plaintiff and his counsel must operate, which include the distance which separates them, plaintiff's severe physical limitations owing to his health, and the fact that plaintiff's counsel cannot always give immediate attention to draft affidavits and other materials which he receives from Mr. Weisberg, this delay is more than understandable.

Plaintiff thus requests that the Court grant him leave to file his April 10, 1983 affidavit.

Respectfully submitted,

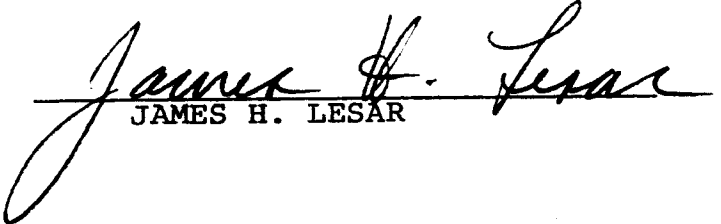

JAMES H. LESAR

1000 Wilson Blvd., Suite 900
Arlington, Va. 22209
Phone: 276-0404

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 11th day of April, 1983, hereby mailed a copy of the foregoing Motion for Leave to File Attached April 10, 1983, Affidavit of Harold Weisberg to Mr. Henry LaHaie, Civil Division, Room 3338, U.S. Department of Justice, Washington, D.C. 20530.


JAMES H. LESAR

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0322
 :
 WILLIAM H. WEBSTER, ET AL., :
 :
 Defendants :

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0322
 :
 FEDERAL BUREAU OF INVESTIGATION, : (Consolidated)
 ET AL., :
 :
 Defendants :

O R D E R

Upon consideration of plaintiff's motion for leave to file the April 10, 1983, affidavit of Harold Weisberg, defendants' opposition thereto, and the entire record herein, it is by the Court this _____ day of _____, 1983, hereby

ORDERED, that plaintiff's motion for leave to file the April 10, 1983 of Harold Weisberg is GRANTED.

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0322
 :
 WILLIAM H. WEBSTER, ET AL., :
 :
 Defendants : :

HAROLD WEISBERG, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 78-0322
 :
 FEDERAL BUREAU OF INVESTIGATION, :
 ET AL., :
 Defendants : :

AFFIDAVIT OF HAROLD WEISBERG

I, Harold Weisberg, depose and say as follows:

1. I am the plaintiff in the above cases. I reside at 7627 Old Receiver Road, Frederick, Maryland 27101. I execute this affidavit to supplement my opposition to defendants' motion to compel me to answer their interrogatories and request for production of documents.

2. Defendants' Interrogatory No. 1 asks me to state each and every fact upon which I base my contention that the Dallas and New Orleans Field Offices maintain "ticklers," and to identify each and every document and/or other source upon which I rely in

in support of said contention. As I have previously explained, it is not possible for me to comply with this request. By the FBI's own figures, it has released to me more than 50,000 pages of records from the Dallas and New Orleans Field Offices. Because of the great volume of these papers and my physical limitations (described at some length in my affidavit of February 20, 1983, a copy of which is attached to my response to defendants' request for production of documents), I am simply unable to remember all facts or documents which support my contention, much less retrieve them. In view of the fact that the FBI already has these records in its possession, there is no need for me to examine my files and provide it with such information.

3. However, I have just examined copies of some records provided by the FBI in this litigation which I believe show that "ticklers" were created and maintained by the Dallas Field Office. I began to examine these copies late on March 30, 1983. I had made them for the then head of the Justice Department's appeals office, Mr. Quinlan Shea, Jr. I had begun explanations for him, without reference to ticklers, limited to the copies I had made of some of the records in Dallas File 89-43, its main JFK assassination file, when I was interrupted. Thereafter, I underwent the surgeries and complications described in my above-referenced affidavit.

4. I attach copies of records which I believe show that the FBI's Dallas Field Office prepared ticklers. These exhibits are based on some of the selections that I made from Section 1 of File 89-43 for Mr. Shea for other purposes. I believe it is necessary

prepare this affidavit as expeditiously as possible and that any similar records in the remaining approximately eight inches of copies I had made for Mr. Shea cannot negate what is disclosed^d in these I attach as exhibits. The volume of these unused copies illustrates the extent of my effort to inform and assist Mr. Shea and his staff, which is also to say, assist the FBI.

5. Because all of these 89-43 records were provided to me in this litigation, the FBI requires no discovery from me to learn what they reflect.

6. Some of the attached exhibits are marked for indexing, some are not. The internal memoranda that report communications between FBIHQ and the Dallas office (and others not included) are not marked for indexing. The FBI's Records Branch has published its indexing symbols. I attach a copy as Exhibit 1.

