

SI-111

REC 22

June 22, 1973

PERS. REC. UNIT

2- Mr. Mintz
1- Mr. Donahue

105-82555-5697
Mr. Paul L. Hoch
Apartment 25
1735 Highland Place
Berkeley, California 94709 D.C.

Dear Mr. Hoch:

Pursuant to a request from the Department of Justice, I am replying to your letter of June 2, 1973, to Mr. Joseph T. Sneed, Deputy Attorney General, Department of Justice, Washington, D. C.

If you wish an appointment to discuss the status of the appeal you have filed with the Attorney General regarding denial of access to all preassassination FBI files on Lee Harvey Oswald, you should direct your request to the Attorney General, Attention: Office of Legal Counsel, Washington, D. C. 20530.

Your letter states that there is evidence that some of the Special Agents, whose affidavits appear in Warren Commission Exhibit 825, submitted earlier affidavits on the same subject to FBI Headquarters to the effect that Lee Harvey Oswald was never an informant for the FBI. You asked for copies of any such affidavits and of any affidavit by Special Agent Warren C. De Brueys.

I regret to inform you that the information you request is contained in an investigatory file compiled for law enforcement purposes and as such is exempt from public disclosure under the provisions of Title 5, United States Code, Section 552(b) (7).

You may appeal my decision in this matter within thirty days of the receipt of this letter by writing to the Attorney General, Attention: Office of Legal Counsel, Washington, D. C. 20530.

1 - The Deputy Attorney General (Enc.)
1 - Bufile 62-115530 (FOI Replies)

(See NOTE next page)

DONAHUE

to 115530
5/5/76
NO COPY AND COPY OF ENCL. FILED IN

MAILED 4
JUN 22 1973
FBI

- Mr. Felt
- Mr. Baker
- Mr. Callahan
- Mr. Cleveland
- Mr. Conrad
- Mr. DeLoach
- Mr. Jenkins
- Mr. Marshall
- Mr. Miller, E.S.
- Mr. Soyars
- Mr. Thompson
- Mr. Walters
- Tele. Room
- Mr. Bates
- Mr. Barnes
- Mr. Bowers
- Mr. Harington
- Mr. Casper
- Mr. Callahan
- Mr. Zander
- Mr. Rogers

MAIL ROOM TELETYPE UNIT

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59 JBCB:mjs
(7)

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RIB
EM

Mr. Paul L. Hoch

Additionally, judicial review is thereafter available either in the district in which you reside or have a place of business or in the District of Columbia, the location of the records to which you seek access.

Your communication also requested a copy of any instructions issued by FBI Headquarters to the Dallas and New Orleans Field Offices relative to the preparation of any affidavits earlier than those contained in Warren Commission Exhibit 825. For your information, there were no such written instructions.

Sincerely yours,
William D. Ruckelshaus

William D. Ruckelshaus
Acting Director

NOTE: Based on Freedom of Information request for access to any affidavits prior to those in Warren Commission Exhibit 825 from those Agents on the subject of whether or not Lee Harvey Oswald was an FBI informant. The file copy of the cover letter for these affidavits, itself a part of the above-cited Exhibit, is filed at 105-82555-1914 (Vol. 66). That letter makes reference to a letter from the Director to the President's Commission dated 2-6-64 wherein the Director stated categorically that Oswald was never an informant of the FBI. The 2-6-64 letter is filed at 105-82555-1999 along with a copy of the affidavit given by the Director on this subject. On page 2 of the affidavit, the Director stated that FBI Headquarters had obtained affidavits from every Special Agent who was in contact with Oswald as well as their respective SACs, and that these affidavits showed that none of these FBI Agents developed Oswald as an informant.

(NOTE continued on next page)

Mr. Paul L. Hoch
Berkeley, California

NOTE (continued)

Five of the Agents who executed affidavits did prepare earlier sworn statements and/or affidavits which were unacceptable because of form, language, or lack of notarization. None of the changes made in the final form affected the substance of the affidavits. None of the earlier versions were returned for corrections to the field offices involved. New affidavits were furnished instead. In each instance instructions from the Bureau were by telephone inasmuch as the Director had indicated to the Warren Commission on 2-6-64 that such affidavits had been secured.

Correct spelling of SA De Brueys verified through
Movement Unit, Administrative Division.

1-Mr. Cotter

August 16, 1973

Mr. James B. Rhoads
Archivist of the United States
National Archives
Washington, D. C. 20408

Dear Mr. Rhoads:

Based on a recent review of certain FBI material included among the documents of the Warren Commission which have been withheld from public access under established guidelines, it has been determined the following documents can now be made available for research purposes:

- 1- Commission Document No. 557 consisting of a letterhead memorandum dated March 4, 1964, at Dallas along with copies of twenty-seven photographs taken during the autopsy of Lee Harvey Oswald. It is suggested that access to these photographs be limited to qualified medical researchers who have a legitimate interest in reviewing this material.
- 2- Commission Document No. 880 which is a letter dated April 30, 1964, to the Honorable J. Lee Rankin, General Counsel of the Warren Commission, which enclosed copies of three letterhead memoranda setting out the results of FBI efforts to locate any safe-deposit boxes used by Oswald. These enclosures were previously made public.
- 3- Commission Document No. 1212 which consists of a report dated June 23, 1964, prepared by our New York Office which set out information concerning certain traveler's cheques issued to an individual who had been in contact with Oswald in Mexico.

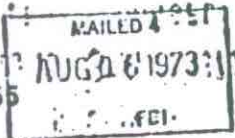
Sincerely yours,

D. M. Kelley

Clarence M. Kelley
Director

20 AUG 20 1973

SEE NOTE PAGE 2



105-82555

RDC:nlb (4)

5 AUG 23 1973 TELETYPE UNIT

- Mr. Tolson
- Mr. DeLoach
- Mr. Mohr
- Mr. Bishop
- Mr. Casper
- Mr. Callahan
- Mr. Conrad
- Mr. Felt
- Mr. Gale
- Mr. Rosen
- Mr. Sullivan
- Mr. Tavel
- Mr. Trotter
- Tele. Room
- Miss Holmes
- Miss Gandy

make sure

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REC-63 / 105-82555-5648

PKL

John

(nlb)

nlb/wsc

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NOTE: These three items relating to our investigation of Oswald are included among certain Warren Commission documents which were reviewed by a representative of the Intelligence Division in connection with a request for public access by a private researcher. Dallas LHM of 3/4/64 (Item No. 1) reported information concerning examination of Oswald both in hospital and at autopsy. There is no reason this cannot be released although we are suggesting that Archives limit access to photographs of Oswald's body. Bulet to Rankin 4/30/64 (Item No. 2) includes information concerning a \$25,000 withdrawal made from a Texas bank by Oswald's widow, which turned up during our inquiries; but release of this information would not jeopardize any current sources or investigation. New York report of 6/23/64 (Item No. 3) sets out identifying information regarding travelers cheques issued by the American Express Company to one Arnold Kessler, who was acquainted with Oswald in Mexico. There is no reason this data cannot be released at this time.

Request from private researcher for access to the various Warren Commission documents is being handled separately.