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ASSASSINATION FILE, NO 89-69, FOR INFORMATION REQUESTED IN RE BU  
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Material contained in this serial refers exclusively to the investigation of the assassination of Dr. Martin Luther King, Jr.

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# Memorandum

Assoc. Dir. \_\_\_\_\_  
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 Dep. AD Inv. \_\_\_\_\_  
 Asst. Dir.:  
 Adm. Servs. \_\_\_\_\_  
 Crim. Inv. \_\_\_\_\_  
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 Tech. Servs. \_\_\_\_\_  
 Training \_\_\_\_\_  
 Public Affs. Off. \_\_\_\_\_  
 Telephone Rm. \_\_\_\_\_  
 Director's Sec'y \_\_\_\_\_

TO : Director

DATE: 12/18/78

FROM : Legal Counsel *JM*

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

**PURPOSE:** To advise of a conversation with G. Robert Blakey, Chief Counsel of captioned Committee regarding scientific findings concerning the number of bullets allegedly fired during the assassination of President John F. Kennedy.

**DETAILS:** On 12/18/78, Mr. Blakey advised SA Danny O. Coulson, Legal Counsel Division, and SA Drew J. Clark, Records Management Division that the Committee can conclusively show that four shots were fired in Dealy Plaza during the assassination of John F. Kennedy. The Committee has had testimony from acoustical experts regarding the number of shots fired during the assassination. This test was based in part upon a dictaphone belt recording of a radio transmission from a Dallas Police Department motorcycle radio at the time of the assassination. According to the Committee, the officer operating the motorcycle had keyed his microphone button during the time of the shooting and this transmission was recorded on dictaphone-type equipment at police headquarters in Dallas, Texas.

The Committee utilizing the acoustical experts reenacted the shooting in Dealy Plaza from the school book depository with additional shots fired from the "grassy knoll." At the time of the earlier testimony, experts could not find or would not verify the existence of a fourth shot.

REC-122

62-117290-1390

DEC 27 1978

DOC:sr  
(8)

- 1 - Mr. Adams
- 1 - Mr. McDermott
- 1 - Mr. Cochran
- 1 - Mr. Bassett
- 1 - Mr. Foster
- 1 - Asst. Dir., Laboratory Division
- 2 - Mr. Coulson

*Con [Signature] 9  
3058*

(CONTINUED - OVER)

61 11979

Memorandum to Director from Legal Counsel  
Re: HOUSE SELECT COMMITTEE ON ASSASSINATIONS  
12/18/78

On 12/18/78, Mr. Blakey advised that another acoustical firm had been contacted in Queens, New York, and that firm, using these test results determined that there was beyond a reasonable doubt a fourth shot fired. These results were then resubmitted to the original expert examiner who has now verified the existence of a fourth shot.

He advised that the Committee members will be fully apprised on these findings on the evening of 12/18/78, and that ultimately the full details of the examination and testimony will be provided to the FBI.

Mr. Blakey indicated that this conclusively proves the existence of a conspiracy in the assassination of President John F. Kennedy.

RECOMMENDATION:

For information.

*OK*

*JCF*  
APPROVED: \_\_\_\_\_  
Director \_\_\_\_\_  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_

Adm. Serv. \_\_\_\_\_  
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December 20, 1978

Director, FBI

FEDERAL GOVERNMENT

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

- 1 - Mr. Mintz  
(Attn: Mr. Heller)
- 1 - Mr. Bassett
- 1 - Mr. Foster
- 1 - Mr. Giaquinto

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

Reference is made to letter to the Attorney General from G. Robert Blakey, Chief Counsel and Director, HSCA, dated December 4, 1978, requesting



HSCA

Enclosed are an original and one copy of a memorandum which responds to the above request and advises that the requested material has been delivered to the HSCA.

Enclosures (2)

JSG:cfb (7)

(J)

3 ENCLOSURE

REC-122

62-117290-1392

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FBI

2 DEC 20 1978

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Adm. Serv. \_\_\_\_\_
- Crim. Inv. \_\_\_\_\_
- Plan. & Pers. \_\_\_\_\_
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- Laboratory \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Plan. & Insp. \_\_\_\_\_
- Rec. Mgnt. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Tech. Servs. \_\_\_\_\_
- Training \_\_\_\_\_
- Public Affs. Off. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director's Sec'y \_\_\_\_\_

57 JAN 12 1979

HB/DOR  
JJA

MR. HELLER  
Rm 3659

(Handwritten signature)

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- 1 - Mr. Mintz  
(Attn: Mr. Heller)
- 1 - Mr. Bassett
- 1 - Mr. Foster
- 1 - Mr. Giaquinto

December 20, 1978

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

Reference is made to letter to the Attorney General from G. Robert Blakey, Chief Counsel and Director, HSCA, dated December 4, 1978, requesting [REDACTED]

HSCA

This confirms in writing that the requested material was made available to Mr. Michael Ewing, HSCA, on December 19, 1978. Where information was not provided, it was either not retrievable or not produced pursuant to the Memorandum of Understanding.