7. Two different copies of Serial 24, both attached as Exhibit 2, are in Section 1. While the typed memos themselves are identical xeroxes, the added notations differ. The one on which no earlier notations appear bears the handwritten notation that four and a half years after the assassination a copy was sent to Inspector J. R. Malley at FBIHQ. The other copy bears what from prior experience and knowledge and in context I believe are tickler notations, indicating in what portions of the case tickler a copy was to be included. This version also includes instructions for carding each of the subjects noted.

8. As Exhibit 1 and exhibits that follow reflect, these are not and cannot be indexing instructions. If the FBI had intended that this record be indexed, the words added in the written instructions would have been underscored in the typed text as required by its instructions from its Records Branch and followed by it in practise.

9. Cards also are a form of tickler, as my prior affidavits state. Although FBI Special Agent John N. Phillips stated in his Fifth Declaration that the Dallas and New Orleans Field Offices do not produce or maintain "ticklers" and that "the answer to plaintiff's question concerning 'ticklers' is simply that there are no such documents in the Dallas and New Orleans Field Offices," he qualified that statement by defining a "tickler" as "a carbon copy of a document which is prepared for the information and temporary use of individuals at FBIHQ who need to follow the progress of a certain matter." Fifth Declaration, ¶4. Subsequently, in his Eighth Declaration, Agent Phillips enlarged his previous definition of "ticklers" to include "photostatic" copies as well as carbon copies. Eighth Declaration, ¶2(a). When I produced a document showing that the Dallas Field Office does produce and maintain ticklers, Agent Phillips swore that this record did not request production of a "tickler" copy, which he limited to a photostatic or carbon copy, but preparation of a temporary card which would be in a chronologically arranged system with other such cards and thrown away when the action noted on them had been taken. Id.

10. As I have previously stated, in all the hundreds of thousands of pages of FBI records I have examined, I do not recall a single photostat. As I also have previously stated, photostating is much more costly than xeroxing and requires more time and labor, and thus is not generally used. Nevertheless, in answering my interrogatories regarding the creation of "ticklers" in the Dallas and New Orleans Field Offices, Agents Udo Spect and Clifford Anderson have qualified their definition of "ticklers" to include only "photostatic or carbon copies" and "chronologically arranged index cards which contain reminders to take certain action on specified dates with respect to any of the Field Office's investigations...." Answers to Plaintiff's Interrogatories 1 and 2.

11. Instructions to "card" three subjects are added to Serial 25, attached as Exhibit 3, and on other records. This record also pertains to a phone call from FBIHQ and is administrative rather than investigative and is not marked for indexing.

12. The content of this and other such memos was not retrievable from the files by use of the index. However, the information could be retrieved from ticklers.

13. Exhibit 4 is Serial 31, another internal memo of the day of the assassination pertaining to a phone call from the FBI Lab in Washington. Here again, if the FBI's intention had been to index "rifle", that word would have been underscored in the typed text. It is added as a tickler notation, for a copy to be included in the section of the tickler headed "Rifle."

14. All the remaining exhibits, Exhibits 5-13, are investigative rather than administrative or internal, all are marked for indexing, and they have tickler instructions added.

15. Exhibit 5, Serial 32, pertains to evidence and the chain of evidence and, although it is marked for indexing it also has tickler instructions coming directly from the text where it is not marked for indexing: "Bullet-fragments taken from Gov. Connally."

16. Serials 40, 41 and 42, attached as Exhibit 6, are all marked for indexing and also have tickler notations added. Here also the word "rifle" would have been underscored in the text if indexing were intended.

17. Serial 56, attached as Exhibit 7, is marked for indexing and also has tickler instructions added.

18. Serial 61, Exhibit 8, is marked for indexing and what is marked for indexing also is added as tickler instructions. (This record is inaccurate and defamatory because Marina Oswald was not either living with or the common-law wife of Michael Paine, whose name is misspelled.)

19. Tickler notations on Serial 89, attached as Exhibit 9, all are of words that appear in the typed text and could and would have been underlined if intended as indexing instructions.

20. Serials 120, 136 and 143, attached as Exhibits 10, 11 and 12, all are marked for indexing and all have tickler notations added that could and would have been underlined in the typed text if intended as indexing instructions.

21. The magnitude of the FBI's investigation into President Kennedy's assassination and the extraordinarily large number of pages of pertinent records required a tickler to maintain control. The FBI has not denied this. It also has been careful to avoid having any Dallas special agent or other employee swear of personal knowledge that the Dallas Field Office did not make any JFK assassination tickler. I believe that these records, from the first volume only of one of its main files, which total several hundred volumes, reflect why the FBI has not provided any unqualified statement made of personal knowledge that there were no JFK assassination ticklers prepared by the Dallas and New Orleans Field Offices other than the one kind admitted to in defendants' answers to my Interrogatories 1 and 2.

