

1735 Highland Place, Apt. 25
Berkeley, Ca. 94709
March 24, 1971

The Washington Post
Washington, D.C.

Dear Sir:

Today's S.F. Chronicle carries your story on FBI methods as revealed by stolen FBI records which were sent to you. I am enclosing evidence from the files of the Warren Commission which confirms one of the implications of the article: that the FBI regularly obtains "confidential" information from banks and similar institutions without properly using the subpoena power.

The standard procedure was apparently ~~for~~ the FBI reports of this confidential information to note that it could not be obtained or made public without the issuance of a subpoena *duces tecum*. When the Warren Commission wanted to publish such information, it then issued a subpoena.

Attachment A to this letter is such a letter, from the General Counsel of the Commission to the NYC Welfare Department. I believe this letter speaks for itself, especially the last sentence: "... we ~~have~~ issued the subpoena only so that there will be no question that you have previously acted pursuant to lawful authority." This shows clearly how much the legal safeguards on "confidential" information mean in practice.

Attachment B is the subpoena referred to. The records in question are set forth in full in the published Hearings of the Commission (CE 2213, pages 18-24; Attachment C). (Although there is no specific reference in those pages to the confidential nature of the information, as described in Attachment A, page 18 happens to include the standard qualification for similar confidential information on the previous page.)

I am including Attachment D to show that the Commission apparently had a standard form letter for this purpose, and to provide you with a clearer copy of the text (which is identical to Attachment A, word for word). (Attachments A, B, and D are from the Commission's files in the National Archives, where you may obtain better copies, if you wish.)

As you know from the Attorney General's request that you not publish the records that were sent to you, the FBI is not eager to have such irregularities in its procedures publicized. In this connection, I am enclosing a page which reveals FBI access to confidential information and was published by the Commission (CE ~~1411~~; CD 75, page 400; Attachment E). The FBI asked that this page be withheld at the Archives, and it still has not been officially released there. (It is conceivable that the published page is incomplete or misidentified, but I expect that the FBI simply asked that it be suppressed without noting that it had already been published.)

This handling of confidential information is merely a very minor example of the procedural irregularities that are reflected by the Warren Commission's files. I could document for you several instances where apparent procedural inadequacies resulted in the keeping of important substantial information from the Commission's attention. I would be glad to discuss this with you further, if you plan to follow up today's story.

This letter is not for publication; you may use any of this information without reference to me. Could you return the enclosed postcard so I will know if this has reached the reporter who wrote the article? Since I have seen only what appears to be a heavily edited version, I would appreciate a copy of the full article on the stolen FBI records.

Sincerely yours,

151 Paul L. Hoch
Paul L. Hoch

bcc: HW (w/att. A,B,D)
JNS (w/att. D)

ATT.
A

GA 3
New
York

SEP 25 1964

VIA REGISTERED MAIL

New York City
Department of Welfare
New York, New York *ms*

Gentlemen:

Enclosed is a subpoena duces tecum directing you to provide certain records to the President's Commission on the Assassination of President Kennedy.

As you know, agents of the Federal Bureau of Investigation have already examined the subpoenaed records and have provided the results of their investigation to this Commission. The Commission intends to publish the results of that investigation as part of its twenty-volume documentation of its report.

Inasmuch as you have indicated that the information provided to the FBI is obtainable only through the issuance of a subpoena duces tecum, the Commission is complying with your request through the enclosed subpoena. However, we do not expect you to produce any of the subpoenaed records and we have issued the subpoena only so that there will be no question that you have previously acted pursuant to lawful authority.

Sincerely,

J. Lee Rankin
JLR

J. Lee Rankin
General Counsel

WDS:lawson/smh 9-22-64
cc: Mr. Rankin
Mr. Willens

ATT.
B

OFFICE
ADMINISTRATIVE OF THE DISTRICT

TO NEW YORK CITY DEPARTMENT OF WELFARE

NEW YORK, NEW YORK

, CITE:

PURSUANT to lawful authority, YOU ARE HEREBY COMMANDED to be and appear before the President's Commission On the Assassination of President Kennedy on September 30, 1964, at 10:30 o'clock, a. m., at their Commission Room, 200 Maryland Avenue, N.E., Washington, D. C.

then and there to testify touching matters of inquiry committed to said Commission, and not to depart without leave of said Commission.

YOU ARE HEREBY COMMANDED to bring with you and produce before said Commission the following:

"Application for Public Assistance or Request for Care," pertaining to Lee Harvey Oswald, his wife and child, dated on or about June 13, 1962; letter dated June 14, 1962 from Lula Jean Elliott, Senior Welfare Consultant to Mrs. Janet F. Ruscoll, Administrative Supervisor, Special Services Welfare Center, "History Sheet," Lee Harvey Oswald.

HEREOF FAIL NOT, as you will answer your default under the pains and penalties in such cases made and provided.

To _____, to serve and return pursuant to the rules of the Commission.

GIVEN under my hand this _____ day of _____, in the year of our Lord, 19____.

Member of the Commission

If you desire a conference with a representative of the Commission prior to the date of the hearing, please call or write to: President's Commission On the Assassination of President Kennedy, 200 Maryland Avenue, N.E., Washington, D.C. 20002, telephone: 543-1400

ATT: 1
D

Other copies K...
L...

JLR/DWGriffin/mcy/9-7-64
cc: Mr. Willens
Files

Chesapeake & Potomac Telephone Co.

September 7, 1964

VIA REGISTERED MAIL

Gen
Mr. C. D. Schultz
Manager
Chesapeake and Potomac Telephone Co.
725 - 13th Street, Northwest
Washington, D.C.

Dear Mr. Schultz:

Enclosed is a subpoena duces tecum directing you to provide certain records to the President's Commission on the Assassination of President Kennedy.

As you know, agents of the Federal Bureau of Investigation have already examined the subpoenaed records and have provided the results of their investigation to this Commission. The Commission intends to publish the results of that investigation as part of its twenty-volume documentation of its report.

Inasmuch as you have indicated that the information provided to the FBI is obtainable only through the issuance of a subpoena duces tecum, the Commission is complying with your request through the enclosed subpoena. However, we do not expect you to produce any of the subpoenaed records and we have issued the subpoena only so that there will be no question that you have previously acted pursuant to lawful authority.

Sincerely yours,

J. Lee Rankin
General Counsel

Enclosure