JSG:cfb (7)

ORIGINAL AND ONE SENT TO ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, ATTENTION: MR. ROBERT L. KEUCH.

NOTE: See Director, FBI, letter to the Assistant Attorney General, Criminal Division, Attention: Mr. Robert L. Keuch, dated December 20, 1978, captioned as above.

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Adm. Serv. \_\_\_\_\_
- Crim. Inv. \_\_\_\_\_
- Fin. & Pers. \_\_\_\_\_
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- Training \_\_\_\_\_
- Public Affs. Off. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director's Sec'y \_\_\_\_\_

*man* HB/DZ 62-117290-1392  
JSG

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62- 117290- 1392 ENCLOSURE PAGES 2, 3 ;  
1393 ; 1394 ; 1395

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42-117290-1397	COPY enc 1 60	GJF:amc 11/30/78
<b>D. RYAN TO BASSETT      HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)</b>		
<b>PURPOSE:</b> Enc is memo fm LCD to Director dated 11/20/78, captioned as set forth, which sets forth requests received fm HSCA. The Director attached routing slip (set forth). Attached is chart which sets forth status of Bureau's responses to HSCA requests. <u>RECOMMENDATION:</u> None, -for information.		

COPY OF ABSTRACT FOR THIS SERIAL IS PLACED IN  
FILE IN LIEU OF THE MAIL WHICH HAS NOT BEEN LOCATED.

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UNITED STATES GOVERNMENT

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

# Memorandum

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	
Adm. Servs.	_____
Crim. Inv.	_____
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Rec. Mgnt.	_____
Tech. Servs.	_____
Training	_____
Public Affs. Off.	_____
Telephone Rm.	_____
Director's Sec'y	_____

TO : Mr. Bassett *HNB/2*

DATE: 11/30/78

FROM : D. Ryan *[Signature]*

- 1 - Mr. Bassett
- 1 - Mr. Ryan
- 1 - Mr. Foster

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

*G. [Signature]*  
*[Signature]*

PURPOSE: Enclosed is a memorandum from the Legal Counsel Division to the Director dated 11/20/78, captioned "Status of Responses to Congressional Committee Requests," which sets forth, among other things, the requests received from the HSCA. The Director attached a routing slip which states "Advise status of October requests of Assassinations Committee. Note I am to appear 12/11."

Attached is a chart, which sets forth the status of the Bureau's responses to the HSCA's October requests which have been completed.

In addition, of the 13 HSCA November requests requiring action by this Bureau, 11 have been completed and two are being processed. Our procedure in responding to each HSCA request is to confirm in writing to the Department and the HSCA the fact that the necessary information or material was provided to the HSCA or the fact that Bureau files did not contain any information in regard to a particular HSCA request. In the above 11 November HSCA requests, there is no work remaining to be done. The HSCA has been orally advised of our response and there merely remains a confirmation in writing to the Department and the HSCA.

RECOMMENDATION: None, for information.

62-117290-1397

22 DEC 12 1978

EX-113

REC-60

APPROVED: *[Signature]*

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

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Enc.

ENCLOSURE

DOC. *[Signature]* REV. 3

GJF:amo  
2 JAN 19 1979  
*[Signature]*

DATE OF HSCA REQUEST

NATURE OF REQUEST

STATUS

Letter, 10/6/78

[REDACTED]

Response to Department dated 11/29/78.

Letter, 10/16/78

[REDACTED]

Response to Department dated 11/17/78.

Letter, 10/17/78

[REDACTED]

Work completed. See explanation, page 3.

Letter, 10/18/78

[REDACTED]

Response to Department dated 11/27/78.

Letter, 10/19/78

[REDACTED]

Work completed. See explanation, page 3.

Letter, 10/20/78

[REDACTED]

Response to Department dated 11/24/78.

Letter, 10/24/78

[REDACTED]

Work completed. Confirmation letter to Department in dictation.

HSCA

62-1-117290-1397

ENCLOSURE

DATE OF HSCA REQUEST  
Letter, 10/30/78

NATURE OF REQUEST

[REDACTED]

STATUS  
Response to Department  
dated 11/24/78.