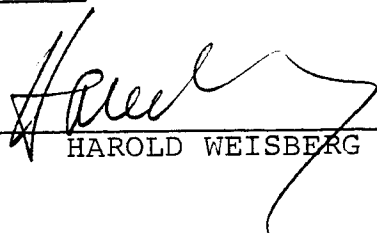
22. The FBI, in the person of Special Agent John N. Phillips, has disputed my contention that the FBI does not file or index by subjects such as "critics." However, records recently disclosed in another Freedom of Information Act case explicitly state that the FBI is not able to retrieve specific topical information from its Kennedy assassination files.

23. In a September 16, 1977 memo addressed to the Department's liaison with the House Select Committee on Assassinations (HSCA), the FBI twice states that it has no topical retrieval capability." See Exhibit 14, first sentence, last paragraph on page 1, and last sentence in note on page 2.)

24. Two other FBI records state specifically that it cannot retrieve information by subject. The FBI Director's letter of De-











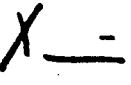
cember 13, 1976 to the Department's Office of Legislative Affairs (Exhibit 15) encloses a memo to the HSCA of the same date (Exhibit 16). In Exhibit 15, first sentence, last paragraph, the FBI states that with regard to "topical information" it "has no retrieval capability." Essentially the same thing is stated at the same point in the memo to the HSCA.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of April, 1983.



HAROLD WEISBERG

SYMBOLS USED BY RECORDS BRANCH

-  - Blue circle indicates subject of mail.
-  - Red X indicates see reference.
-  - Red underlining indicates pertinent information to be typed on "see" card.
-  - Dotted circle indicates main card found in index.
-  - Blue zip in circle indicates main card not found.
-  - Green line through blue zip indicates main card has been entered.
-  - X in circle over the name indicates not necessary to make a main card. Also means no indexing by the field office, which should be in the lower right hand corner of mail.
-  - Blue flag indicates cards in index on same name but not necessarily subject.
-  - Green zip through X indicates "see" card has been entered.
-  - Blue N before classification number above Records Branch block indicates new case has been opened.
-  - Green X or green underlining indicates Agent wants additional indexing.

OTHER ASPECTS RELATIVE
TO PROCESSING MAIL

Separate Files for Each Case

It is conceivable that the same individual could have several files. For example, in 1967, John Smith could be the subject of a stolen car case (ITSMV - Interstate Transportation of Stolen Motor Vehicles - 26 classification), in 1969 he could have been the subject of a bank robbery investigation (91) classification, and at a later time the subject of some other violation or perhaps even the subject of another stolen car case. In each situation separate files are created. The violations occurred at different time intervals and are all separate prosecutable items. This is the basis for the case filing system. These cases are not consolidated to create a dossier-type file. Each case is handled as a separate item and all matters pertaining to that particular case are channeled into that file.

Dual Violations

On the other hand, if an individual steals a car (a violation of the ITSMV statute) and uses this vehicle in connection with a bank robbery, the investigation regarding this matter would then be channeled into one case file and the more serious violation would predominate.

For example, the case would be carried in the 91 (Bank Robbery) classification. This would be known as a dual violation case and all communications relating to this matter would identify the character of the case as a dual violation; that is, Bank Robbery - ITSMV. This situation can and often does apply to more than two violations at one time.

Security Matters

When an individual is the subject in a security investigation, we utilize the same file for all of his subversive activities. For example, if an individual was investigated as a member of the Communist Party in the 1940s, a 100 case file would have been opened. Five years later, after terminating his membership in the Communist Party, if we utilize him as a security informant, we would not open a 134 (Security Informant) file on him.

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

UNITED STATES GOVERNMENT

Memorandum

TO : FILE (89-43)

DATE: 11/22/63

FROM : SAC SHANKLIN

SUBJECT: UNSUB;
Assassination of President
JOHN F. KENNEDY

At 4:00 PM, Assistant to the Director BELMONT telephonically called and advised that the FBI should immediately start a complete investigation in this case. Every facet of it is to be covered, as the Director was of the opinion that we would have to solve it, and that it was necessary I should request additional Agents.

He authorized the use of the polygraph on suspect LEE HARVEY OSWALD.

Assistant to the Director BELMONT and Assistant Director DeLOACH both stated that comments to the press requests would be that "We are rendering every possible assistance." The Director has personally instructed that all possible assistance be given in the solution of this matter.

