

NY TIMES - 12/3/77

bal, center, looking of the Synagogue th at meeting. At

Appeal, Rabbi Teplitz is shown lighting a candie marking fourth day of the eight-day observance of Hanukkah.

ting Applauds HOOVER WAS CERTAIN

SCHUMACH .

mutual guarantees-all these and other measures can provide the required assurance until emotions subside and normalcy previals."

Next week's scheduled meetings in Cairo of representatives of Egypt, Israel and the United States "provide us with the first steps in this positive and hopeful challenge," the Ambassador said.

The background of his appearance before the Jewish leaders at the Carnegie Endowment Center for Peace, 345 East 46th Street, was of particular signifi-

The Ambassador had acted as an imortant intermediary for Jews last March in helping to liberate more than 130 hos-

Continued on Page A13, Column 1

Dollar Still Sagging; Drop Called Threat To World Recovery

By ROBERT D. HERSHEY Jr. Special to The New York Times

LONDON, Dec. 7-The dollar continued to sag on world currency markets today, approaching its lowest levels since World War II against the mighty West German mark and Swiss franc.

Today's decline, while modest 'compared with those of the last few days, was accompanied by more warnings from Europe that the year-long slide in the American currency was now threatening the slow global recovery from recession.

The most immediate cause of the dollar's weakness, traders here said, is the failure of the United States to produce an energy policy. Soaring imports of oil have been the biggest factor in pushing the American trade deficit to an estimated \$30 billion this year.

'In Any Shape or Form'

"You haven't got an energy policy in the States in any shape or form," declared one market man as he surveyed today's results.

The decline in the dollar, under way since early this year, was touched off by Treasury officials who said in so many words that they wouldn't mind some depreciation of the dollar to make United States exports more competitive in world markets. But the effects of the decline are becoming noticeable to tour-

-Cairo Envoy OSWALD WAS KILLER

F.B.I. Files Don't Dispute Finding That Assassin Acted Alone

WASHINGTON, Dec. 7-Two weeks after John F. Kennedy's death, J. Edgar Hoover was convinced that Lee Harvey Oswald had killed the President, but he wondered whether Oswald had had help from secret conspirators in Cuba, according to bureau files released today.

The documents show that Mr. Hoover had concluded within hours of Kennedy's

Excerpts from Hoover memo, page B20.

death that Oswald had fired the fatal bullets. But the agency later obtained letters written to Oswald from Cuba, and those messages raised the questions about conspiracy that linger to this day.

The material examined so far provides no information contradicting the Warren Commission's finding that Oswald acted alone in the assassination of President Kennedy nor any immediate or astounding insight into the mysteries still attached to the assassination.

Because of the letters and the difficulty in checking their validity, Mr. Hoover, Director of the Federal Bureau of Investigation, said, "I urged strongly that we not reach the conclusion Oswald was the only man."

One of the Cuban letters illustrates the problem. It was written in Spanish and mailed from Havana to Oswald in Dallas. It was dated 12 days before the assassination but was postmarked six days after the assassination of Nov. 22, 1963. The fact that it was postmarked long after news of the assassination had spread worldwide suggests that it might have been the work of a headline-seeker. F.B.I. officials apparently found it impossible to judge what to make of the message.

The 40,001 pages of F.B.I. files released today, weighing nearly half a ton, recount the tragedy and drama rippling from the gunfire in Dallas in 1963. The

Continued on Page B20, Column 1



The majority held that a district court a vote of 181 to 167 could require the New York Telephone Company, a third party not involved in the investigation, to install devices through which the Federal Bureau of Investigation could learn the telephone numbers of all outgoing calls made by a subscriber who was considered suspect.

On the underlying question of whether the district court had the authority to permit such surveillance at all, whether or not the telephone company assisted, the high court divided 6 to 3 in support of such orders.

At issue was the use by the F.B.I. of 'pen registers," devices that record numbers of all outgoing calls but do not intercept any messages as wiretaps do. They

Continued on Page B18, Column 1

5 in F.B.I. Inquiry **Ouit Investigation** In Dispute With Bell

By NICHOLAS M. HORROCK

Special to The New York Times

WASHINGTON, Dec. 7-The five lawyers conducting an investigation of alleged burglaries, illegal wiretapping and mail opening by the Federal Bureau of Investigation have asked to be removed from the case because of a "disagreement" with the Attorney General over whether new indictments should be sought at this time, the Department of Justice said today.