Letter, 10/31/78

[REDACTED]

Response to Department  
dated 11/22/78.

HSCA

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62-117290-1397X	COPY 50	12/4/78
House Select Committee on Assassinations		
G. Robert Blakey Chief Counsel and Director Select Committee on Assassinations U.S. House of Representatives 3369 House Office Building, Annex 2 Washington, DC		
As discussed with Drew Clark, the HSCA, in connection with its investigation into the assassination of President John F Kennedy request [REDACTED]		
[REDACTED] Addressed to Griffin B Bell.		

HSCA

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Court Order

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**FINAL REPORT**  
**of the**  
**SELECT COMMITTEE ON ASSASSINATIONS**  
**U.S. HOUSE OF REPRESENTATIVES**  
**Ninety-Fifth Congress**  
**Second Session**

---

**SUMMARY OF**  
**FINDINGS AND RECOMMENDATIONS**

---

**SELECT COMMITTEE OF ASSASSINATIONS**

**LOUIS STOKES, Ohio, Chairman**

<b>RICHARDSON PREYER, North Carolina</b>	<b>SAMUEL L. DEVINE, Ohio</b>
<b>WALTER E. FAUNTROY, District of Columbia</b>	<b>STEWART B. MCKINNEY, Connecticut</b>
<b>YVONNE BRATHWAITE BUREL, California</b>	<b>CHARLES THONE, Nebraska</b>
<b>CHRISTOPHER J. DODD, Connecticut</b>	<b>HAROLD S. SAWYER, Michigan</b>
<b>HAROLD E. FORD, Tennessee</b>	
<b>FLOYD J. FITZLAN, Indiana</b>	
<b>ROBERT W. EDGAR, Pennsylvania</b>	

*Subcommittee on the*

*Assassination of*

*Martin Luther King, Jr.*

**WALTER E. FAUNTROY, Chairman**  
**HAROLD E. FORD**  
**FLOYD J. FITZLAN**  
**ROBERT W. EDGAR**  
**STEWART B. MCKINNEY**  
**LOUIS STOKES, ex officio**  
**SAMUEL L. DEVINE, ex officio**

*Subcommittee on the*

*Assassination of*

*John F. Kennedy*

**RICHARDSON PREYER, Chairman**  
**YVONNE BRATHWAITE BUREL**  
**CHRISTOPHER J. DODD**  
**CHARLES THONE**  
**HAROLD S. SAWYER**  
**LOUIS STOKES, ex officio**  
**SAMUEL L. DEVINE, ex officio**

**G. Robert Blakey**  
**Chief Counsel and Director**

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**I. Findings of the Select Committee on Assassinations in the Assassination of President John F. Kennedy in Dallas, Texas, November 22, 1963**

**A. Lee Harvey Oswald fired three shots at President John F. Kennedy. The second and third shots he fired struck the President. The third shot he fired killed the President.**

- 1. President Kennedy was struck by two rifle shots fired from behind him.**
- 2. The shots that struck President Kennedy from behind him were fired from the sixth floor window of the southeast corner of the Texas School Book Depository building.**
- 3. Lee Harvey Oswald owned the rifle that was used to fire the shots from the sixth floor window of the southeast corner of the Texas School Book Depository building.**
- 4. Lee Harvey Oswald, shortly before the assassination, had access to and was present on the sixth floor of the Texas School Book Depository building.**
- 5. Lee Harvey Oswald's other actions tend to support the conclusion that he assassinated President Kennedy.**



- B. Scientific acoustical evidence establishes a high probability that two gunmen fired at President John F. Kennedy. Other scientific evidence does not preclude the possibility of two gunmen firing at the President. Scientific evidence negates some specific conspiracy allegations.**
- C. The Committee believes, on the basis of the evidence available to it, that President John F. Kennedy was probably assassinated as a result of a conspiracy. The Committee is unable to identify the other gunman or the extent of the conspiracy.**
- 1. The Committee believes, on the basis of the evidence available to it, that the Soviet Government was not involved in the assassination of President Kennedy.**
  - 2. The Committee believes, on the basis of the evidence available to it, that the Cuban Government was not involved in the assassination of President Kennedy.**
  - 3. The Committee believes, on the basis of the evidence available to it, that anti-Castro Cuban groups, as groups, were not involved in the assassination of President Kennedy, but that the available evidence does not preclude the possibility that individual members may have been involved.**
  - 4. The Committee believes, on the basis of the evidence available to it, that the national syndicate of organized crime, as a group, was not involved in the assassination of President Kennedy, but that the available evidence does not preclude the possibility that individual members may have been involved.**
  - 5. The Secret Service, Federal Bureau of Investigation and Central Intelligence Agency were not involved in the assassination of President Kennedy.**