DE LOACH also stated that JERRY O'LEARY, who is a close friend of the Bureau and is with the Washington Evening Star, is en route to Dallas and that he will be in contact with me.

2 - Dallas
JGS:mfr
(2) - *mf*

Refus. make cards
✓ Air to Belmont
✓ Polygraph
✓ FBI assistance
✓ Jerry O'Leary - info Evening Star

89-43-24

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

mf

FILE (89-43)

11/22/63

SAC SHANKLIN

UNSUB;
Assassination of President
JOHN F. KENNEDY

At 4:00 PM, Assistant to the Director BELMONT telephonically called and advised that the FBI should immediately start a complete investigation in this case. Every facet of it is to be covered, as the Director was of the opinion that we would have to solve it, and that it was necessary I should request additional Agents.

He authorized the use of the polygraph on suspect LEE HARVEY OSWALD.

Assistant to the Director BELMONT and Assistant Director DeLOACH both stated that comments to the press requests would be that "We are rendering every possible assistance." The Director has personally instructed that all possible assistance be given in the solution of this matter.

DE LOACH also stated that JERRY O'LEARY, who is a close friend of the Bureau and is with the Washington Evening Star, is en route to Dallas and that he will be in contact with me.

2 - Dallas
JGS:mfr
(2) *mfr*

*1 Xerox copy made & sent to
Director of P. R. Malby 5/17/68
mf*

89-43-24

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

ll

Memorandum

TO : FILE (89-43)

DATE: 11/22/63

FROM : SAC SHANKLIN

SUBJECT: UNSUB; Assassination of
Pres. JOHN F. KENNEDY

Mr. BELMONT from SOG advised that they have made arrangements with Secret Service to secure the bullet that apparently killed President KENNEDY and that Secret Service in Washington was calling BORRELLS here and instructing him to turn the gun over to us and that I should after receipt of the gun, also secure the bullet that shot Governor CONNALLY and have an Agent get on the plane and take the gun and the other bullet to Washington.

The Bureau should be called as to when the plane would arrive so that the Laboratory could be there to meet the man and make the examination immediately.

② - Dallas
JGS:mfr
(2) m/f

Card { Am. Rev. Boland
Bullet -
rifle - transporting to Washington
to agent

89-43-25

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

UNITED STATES GOVERNMENT

Memorandum

C.A. 78-0522/0420
Consolidated
Exhibit 4

TO : SAC
FROM : *DRAIN*

DATE: 11/22/63

SUBJECT: UNSUB; Assassination of
Pres. JOHN F. KENNEDY

SA DRAIN further described this rifle as follows:

On the scope of the gun is Ordnance Optics, Inc. Hollywood, California O10 or O10 Japan. A cloverleaf, and inside of the cloverleaf is OSC.

On the gun is Cal. 6.5 1940 Made in Italy. Under that is a crown like an English crown and under this is R - E. There is ROCCA, which is enclosed in rectangular lines and that is on the plunger on the bolt action at the rear of the gun.

ADDENDUM:

At 9:30 PM, Mr. J. COCHRAN of the FBI Laboratory called and was furnished a description of the gun. He stated that when we called in to tell them when the gun was going to be arriving, he would like to have the description of the head stamps on the cartridge as that would enable them to find similar type ammunition.

(89-43)
JGS:mfr
(2)

Rifle

89-43-51

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

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

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (89-43)

FROM : SUPERVISOR JOSEPH J. LOEFFLER

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY, 11/22/63
AFO

DATE: 11/22/63

Mr. O. P. WRIGHT, Security Officer, Parkland Hospital, was contacted in effort to ascertain the present location of the bullet taken from the body of Governor CONNALLY. Mr. WRIGHT said he had given instructions to his supervising nurse to preserve the bullet. He requested he be able to return the call, inasmuch as he was not in the immediate area of the operating room. Mr. WRIGHT returned his call, at which time he advised that bullet fragments were taken from the wrist of Governor CONNALLY and turned over to a Mr. NOLAN with the Texas Highway Patrol. He assumed Mr. NOLAN would take the bullet immediately to the state laboratory at Austin, Texas.

*Bullet - fragments
taken from Gov Connally*

3 - Dallas
JJL:sl
(2)

89-43-32

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

mf

RGENT -11-22-63 8-57 PM DE

TO SAC DALLAS 89-43

FROM SAC NEW YORK 89-NEW

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER TWENTY TWO LAST,
AFO.

REDTEL ELEVEN TWENTY TWO INSTANT. 41

OFFICIALS CRESENT FIREARMS COMPANY, NEW YORK CITY, WHO ARE
CURRENTLY CHECKING RECORDS RE ITALIAN RIFLE ADVISE COMPLETE
DESCRIPTION OF RIFLE WOULD BE HELPFUL IN DETERMINING SOURCE. SUTEL
OR TELEPHONE ALL MARKINGS, LENGTH, TYPE OF BOLT, AND ANY OTHER
PERTINENT DATA RE RIFLE TO NYO AND RICHMOND.
END AND PLS ACK.....