In a brief statement issued after a luncheon with reporters, Attorney General Griffin B. Bell said that the five-man group from the civil rights division, which has been investigating alleged wrongdoing by agents from the bureau for some 18 months, had asked to be 'relieved of the responsibility" for continuing the inquiry over a "disagreement" in prosecution strategy with the Attorney General.

Under questioning by reporters, Mr. Bell said the lawyers disagreed with his plan to bring the case of a former supervisor in the bureau's New York field office to trial before seeking new indict-

This is the first time in the memory of the Washington legal community that a Federal prosecution team had resigned from a case as a unit. Sources familiar with the case said that the lawyers felt

Continued on Page B19, Column 3

by voice vote with ju present, was a joint i perseded a bill appro lion for the Departm the Department of Hea Welfare.

End to Financial

Its passage, and expected signature, wi certainties for the which had been finanmonth basis since Oc

The compromise wa to set a pattern for : the controversial sub supporters and oppor newed fight when t renewal next spring.

. "Abortions for por country have been lil compromise language, ward W. Brooke, Re chusetts, who is a le the stringent ban soug

Ban Author Oppor

The compromise wa by Representative He lican of Illinois, who the ban on the use for abortions.

The compromise c of intensive negotiati of the House and Seni of payless paydays fo of the two departmen mate was ended by 8

The impasse was House voted to accep mise proposal, with tion. The proposal v resentative Robert F the Republican whip

Continued on Pag

JOAN LITTL IN BROOK

Former Friend T to Find Care

By MAX

Joan Little, who tion in 1975 when murder in the deat she said had tried rested early yesterd hour automobile cha

Miss Little, 23 serving a seven-tofor breaking and en lina. She escaped

HOOVER WAS CERTAIN OSWALD WAS KILLER

Continued From Page A1

hureau released the documents, half of its total file on the Kennedy assassinarion, to comply with requests under the Freedom of Information Act. The 40,000 other pages are scheduled to be released in January,

The material may be of greatest value for what it shows about the inside operamost important missions. It is a picture that has emerged only in vague outline until now

The memorandums include confidenial reports passed among the highest officials of the Government. And they nclude Jetters from ordinary eitizens exressing outrage and sorrow and, in some ases, intense hatred of the Kennedy mily. Some documents were censored o delete material classified as secret r otherwise exempt from disclosure.

Attorney General Informed

Two hours after Kennedy was pronounced dead in a Dallas hospital at 2
P.M. Eastern standard time on Nov. 22,
Ar. Hoover wrote that he had told the
resident's brother, Attorney General
tobert F. Kennedy, that Oswald was the
ssassin and that he had been apprensended near the Texas School Book ended near the Texas School Book epository where the shots had been

But on Dec. 12, Mr. Hoover confided o his chief aides that he was troubled y the conspiracy questions and was unare how to resolve them. Reporting on conversation with a caller, he wrote: "I said I personally believe Oswald was he assassin; that the second aspect as o whether he was the only man gives ne great concern; that we have geveral etters written to him from Cuba referng to the job he was going to do, his god marksmanship and stating when it as all over, he would be brought back

Cuba and presented to the chief.
"We do not know if the chief was Casro and cannot make an investigation beiuse we have no intelligence operation

The reference was to Fidel Castro, the

uban leader.
The F.BI. is restricted to domestic perations, and the Central Intelligence gency gathers intelligence abroad. It is not clear whether Mr. Hoover meant imply that the C.I.A. as well as the B.I. had no operations in Cuba. During his period, the F. BI, maintained liaison with the C.I.A., although Mr. Hoover later evered the relationship.

A Discussion With Rankin

The memo was Mr. Hoover's report of is discussion that day with Lee Rankin, he Warren Commission's general coun-el, who had called to make arrangeients for dealing with the bureau during he commission's investigation. The Warald was the assassin and that he had ted alone.

As the agents translated it, the letter ferred to Oswald as "Friend Lee" and aid, "After the affair, I am going to



Reporters examining file on Lee Harvey Oswald in reading room yesterday at the F.B.I. Building

Few Show Up to Read Files on the Assass.

