

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

FEDERAL BUREAU OF
INVESTIGATION,

Defendant.

Civil Action Nos.
78-322 and 78-420
(Consolidated)

DEFENDANT'S DALLAS FIELD OFFICE ANSWERS TO
INTERROGATORIES 12(a), 32 AND 33 OF
PLAINTIFF'S FIRST SET OF INTERROGATORIES

Pursuant to the Court's Order of April 13, 1983, the defendant, Federal Bureau of Investigation, hereby answers interrogatories 12(a), 32 and 33 of plaintiff's First Set of Interrogatories. These answers are applicable only to the defendant's Dallas Field Office.

INTERROGATORY 12. Has the FBI conducted a search to determine whether there are any records in the Dallas and New Orleans Field Offices related to the assassination of President Kennedy which repose in:

(a) special file rooms;

Answer to Interrogatory 12(a). At the time of plaintiff's FOIA request to the Dallas Field Office, that office did not contain rooms which were or could be considered special file rooms. Subsequently, the Dallas Office acquired more space and at that time set up file rooms which might be considered or construed to

be special file rooms because access by FBI personnel was limited. The contents of those limited access file rooms, however, were, and still are, indexed to the office's general indices. Thus, any documents pertaining to the Kennedy assassination in those file rooms were included in these consolidated cases by virtue of the FBI's search of its indices.

Moreover, it should be noted that the Kennedy assassination files were, from the outset of that investigation, maintained separately and had their own special indices. Those files, comprising 41 cartons and weighing approximately 1600 pounds, along with the special indices, were processed and the releasable portions provided to plaintiff.

It should also be noted that in 1980 the Dallas Office relocated, at which time a survey was conducted of all its files. That survey did not uncover any additional documents which pertained to the Kennedy assassination.

In short, the FBI searches for records responsive to plaintiff's FOIA request has been exhaustive and has encompassed the contents of any and all file rooms in the Dallas Field Office. INTERROGATORY 32. Do the Dallas and New Orleans Field Offices maintain ELSUR indices? If so, please list all subjects on which an ELSUR search was conducted in each field office and state when and by whom the search was made.

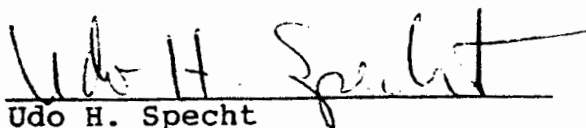
Answer to Interrogatory 32. Yes. As a result of plaintiff's administrative appeals in these consolidated cases, the Dallas Field Office conducted, under the direction of Special Agent

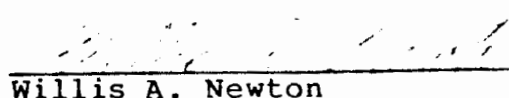
Udo H. Specht, searches of its ELSUR indices for the following subjects: Lee Harvey Oswald, Marina Oswald, Jack Ruby, James P. Hosty and George DeMohrenschildt. Those searches were conducted on October 20, 1980, and February 3, 1981.

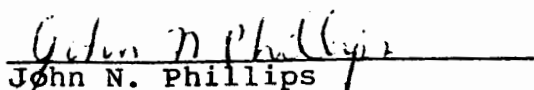
INTERROGATORY 33. Subsequent to the filing of Mr. Weisberg's affidavit alleging that he had been picked up on a wiretap in New Orleans, did the FBI make any investigation to determine if this was true?

Answer to Interrogatory 33. The FBI does not know what affidavit plaintiff is referencing here. The FBI assumes that plaintiff is referring to his "Settlement Proposal" which he filed on April 5, 1982, and wherein he indicated that, inter alia, he wanted documents on "Weisberg report on Mafia threat." As Special Agent John N. Phillips noted in his declaration of April 15, 1982 (filed in support of Defendant's Response to Plaintiff's Settlement Proposal), FBI Headquarters personnel did investigate the accuracy of the comments made by plaintiff in that part of his "Settlement Proposal."

We have read the foregoing answers to interrogatories 12(a), 32 and 33 of plaintiff's First Set of Interrogatories and declare under penalty of perjury that such answers are true and correct to the best of our knowledge and belief.


Udo H. Specht


Willis A. Newton


John N. Phillips

CERTIFICATE OF SERVICE

I hereby certify on this 13th day of May, 1983, I have served the foregoing Defendant's Dallas Field Office Answers To Interrogatories 12(a), 32 and 33 of Plaintiff's First Set Of Interrogatories, by first class mail, postage pre-paid to:

James H. Lesar, Esq.
Suite 900
1000 Wilson Boulevard
Arlington, Virginia 22209


HENRY I. LAHAIE