8-00 PM CST OK FBI DL FLL

TU DISC

File for NYO

89-43-40

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

URGENT 11-22-63 PM RAT 4-50 PM CST NB
TO SAC, NEW YORK
FROM SAC, DALLAS /89-43/

ASSASSINATION PRES. JOHN F. KENNEDY, NOV. TWENTYTWO, INSTA, AFO.
RIFLE USED IN ASSASSINATION IS ITALIAN RIFLE CALIBER SIX POINT
FIVE, SN C TWO SEVEN SIX SIX. SIMILAR RIFLES SOLD IN DALLAS BY
H. L. GREEN COMPANY BUT THEIR RECORDS DO NOT INCLUDE SALE OF THIS RIFLE.
THEIR SUPPLIER IS CRESCENT FIREARMS CO., NEW YORK CITY.

NEW YORK ASCERTAIN IF THIS RIFLE SOLD BY THAT COMPANY OR ANY
OTHER SUPPLIER OF SIMILAR RIFLES, AND IF SO, WHERE IT WAS SHIPPED.
SUTEL WITHIN HOUR.

END AND ACK PLS
3-52 PM OK FBI NY DE
TU DISCV

*Reply necessary
from NY*

~~Serialized~~
~~Index~~
~~File~~ 20
~~Search~~

89-43-41

URGENT 11-22-63 7-40 PM DE

TO SACS DALLAS 89-43 AND RICHMOND
FROM SAC NEW YORK 89-

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER TWENTY TWO SIXTY
THREE, AFO.

REDTEL THIS DATE.

RIFLE USED IN ASSASSINATION IS ITALIAN RIFLE, CALIBER SIX POINT
FIVE, SN C TWO SEVEN SIX SIX. SIMILAR RIFLES SOLD IN DALLAS BY
H. L. GREEN COMPANY, BUT THEIR RECORDS DO NOT INCLUDE SALE THIS
RIFLE.

INQUIRIES NYC REFLECT INTERARMCO, ALEXANDRIA, VIRGINIA, REGARDED
AS BIGGEST SUPPLIER OF ABOVE RIFLES.

RECORDS CRESCENT FIREARMS COMPANY, NYC, NOW BEING CHECKED.

RICHMOND IMMEDIATELY CONTACT INTERARMCO, AND DETERMINE IF THIS
RIFLE SOLD BY THAT COMPANY. SUTEL DALLAS TONIGHT.

IN RICHMOND ADVISED .

END AND PLS ACK.....

6-44 PM CSTO D FBI DL FLL

TKS FLL DISC L

Refb
Radman to refb

89-4742

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

UNITED STATES GOVERNMENT

Memorandum

SAC, DALLAS (89-43)

DATE: 11/22/63

FROM: ASAC KYLE G. CLARK

SUBJECT: ASSASSINATION OF
PRESIDENT KENNEDY

USA H. BAREFOOT SANDERS telephonically advised that he had received radio and TV reports that Assistant District Attorney ALEXANDER had made release that he was filing complaint against LEE HARVEY OSWALD for murder of the President, and wide Communistic conspiracy. USA SANDERS pointed out the wide political implications in this matter and stated he is contacting District Attorney WADE, however, should ALEXANDER draw up a complaint and it was signed by Chief CURRY or Captain FRITZ, ALEXANDER would be free to continue.

This information was furnished to Chief CURRY by SAC SHANKLIN and he was advised that such complaint would not be signed.

In addition USA advised that he had been contacted by a pathologist from the University, who advised that he had heard the information the individual who shot the President had been eating chicken and the bones were lying near the window where the President was shot. This pathologist advised that if the voids of the suspect were retained, a pathologist could determine if chicken had been eaten.

This information was passed on to Chief CURRY and he advised the necessary precautions to preserve the voids of the suspect would be taken.

Dallas
KGC:pg (2)

*Sub Complaint
Preserve voids
Pathologist*

89-43-56

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (80-43)

DATE: 11/22/63

FROM : ASAC KYLE G. CLARK

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

SA RICHARD E. HARRISON telephonically advised that the subject's wife, MARINE OSWALD, was presently in the Forgery Section of the PD. She has been living in Irving with a common-law husband, MICHAEL PAYNE, date of birth 6/25/28, New York City.