**D. Agencies and departments of the United States Government performed with varying degrees of competency in the fulfillment of their duties. President John F. Kennedy did not receive adequate protection. A thorough and reliable investigation into the responsibility of Lee Harvey Oswald for the assassination of President John F. Kennedy was conducted. The investigation into the possibility of conspiracy in the assassination was inadequate. The conclusions of the investigations were arrived at in good faith, but presented in a fashion that was too definitive.**

- 1. The Secret Service was deficient in the performance of its duties.**
  - (a) The Secret Service possessed information that was not properly analyzed, investigated or used by the Secret Service in connection with the President's trip to Dallas; in addition, Secret Service agents in the motorcade were inadequately prepared to protect the President from a sniper.**
  - (b) The responsibility of the Secret Service to investigate the assassination was terminated when the Federal Bureau of Investigation assumed primary investigative responsibility.**
- 2. The Department of Justice failed to exercise initiative in supervising and directing the investigation by the Federal Bureau of Investigation of the assassination.**

3. The Federal Bureau of Investigation performed with varying degrees of competency in the fulfillment of its duties.
  - (a) The Federal Bureau of Investigation adequately investigated Lee Harvey Oswald prior to the assassination and properly evaluated the evidence it possessed to assess his potential to endanger the public safety in a national emergency.
  - (b) The Federal Bureau of Investigation conducted a thorough and professional investigation into the responsibility of Lee Harvey Oswald for the assassination.
  - (c) The Federal Bureau of Investigation failed to investigate adequately the possibility of a conspiracy to assassinate the President.
  - (d) The Federal Bureau of Investigation was deficient in its sharing of information with other agencies and departments.
4. The Central Intelligence Agency was deficient in its collection and sharing of information both prior to and subsequent to the assassination.
5. The Warren Commission performed with varying degrees of competency in the fulfillment of its duties.
  - (a) The Warren Commission conducted a thorough and professional investigation into the responsibility of Lee Harvey Oswald for the assassination.

- (b) The Warren Commission failed to investigate adequately the possibility of a conspiracy to assassinate the President. This deficiency was attributable in part to the failure of the Commission to receive all the relevant information that was in the possession of other agencies and departments of the government.
- (c) The Warren Commission arrived at its conclusions, based on the evidence available to it, in good faith.
- (d) The Warren Commission presented the conclusions in its report in a fashion that was too definitive.

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**III. Recommendations of the  
Select Committee on Assassinations**

**2. Legislative Recommendations  
on Issues Involving the  
Prohibition, Prevention and  
Prosecution of Assassinations  
and Federally Cognizable  
Homicides**

**A. Prohibition and Prevention**

1. The Judiciary Committee should process for early consideration by the House legislation that would make the assassination of a Chief of State of any country, or his political equivalent, a federal offense, if the offender is an American citizen or acts on behalf of an American citizen, or if the offender can be located in the United States.

2. The Judiciary Committee should process for early consideration by the House comprehensive legislation that would codify, revise and reform the federal law of homicide, paying special attention to assassinations. The Judiciary Committee should give appropriate attention to the related offenses of conspiracy, attempt, assault and kidnapping in the context of assassinations. Such legislation should be processed independently of the general proposals for the codification, revision or reform of the Federal criminal law. The Committee should address the following issues in considering the legislation:

(a) Distinguishing between those persons who should receive the protection of federal law because of the official positions they occupy and those persons who should receive protection of federal law only in the performance of their official duties,

(b) Extending the protection of federal law to persons who occupy high judicial and executive positions, including Justices of the Supreme Court and Cabinet officers,

(c) The applicability of these laws to private individuals in the exercise of constitutional rights,

(d) The penalty to be provided for homicide and the related offenses, including the applicability and

- (e) The basis for the exercise of federal jurisdiction, including domestic and extraterritorial reach,
- (f) The pre-emption of state jurisdiction without the necessity of any action on the part of the Attorney General where the President is assassinated,
- (g) The circumstances under which federal jurisdiction should preempt state jurisdiction in other cases,
- (h) The power of federal investigative agencies to require autopsies to be performed,
- (i) The ability of federal investigative agencies to secure the assistance of other federal or state agencies, including the military, other laws notwithstanding,
- (j) The authority to offer rewards to apprehend the perpetrators of the crime,
- (k) A requirement of forfeiture of the instrumentalities of the crime,
- (l) The condemnation of personal or other effects of historical interest,
- (m) The advisability of providing, consistent with the first amendment, legal trust devices to hold for the benefit of victims, their families, or the general treasury, the profits realized from books, movie rights, or public appearances by the perpetrator of the crime, and
- (n) The applicability of threat and physical zone of protection legislation to persons under the physical protection of federal investigative or law enforcement agencies.