By MARJORIE HUNTER pecial to The New York Times

WASHINGTON, Dec. 7—Bob Katz was a 16-year-old high school student sitting in an algebra class in Chicago when he heard over a public address system that President Kennedy had been assassinated.

Today he was the first of 50 people, most of them reporters, to be handed previously classified files of the Federal Bureau of Investigation on the assassination.

The 30-year-old Mr. Katz got first call on the material because he was sitting in Seat No. 1 in a small, tightly secured room in the F.B.I. Building, a room ordinarily used by experts to brief bureau agents on the latest crime techniques.

He and three colleagues, ranging in age from 25 to 42, asked to see the files as representatives of the Assassination Information Bureau Inc., a private, nonprofit organization set up in 1974 in Cambridge, Mass., as a clearinghouse for information on the Kennedy assassination.

Members of its Advisory Board are Members of its Advisory Board are Norman Mailer, David Dellinger, Allen Ginsberg, Tom Hayden, Murray Kemp-ton, Jack Newfield, Philip Nobile, K. Barton Osborn, Marcus Raskin and Peter Dale Scott. None of them were present for the opening of the files.

An Academic Atmosphere

It was in a classroom atmosphere not too unlike that of the 1963 algebra class in Chicago that Mr. Katz and his colleagues and the dozens of reporters for major newspapers, magazines, radio and television began delv-ing into the F.B.I. files today.

said that it was a "traumatic experience for me."

"It happened to a President I was personally fond of," he added

Until that day, Nov. 22, 1963, the public address system in the high school he was attending was used only "to announce football games," Mr. Katz said.

Ground Rules Explained

Standing beside the blackboard today, Special Agent John H. Hawkes explained the ground rules for using the files. Also on hand to answer questions was William Shackelford, a research analyst who had spent 18 months coordinating the files.

But, even with the blackboard notations and the presence of agency personnel familiar with the files, it was necessary for those interested in glean-ing specific information to read through the tremendous mass of material filling nine tall file drawers.

An adjoining room, similarly equipped with tables, chairs and blacksimilarly

board, had been set a date scholars, histori assassination buffs a ever, by late today, those wanting to rea not large enough to

of the second room. The files can be rea in the two reading ro wanting a copy of th pay 10 cents a page. S izations bought copi file of 40,001 pages of \$4,000.10. This en move the material to

Those buying the the NBC News, The United Press Interna Washington Post.

Sharing-the cost o entire set were Newsd ton Star, The Wall St Baltimore Sun, The I ald, the Knight-Ritter Scripps-Howard News magazine.

A Paralyzed Denver Man Files Federal Suit in Swine Flu Case

DENVER, Dec. 7 (AP)-A man confined to a wheelchair and barely able to speak has filed a \$2 million negligence suit against the Federal Government, contending that he suffered permanent brain of the Federal Governm damage after receiving a swine flu vaccination last year.

Scott Heath, a 26-year-old Harvard University graduate who had just started more than \$1 billion to

had to undergo exten two weeks later. In a c terday in Federal Dist said that since Nov. 21 been able to walk, wor verse.

Mr. Heath contends were a result of negli was responsible for th the swins-flu vaccina administration of the is one of more than 1.0



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Files on the Assassination

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g room, similarly bles, chairs and black-

board, had been set aside to accommodate scholars, historians, researchers, assassination buffs and others. However, by late today, the turnout of those wanting to read the files was not large enough to require the use of the second room.

The files can be read without charge in the two reading rooms, but anyone wanting a copy of the material must pay 10 cents a page. Some news organizations bought copies of the entire reations bought copies of the entire file of 40,001 pages for a total cost of \$4,000.10. This enabled them to remove the material to their own offices.

Those buying the entire files were the NBC News, The Associated Press, United Press International and The Machineton Poet.

Washington Post.

Sharing the cost of purchasing one entire set were Newsday, The Washing-ton Star, The Wall Street Journal, The Baltimore Sun, The Dallas Times-Her-ald, the Knight-Ritter newspapers, the Scripps-Howard News Service, and Time magazine.

nver Man Files uit in Swine Flu Case

7 (AP)-A man confined nd barely able to speak million negligence suit il Government, contendered permanent brain iving a swine flu vacci-

26-year-old Harvard te who had just started

had to undergo extensive brain surgery two weeks later. In a complaint filed yesterday in Federal District Court here, he said that since Nov. 28, 1976 he has not been able to walk, work or normally converse.

