

TO : Clarence M. Kelley
Director, Federal Bureau of Investigation

DA : Oct/

FROM : Harold R. Tyler, Jr.
Deputy Attorney General

SUBJECT: Lee Harvey Oswald Note to FBI

Comp. Syst.	___
Ext. Affairs	___
Files & Com.	___
Gen. Inv.	<input checked="" type="checkbox"/>
Ident.	___
Inspection	<input checked="" type="checkbox"/>
Intell.	___
Laboratory	___
Legal Coun.	___
Plan. & Eval.	___
Spec. Inv.	___
Training	___
Telephone Rm.	___
Director Sec'y	___

My staff and I have reviewed the Criminal Div. investigation in this case and the recommendation of Assistant Attorney General Thornburgh. I agree with his conclusion that this is not an appropriate case for criminal prosecution at this time. There are no substantive offenses committed by any of the possible subjects that are within the Statute of Limitations. The only possible theory of prosecution would be by way of a perjury indictment for colorable false testimony relating to events that took place some 12 years ago. Mr. Thornburgh's decision not to go forward and bootstrap a criminal prosecution on such facts is an eminently fair and wise exercise of prosecutorial discretion. The Bureau should, of course, take whatever administrative action that appears necessary.

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Section 182