

- 1 - Mr. Monahan
- 1 - Mr. Peelman
- 1 - Mr. Foster
- 1 - Mr. Mintz

ORIGINAL SOURCE

August 16, 1977

Mr. [REDACTED]
 [REDACTED]
 Concord, California 94521

- 1 - Mr. Decker (Attn: Miss [REDACTED])
- 1 - Legal Research Unit
- 1 - Mr. [REDACTED]

B:

Dear Mr. Phillips:

Reference is made to your letter to the President dated May 13, 1977. This letter was referred to the FBI on July 1, 1977.

Special Agent Regis Kennedy testified on May 17, 1967, before the Orleans Parish Grand Jury in accordance with Department of Justice instructions. These instructions were that Kennedy answer questions about which he was knowledgeable from a personal standpoint and refuse to answer questions which related to investigations of the FBI or to his position as a Special Agent of the FBI. You may desire to contact appropriate authorities in New Orleans regarding availability of a transcript of Kennedy's entire testimony, which lasted over one hour.

Procedures regarding FBI Agent testimony in court require that an appropriate attorney of the Department of Justice determine what information secured by the FBI shall be made available to a court. No documents or information can be revealed if, in this attorney's opinion, injury might be done to the public interest. Absent appropriate Departmental authority, an FBI Agent is not allowed to give testimony regarding information which has been the subject of an FBI investigation.

With respect to the basis for FBI investigation of Clay Bertrand, you may wish to review the public report "Hearings Before the President's Commission on the Assassination of President Kennedy," Volume XI, Pages 325-339.

REC-26 62-10701-7811

John FitzGerald
 Sincerely yours,

G. M. Kelley

Clarence M. Kelley
 Director

EO AUG 30 1977

SEE NOTE PAGE TWO

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Crim. Inv. _____
- Fin. & Pers. _____
- Ident. _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgnt. _____
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- Tech. Serv. _____
- Training _____
- Public Aff. _____
- Telephone Rm. _____
- Chief's Sec'y _____

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MAIL ROOM

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FBI/DOJ

Mr. Robert A. Phillips

NOTE: In letter to the President, 5/13/77, [REDACTED] et al., requested information as to what FBI procedure is when an Agent is called to testify in a court case. He also wanted to know why the FBI investigated the name Clay Bertrand. Legal Counsel, by memo 8/3/77 (attached), replied to the first request, which has been summarized in this letter.

Above pages from the public report contain the testimony of Attorney Dean A. Andrews, July 31, 1964. He alleged that Clay Bertrand had called him at the Hotel Dieu (hospital), New Orleans, and asked him to represent Oswald. This passage clearly states basis for our investigation, which included several interviews with Andrews prior to his Warren Commission testimony. Our investigation failed to locate anyone identical to Clay Bertrand.

APPROVED: []

Director _____
Assec. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Adm. Serv. _____
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MAY 1977
FBI - MEMPHIS