

MEMORANDUM

③ Hear Feb 4 Cag
Surrey, Robert

June 2, 1964

TO: FILES

FROM: Leon D. Habert, Jr.

SUBJECT: Appearance of Robert Surrey before Leon Habert in Dallas, May 28-29.

1. Mr. Sorrels contacted Mr. Surrey prior to my arrival in Dallas on May 28, and Sorrels told me that Surrey had told him that he did not have a lawyer, that he would under no circumstances appear before the Commission, that he had a very poor opinion of the Commission, and finally, that he would give a statement to the FBI provided that he was given the assurance by the FBI that his statement would not be made available to the Commission.

2. Mr. Barfoot Sanders, U. S. Attorney, repeated his previous suggestion that he was willing to call Surrey before the U. S. Grand Jury in Dallas, but pointed out that this would have to be done prior to June 3 since the Grand Jury was going to be dismissed on that date until a new Jury was impaneled in the fall.

3. I discussed this subject of Sanders with Mr. Rankin, and I told him that I was opposed to the idea, that I had spoken to Mr. Willens about it and he was opposed to the idea. Mr. Rankin concurred, and I informed Mr. Sanders by telephone on June 1, 1964 that Mr. Rankin had decided that the procedure would not be used.

4. There remains open the question of whether Surrey will be called to appear as a witness by the subpoena process.

LDH:sv/6-2-64
CC: Habert Chron file
Mr. Rankin
Mr. Willens