Mr. Heath contends that his injuries were a result of negligence on the part of the Federal Government, which he said was responsible for the development of the swine-flu vaccination program and administration of the vaccinations. His is one of more than 1,000 claims, totalling more than \$1 billion, that have been filed against the Government in connection hot on Nov. 10, 1976, with the vaccination program.

onie faninies from mga umay the event of another severely cold

Under a similar program last winter, 55,000 New York State households, with 168,000 individuals, received help with their heating bills. Altogether \$21 million was distributed in the state. In New Jersey, 101,000 individuals were aided, and in Connecticut, 54,000.

The new extension of the plan was sponsored in the House by Representative Joseph P. Addabbo, Democrat of Queens. But there was considerable opposition, and the speaker of the House, Thomas P. O'Neill, cast the tie-breaking vote as the House approved the plan by a margin of 182-to-181. The Senate had already approved the plan.

The legislation would allow payments up to \$250 per low-income family after the Federal Community Servive after the redetal community services Administration had declared an "energy emergency" in a particular area because of the cold. Eligible families would be those having an income no higher than \$7,200 for a family of four-that is, up to 25 percent above the poverty line.

in Brownsville, rex., solice the re-vessel Lemarca 1 late yesterday about 100 miles northwest of Key West.

A Coast Guard spokesman said that the marijuana had an estimated retail value of \$15 million. He said that the Lemarca 1, from Maracaibo, had been circling in the Gulf of Mexico for several

"We became suspicious and contacted we became suspicious and contacter genezuela about it, and yesterday they gave permission to board it and seizt any contraband found aboard," he said. The ship's master, who is from the Netherlands, and his eight-member crewwill be turned over to the immigration.

will be turned over to the immigration milliorities when they reach St. Peters burg tomorrow, the Coast Guard sale

Three Magazines Called Obscene

ATLANTA, Dec. 7 (AP)-Hugh Hefne publisher of Playboy and Oui magazine publisher of Playboy and Oui magazine and Bob Guccione, publisher of Pen house, have been charged with distribuing obscene materials in Fulton Count County Solicitor Hinson McAuliffe all charged them with abetting the sale the allegedly obscene items, the Decerber issues of the magazines.

REMEMBER THE NEEDIEST!

Your Omega, Rolex, Movado, LeCoultre, Universal, Patek Phillipe, Jules Jurgensen, Longines, or any fine jeweled watch, restored to its original precision. If your watch needs repair, cleaning or check-up, bring it to Watch and Jewelry repair, main floor by the Down escalator.





id, "After the affair, I am going to m you could put out a candle at 50

eters . Leave nothing that could lead your Irail and when you receive my ters, destroy them as always. After affair, I will send you the money d we will see each other in Miami as

It was signed Pedro Charles.

Mr. Hoover told the State Department if the C.I.A. that he considered the letan apparent hoax.

Some of the P.B.T memos suggest that cholas deB. Katzenbach, then the puty Attorney General, was putting course on the bureau for a prompt pubannouncement that Oswald, acting

me, was the assassin.

Three days after the assassination, he rote the bureau to express concern out the growing rumors of conspiracy al said that it was important to satisfy " public that Oswald was the assassin d that no conspirators were still at

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zines, radio and television began delving into the F.B.I. files today.

They sat in armless chairs attached

to rows of tables facing a blackboard on which those in charge of the project had dotted down the names of John F. Kennedy, Lee Harvey Oswald and Jack Ruby, who killed Oswald. By their names were certain numbers, indicuting which files dealt with what subject.

Mr. Katz's organization has been highly critical of the Warren Commission's finding that Oswald acted alone in killing Kennedy.

"We don't think Oswald was acting on his own," Mr. Katz said today. "But whether we'll find anything useful on that subject in these files, well, I doubt

Recalling the day that he heard of the Kennedy assassination, Mr. Katz

Mr. Hoover giving directions on aspects of the investigation and instructions on how his superiors in the Justice Department should be handled.

His memos and notations reflected his concern for finding Kennedy's killer, but they also showed that he had other interests in mind as well, chiefly protecting the image of the bureau.