3. The appropriate Committees of the House should process for early consideration by the House charter legislation for the Central Intelligence Agency and Federal Bureau of Investigation. The Committees should address the following issues in considering the charter legislation:

- (b) The relationship between the domestic intelligence functions and the interference with the exercise of individual constitutional rights,
- (c) The delineation of proper law enforcement functions and techniques including:
  - (i) the use of informants and electronic surveillance,
  - (ii) guidelines to circumscribe the use of informants or electronic surveillance to gather intelligence on, or investigate, groups that may be exercising first amendment freedoms, and
  - (iii) the proper response of intelligence or investigative agencies where information is developed that an informant has committed a crime.
- (d) Guidelines to consider the circumstances, if any, when an investigative agency or a component of that agency should be disqualified from taking an active role in an investigation because of an appearance of impropriety growing out of a particular intelligence or investigative action,
- (e) Definitions of the legislative scope and extent of "sources and methods" and the "informant privilege" as a rationale for the executive branch withholding information in response to Congressional or judicial process or other demand for information,
- (f) Institutionalizing efforts to coordinate the gathering, sharing, and analysis of intelligence information,
- (g) Insuring those agencies that primarily gather intelligence perform their function so as to serve the needs of other agencies that primarily engage in physical protection, and



**C. Prosecution**

1. The Judiciary Committee should consider the impact of the provisions of law dealing with third-party records, bail and speedy trial as it applies to both the investigation and prosecution of federally cognizable homicides.
2. The Judiciary Committee should examine recently passed special prosecutor legislation to determine if its provisions should be modified to extend them to presidential assassinations and the circumstances, if any, under which they should be applicable to other federally cognizable homicides.

**II. Administrative Recommendations to the Executive**

The Department of Justice should re-examine its contingency plans for the handling of assassinations and federally cognizable homicides in light of the record and findings of the Committee. Such an examination should consider the following issues:

- A. Insuring that its response takes full advantage of inter and intraagency task forces and the strike force approach to investigations and prosecutions,
- B. Insuring that its response takes full advantage of the advances of science and technology, and determining when it should secure independent panels of scientists to review or perform necessary scientific tasks, or secure qualified independent forensic pathologists to perform a forensic autopsy,
- C. Insuring that its fair trial/free press guidelines, consistent with an alleged offender's right to a fair trial, allow information about the facts and circumstances surrounding an assassination promptly be made public, and promptly be corrected when erroneous information is mistakenly released, and
- D. Entering at the current time into negotiations with representatives of the media to secure voluntary agreements providing that photographs, audio tapes, television tapes and related matters, made in and around the site of

**III. General Recommendations for  
Congressional Investigations**

- A.** The appropriate Committees of the House should consider amending the Rules of the House to provide for a right to appointive counsel in investigative hearings where a witness is unable to provide counsel from private funds.
- B.** The appropriate Committees of the House should examine the Rules of the House governing the conduct of counsel in legislative and investigative hearings and consider delineating guidelines for professional conduct and ethics, including guidelines to deal with conflicts of interest in the representation of multiple witnesses before a Committee.
- C.** The Judiciary Committee should examine the adequacy of federal law as it provides for the production of federal and state prisoners before legislative or investigative committees under a writ of habeas corpus ad testificandum.
- D.** The appropriate Committees of the House should examine and clarify the applicability to Congressional subpoenas of recently enacted legislative restrictions on access to records and other documents.
- E.** The appropriate Committees of the House should consider legislation that would authorize the establishment of a legislative counsel to conduct litigation on behalf of committees of the House incident to the investigative or legislative activities and confer jurisdiction on the United States District Court for the District of Columbia to hear such lawsuits.
- F.** The appropriate committees of the House should consider if Rule 11 of the House should be amended, so as to restrict the current access by all Members of the House to the classified information in the possession of any committee.

**IV. Recommendations for Further  
Investigation**

- A.** The Department of Justice should contract for the examination of a film taken by Charles L. Bronson to determine its significance, if any, to the assassination of President Kennedy.
- B.** The National Institute of Law Enforcement

C. The Department of Justice should review the Committee's findings and report in the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr., and after completion of the recommended investigation enumerated in Sections A and B, analyze whether further official investigation is warranted in either case. The Department of Justice should report its analysis to the Judiciary Committee.