2 - Dallas
KGC:mac
(2)

*wife Marine Oswald
Michael Payne*

89-43-61
SEARCHED INDEXED
SERIALIZED FILED
NOV 2 1963
FBI - Dallas

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (89-43)

FROM : SA NAT.A. PINKSTON

SUBJECT: ASSASSINATION OF
PRESIDENT KENNEDY
AFO

DATE: 11/23/63

Lt. CARL DAY, ^{Scene Search} Crime Section, Identification Bureau, Dallas PD, advised on 11/22/63, he had processed a rifle recovered on the sixth floor of the Texas School Book Depository, Elm and Houston Streets, Dallas, for fingerprints or palm prints, and had been successful in raising a partial latent print. He stated at this time, however, he had not had time to photograph or lift this print, but had left the rifle in his laboratory and intended to return immediately and endeavor to both photograph and lift this latent print.

^{Rh.} Detective STUDEBAKER, Crime Scene Search Section, Identification Bureau, Dallas PD, on 11/22/63, advised that he and his partner had made detailed photographs of the sixth floor of the Texas School Book Depository Building, Elm and Houston Streets, Dallas, had measured the floor, and made a drawing of it, had conducted a thorough crime scene search of the floor and had dusted everything in the area of the southwest corner of the floor in an effort to develop latent finger or palm prints. He stated that he had been successful in locating a latent print on the wrapping paper on a bundle of books or school supplies on which the assassin of President KENNEDY had apparently sat while shooting at KENNEDY. He stated that he had found what appeared to be brown wrapping paper and tape in which a rifle had been wrapped for concealment and was present when a rifle was found on the sixth floor of the Texas School Book Depository Building.

STUDEBAKER advised copies of the photographs and drawings would be made available to the FBI if desired.

2 Dallas
NAP:sl
(2)

*Rifle
Crime Scene Search
Latent Print*

89-43-89

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

NOV 22 1963
FBI - DALLAS

Pinkston

Prepared 3026 on case

Memorandum

TO : FILE (89-43)

DATE: 11/22/63

FROM : SAC, SHANKLIN

SUBJECT: UNSUB;
Assaulting and Killing Federal Officer

SAC HARRY G. MAYNOR, New Orleans Office called Dallas Office at 3:55 PM and furnished furnished following info pertaining to LEE HARVEY OSWALD, Dallas file 100-10461.

A few minutes previously he received call from Resident Agent at Shreveport, La. who said he had received telephone call from SA SAM C. COTTON, at which time COTTON was relaying a request to the New Orleans Office to get the fingerprint classification for OSWALD and call it over to Dallas.

The New Orleans file shows OSWALD has FBI # 327,925 D. New Orleans has a photo from the New Orleans PD which also has the New Orleans PD fingerprint classification as follows:

15 25 W 100 -
21 U 000 15 (99)

SAC MAYNOR stated the FBI record is set out in report furnished to Dallas and that there should be a copy of this fellow's photo in Dallas file 100-10461. FD 128 was sent to Dallas (which is for change of OO in Security Matters), by on 11/19/63 and as an enclosure to that communication, a photo of OSWALD was sent which reflects New Orleans PD #122723. It possibly has the fingerprint classification on the back.

① - Dallas
HGM:mfr
(2) mfr

✓ Description (HGM)

89-43-120

SEARCHED	INDEXED
8	2
FILED	3
FBI - DALLAS	

Memorandum

TO : SAC, DALLAS (89-43)

DATE: 11/22/63

FROM : SA ROBERT C. EISH

SUBJECT: UNSUB; Assassination of
President JOHN F. KENNEDY

✓ HOWARD LESLIE BRENNAN, employed as steamfitter for construction company working in area behind Texas School Book Depository, advised he was seated directly across from the building at about 12:30 PM today, at which time he had just observed the Presidential party pass in an automobile directly before where seated. The Presidential car had moved about 30 yards away when BRENNAN heard what he first thought was the backfire of an automobile and he does not distinctly remember the second shot, but the thought occurred someone must have been shooting firecrackers and therefore there must have been a second shot, distinctly remembering what he considers a third shot, whereupon he looked upward and observed a man standing on the 6th floor at a window in the Texas School Book Depository with a rifle in his hand which protruded outside the window a short distance and was pointed in the direction of the Presidential car. He observed this person to take deliberate aim and after the shot was fired, saw the man lower the rifle and step back from the window, observing momentarily the scene below.

BRENNAN described the man in the window with the rifle as white male, early 30's, appeared to be about 5'10", 165 lbs., no hat, wearing light colored clothes, possibly khaki, could have been wearing a sweater or light weight jacket.

BRENNAN estimates the distance between where seated and where the man was standing to be about 90 feet. BRENNAN volunteered information to the effect he is considered far sighted by his optometrist..