The First Memo

The new files show that some citizens wrote to suggest that inadequate F.B.I. security measures were responsible for Kennedy's assassination and Oswald's murder. Mr. Hoover quickly replied that the Secret Service, not his agency, was responsible for Presidential protection and that Oswald was in the custody of the Dallas police when he was shot.

On the day of the assassination, Mr. Hoover wrote his first memo for his files at 1:43 P.M. Eastern standard time, only moments after the news of the shooting moments after the news of the shooting had been flashed around the world. He said that he had broken the news to the President's brother, Attorney General Robert F. Kennedy, and that the Attorney General "asked that we do whatever we

could."

The President was pronounced dead at 2 P.M., but Mr. Hoover failed to get the word immediately. The director must have suffered an embarrassing blow to his ego when he called the Attorney General at 2:10 P.M. "to advise him that the President was in very, very critical

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But two hours later, he was able to report to Robert Kennedy that Oswald

Excerpts From Memo by Hoover

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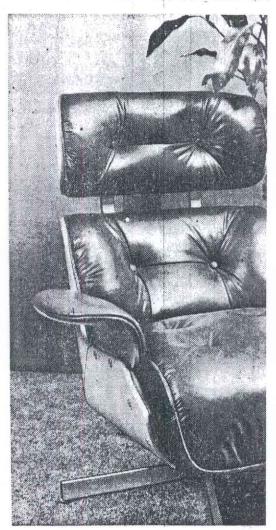
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As to Rubenstein [Jack Ruby], I said I did not want a statement about Rubenstein and Oswald; that we have no proof they were ever together. I stated Rubenstein is a shady character from the hoodlum element of Chicago, has a poor background, runs a nightclub in Dallas and is what would be called a police buff; that the police officers in that precinct have been able to get food and liquor from him at any time they drop in; that while I think there was no connection between

and them, a preventing harvard University graduate who had just started more than \$1 billion, tha a carree as a commercial artist here when beganner the covernmen he received the shot on Nov. 10, 1976, with the vaccination pros

recline in style, designer s

The good looks of a contemporary classic, now ent you get from a recliner. A frame of natural be And rich leather-like brown vinyl upholstery that's And If you order yours now, we can assure you o When you consider the savings, it's like giving yo sale 399.00. Recliners, 5th Floor, New York and all b





the public that Oswald was the assassin and, that no conspirators were still at large!

Referring to the pressure from Mr. Katzenbach, Mr. Hoover's aide Courtney Evans wrote that there's "no doubt" Oswald had fired the gun.

"The problem is to show motive," he continued. "A matter of this magnitude cannot be fully investigated in a week's time."

Basic Facts In Hand

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At this point, he was apparently not seriously concerned about the conspiracy questions.

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Excerpts From Memo by Hoover

WASHINGTON, Dec. 7 [AP)—Following are excerpts from a Dec. 12, 1963 memorandum from J. Edgar Hoover, Director of the Federal Bureau of Investigation, to his aides describing a telephone conversation that Mr. Hoover had had with J. Lee Rankin, the counsel for the Warren Commission:

I sald, I personally believe Oswald was the assassin; that the second aspect as to whether he was the only man gives me great concern; that we have several letters, not in the report because were not able to prove it, written to him from Cuba referring to the job he was going to do, his good marksmanship, and stating when it was all over he would be brought back to Cuba and be presented to the chief; but we do not know if the chief was

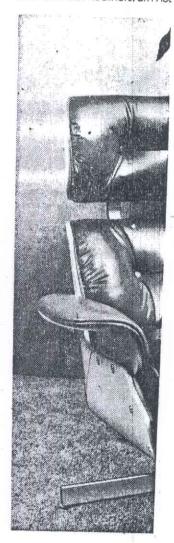
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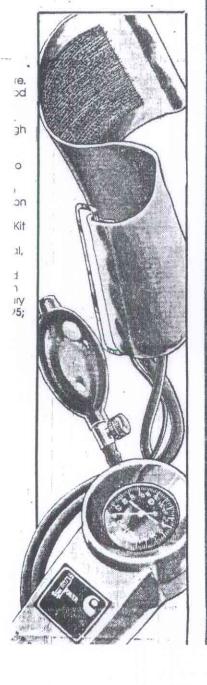
And if you order yours now, w When you consider the savin sale 399.00. Recliners, 5th Floc





1000 Third Avenue, New York, 355-59

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5 Investigating F.B.I. Quit Inquiry

Continued From Page Al

it was an injustice for the Government to prosecute one relatively low-level bureau official for practices that had been widespread and approved up through the bureau's chain of command.

