UNITED STATES GOVERNMENT

Memora..dum

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

DATE: October 20, 1975

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

SUBJECT: Lee Harvey Oswald Note to FBI

My staff and I have reviewed the Criminal Division's
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 imminently fair and wise exercise
of prosecutorial discretion.   The Bureau should, of course,
take whatever administrative action that appears
necessary.

51-16-1113

2 OCT 9

ROUTING AND TRANSMITTAL SLIP

TO (Name, office symbol or location)		ACTION	
~~Mr. Belmont~~ 504 FBI	INITIALS / DATE	CIRCULATE	
		COORDINATION	
2. Mr. Muchon (516	INITIALS / DATE	FILE	
		INFORMATION	
3.	INITIALS / DATE	NOTE AND RETURN	
		PER CONVERSATION	
4.	INITIALS / DATE	SEE ME	
		SIGNATURE	

REMARKS

TGHT YOU'D LIKE TO SEE THE
CLOSING MEMO "USUAL" ON THIS.
— THIS IS NOT A BOOTSTRAP — ITS PERSUING
ALREADY COMMITTED PERJURY.   /Note

Yes, THANKS —
Lets ask Kathy to work with
Reg Div - 18th floor FTB, & get all
this blocked & put into file folder &

Do NOT use this form as a RECORD of approvals, concurrences,
disapprovals, clearances, and similar actions

FROM (Name, office symbol or location)	DATE
Muchon Returned. Hold until we get a	10/28
referral from the Cong. Comm.	PHONE

now holding hearings   CH 10/27