BRENNAN advised he later viewed LEE OSWALD in a police lineup, Dallas PD, at which time he failed to positively identify him as the person he had observed standing in the window with a rifle, but that of all the persons in the lineup, he most closely resembled the man he observed with the rifle.

FO 302 dictated

D - Dallas
RCL:mfr
(2) *mfr*

✓ *Reference*
line-up

89-43-136

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

pk

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (89-43)

DATE 11/23/63

FROM : SA CURTIS L. PERRYMAN

SUBJECT: ASSASSINATION OF THE PRESIDENT

During interview with MARY ANN NORMAN, 2832 Ripplewood, Dallas, Texas, by SAS CURTIS L. PERRYMAN and ROBERT P. GEMBERLING, Mrs. NORMAN advised that she had taken a photograph of the President's parade procession moments before he was shot and that one of these photographs showed the Texas School Book Depository Building in the background. This photograph, she said, had been turned over to Secret Service Agents JOHN JOE HOWLETT and BILL PATTERSON at about 4:00, 11/22/63. It is noted that Mrs. NORMAN took another photograph moments later showing the president at what appears to be the moment of his assassination. This photograph was furnished Buagents.

LEADS

DALLAS

AT DALLAS, TEXAS

Contact Secret Service Agents HOWLETT and/or PATTERSON, and obtain photograph or copy thereof taken by NORMAN showing the Texas School Book Depository Building.

*Photos just
print showing*

*11-23-63
Bill Patterson, Secret
Service 505 N. Ermy
this photo re: building
this photo was extremely
poor in quality did not
show the 7th floor. North
corner window on the SE side
of building; previously with
6th floor
new photo which
shows 6th floor
- JCP*

3 Dallas
CLP:cjr
(3) *CP*

Williams JCP

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS

FROM : SAC ROBERT G. RENFRO

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

DATE: 11/22/63

Sgt. H. C. SHERRIL, Richardson, Texas, PD, telephone AD 5-5213, advised JIMMY GEORGE ROBINSON and members of the National States Rights Party should be considered possible suspects in the assassination of President KENNEDY, due to their strong feeling against him. He reminded that ROBINSON is the individual who burned a cross on the lawn of a Richardson residence approximately a year ago. He advised ROBINSON, white male, age 25, runs a service station located at Belt Line Road and Mayfield Road, Garland, Texas.

157-215
100-0-6225
105-569-94
44-1552
um

Not necessary to cover as true subject located - JMH

2 Dallas
RGR:rmb
(2)
ish

Ed

89-43-897

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

Edward

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

- 1 - Mr. Peelman
- 1 - Mr. Foster
- 1 - Mr. Clark
- September 16, 1977
- 1 - Mr. Mints (Attn Mr. Daly)
- 1 - Mr. Coulson

Director, FBI FEDERAL GOVERNMENT

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

Enclosed are the original and two copies of a memorandum responding in full to an HSCA request by letter of August 22, 1977, signed by Congressman Louis Stokes, Chairman, and received by the FBI on September 8, 1977.



HSCA

With regard to the "skull fragment," a Committee representative subsequently advised that, in addition to Admiral Burkley, President Kennedy's personal physician, a William Harper and Dr. Jack C. Harper, were involved in the acquisition or possession of the fragment. Based on these names, a search of FBI Headquarters files has disclosed pertinent documents which had already been prepared and were available for the Committee's access. These identified documents remain available.

EX-110

REC-75 62-117290-248

With regard to the other matters, the Committee's attention is once again invited to the fact that the FBI has no retrieval capability that enables it to extract complete, specific topical information from the entire John F. Kennedy investigative file. However, this file has been available for the Committee's access should it choose to review it for the information it seeks. It is pointed out that Committee Inquiry through the National Archives and Records Service and autopsy physicians may be appropriate based on recollection of file contents.

- Access No. _____
- Page No. _____
- Page No. _____
- Auth. Div. _____
- Adm. Div. _____
- Ident. Div. _____
- Lab. _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgmt. _____
- Tech. Serv. _____
- Training _____
- Public Aff. _____
- Telephone Rm. _____

enclosures - 3

Handwritten notes:
to SA [unclear] 7/17/77
to [unclear] 7/17/77
for delivery to [unclear]
F-119
[unclear]

SEE NOTE PAGE TWO

Handwritten signatures and initials:
[unclear]
[unclear]
[unclear]

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

NOTE: This matter has been coordinated with the Legal Liaison and Congressional Affairs Unit, Legal Counsel Division, and all retrievable documents in file have been organized into one folder for the Committee's access in the Congressional Inquiry Unit space, room 8988. By Bureau response of 12/13/76, to a Committee request, the Department and Committee were advised that the FBI has no topical retrieval capability in this matter.