J. Stanley Pottinger, who was the Assistant Attorney General in the civil rights division when the investigation began, said in an interview that he "hoped the Government does not try John Kearney alone." He said that it would be wrong to prosecute Mr. Kearney if those "really responsible for the policy" were not brought to justice.

Mr. Bell said of the prosecution team, "They are fine young men." But he said they had told him they could not continue the case unless he followed their recommendations to indict other bureau officials.

The case is now under the direct supervision of Assistant Attorney General Benjamin R. Civiletti of the criminal division and Drew S. Day of the civil rights division, until a new prosecution team is picked. The five lawyers are staying on the case during the transition, the department said.

Earlier this year the prosecution team prepared a report, signed by its chief, William Gardner, a veteran lawyer in the civil rights division, recommending that the Government seek indictments against six present or former bureau officials, including the former agent indicted, John J. Kearney, 55 years old, who was the supervisor of a fugitive hunting squad that operated in the New York field office. He lives in Simsbury, Conn.

The others on the list were Wallace

The others on the list were Wallace J. La Prade, an assistant director of the bureau who now heads the mammoth New York field office; two other assistant directors, Andrew J. Decker and James Ingram, and two former "special agents in charge" of intelligence operations in the New York area, Arbor Gray and John F. Morley.

Bell Approved One Indictment

Mr. Bell approved only an indictment against Mr. Kearney. He was indicted in April on chages that agents under his direction had illegally opened mail and tapped telephones while seeking radical anti-Vietnam war fugitives in the early 1970's, particularly members of the Weather Underground organization.

Mr. Bell has said on several occasions since then that it was his "strategy" to take the Kearney case to trial, continue the investigation, and if the Kearney prosecution were successful, to bring additional indictments.

But sources familiar with the investigation said that Mr. Bell had approved the Kearney indictment without a full under-

standing of the importance of the case and then, surprised by the outcry from friends of the bureau, had grown cautious about prosecuting any any other agents or former agents.

Moreover, these sources said, even routine criminal cases in New York's Southern District where this case was brought take months and often years to process through the courts. Mr. Kearney's case is regarded as a complex test of the police powers of the Government in national security matters and could take years

al security matters and could take years. Mr. Bell has consistently said that he wants to trace the investigation up the ladder to find out if J. Edgar Hoover, the late director of the bureau, or other former top bureau officials, or Department of Justice officials, had approved the burglaries and other alleged improprieties. Only yesterday, Mr. Bell told The Los Angeles Times in an interview that the investigation had broadened to include the Nixon Administration White House.

He has also said that though he would not approve further indictments at this time, he would not let the Justice Department forfeit a prosecution simply because the statute of limitations had been allowed to run out on the case.

Despite Mr. Bell's contention that there is an active investigation, several responsible departmental sources said that there was almost no activity on the case because Mr. Bell and the proscutors were "frozen" in their dispute. Senior officials, speaking for Mr. Bell, categorically disputed this and said unnamed witnesses had been interviewed by Mr. Civiletti and other officials in the past several weeks.

At this juncture there is no public evidence that authority for the alleged law-less acts of bureau agents came from any higher than the bureau's top echelon. Mr. Bell told reporters that the following three trails were being pursued on the burglaries in addition to the possible involvement of the Nixon White House:

Whether the bureau took the actions on its own.

Whether bureau officials authorized the actions without Mr. Hoover approving or knowing about them. 4Whether Mr. Hoover, in the case of

Whether Mr. Hoover, in the case of the radical antiwar movement, made an exception to his own rule against what were called "bag jobs," and secretly authorized them.

William Sullivan, formerly the No. 3 man in the bureau, said in a recent interview that he had told a Federal grand jury in the case that Mr. Hoover authorized him to use any means to apprehend antiwar radical fugitives. Mr. Hoover died on May 2, 1972 and Mr. Sullivan was killed in a hunting accident last month.

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