

UNITED STATES GOVERNMENT

Memorandum

TO : E. S. Miller *WMS*

FROM : W. A. Branigan *WAB*

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

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

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

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

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

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

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

Enclosures

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

REC-65

62-112697-16
J.P. Thomas

25 SEP 20 1972

58 SEP 20 1972

SEP 21 1972

CONTINUED - OVER

105-82555-
62-112697-16

UNRECORDED COPY FILED IN

Memorandum to Mr. E. S. Miller

Re: Bernard Fensterwald, Jr. - Freedom of Information Requests

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

ACTION:

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

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

IPT

EM

DEM/OCM

WSC

DJD
jam