APPROVED:

Director _____
Asst. Dir. _____
Sup. AD Adm. _____
Sup. AD Inv. _____

Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. m/Def _____
Plan. & Insp. _____
Rec. Mgnt. _____
Spec. Inv. In final _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

Exhibit 15, C.A. 15-0747

- 1 - Mr. Gallagher
- 1 - Mr. Peelman

Assistant Attorney General
 Office of Legislative Affairs
 Director, FBI

December 13, 1977

- 1 - Mr. Ingram
- 1 - Mr. Lawn
- 2 - Mr. Mintz (At Mr. Daly)

SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)



HSCA

Enclosed for your approval and forwarding to the Committee is an original of a memorandum together with seventy-six pages of information which have previously been released to other requesters under the Freedom of Information Act. A copy of the memorandum is furnished for your record.

It is being pointed out to HSCA, that the FBI has no retrieval capability, at the present time, to extract complete, specific, topical information from the entire Kennedy investigative file. However, this file is being prepared for the access of HSCA and it is felt that HSCA's thorough review of documents contained therein will provide the information it seeks.

and encls.
 RECORDED COPY 7-3-78

Enclosures (77)

DJC:qiw (10)
 1 - 62-109060

62-17290-20X1

APPROVED: _____
 Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.: _____
 Adm. Serv. _____

Ext. Affairs _____
 Fin. & Pers. _____
 Gen. Inv. _____
 Ident. _____
 Intell. _____

Laboratory _____
 Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Spec. Inv. _____
 Training _____

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

ENCLOSURE

TO BE HAND FORWARDED BY
 OFFICE OF CONGRESSIONAL AFFAIRS
 (LEGAL COUNSEL DIVISION)

MAR 10 1978

60 MAR 12 1981

Delivered 12/15/77
 to Mr. An...
 D.C.

MAIL ROOM TELETYPE UNIT

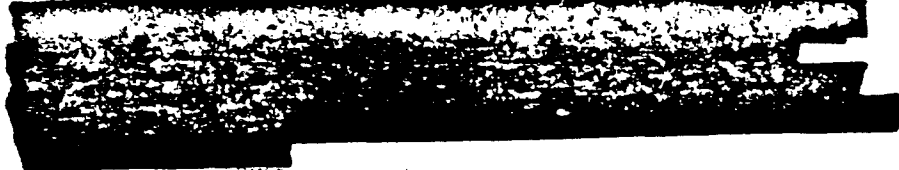
- 1 - Mr. Gallagher
- 1 - Mr. Peelman

December 13, 1976

- 1 - Mr. Ingram
- 1 - Mr. Lawn
- 2 - Mr. Mintz (Att: Mr. Da

**SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)**

RE:



HSCA



The material being furnished at this time relating to [redacted] has been previously furnished to requesters under the Freedom of Information Act. It includes seventy-three pages of laboratory data and a three page letter to the Honorable J. Lee Rankin, dated August 12, 1964, for a total of seventy-six pages.

HSCA

Since a topical index is not maintained at FBI Headquarters whereby this Bureau can readily and completely retrieve all references contained in our files [redacted]

[redacted] the complete Kennedy investigative file is being prepared for the access of HSCA staff members as previously agreed upon. As this file is made available, a thorough review of its documents by HSCA staff members will permit them to retrieve the desired information.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

1 - Assistant Attorney General
Office of Legislative Affairs

1 - 62-6109060

DJC:gjw (10)

MAIL ROOM

TELETYPE UNIT

ENCLOSURE

62-117290-20X1
SEE NOTE PAGE TWO.

NO 44-1181

Bureau in the event the Bureau desires to furnish one or more copies of the enclosed letterhead memorandum to CIA in view of the references contained therein concerning the Cuban Revolutionary Front at New Orleans.

The source referred to in the enclosed letterhead memorandum as having furnished information in 1955 was a [REDACTED] at that time located in the [REDACTED] Building, New Orleans.

Confidential Informants referred to in the enclosed letterhead memorandum as being cognizant in 1955 of some phases of CP activity in the New Orleans area are:

[REDACTED] by SA Ernest C. Wall, Jr.
[REDACTED] by SA Ernest C. Wall, Jr.
[REDACTED] by SA J. Woodrow Gilmore
[REDACTED] by SA Wright Patton

The enclosed letterhead memorandum is being furnished to the Bureau for the aforementioned reasons and no action is being taken in this matter by the New Orleans Office.

There is no investigation pending at the New Orleans Office concerning DAVID WILLIAM FERRIE at this time.

20 53 0 22 11-2 -

37 11 11