

31 January 1964

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Chief Justice Warren

1. At 4:30 P. M. on 28 January, a meeting was held in the offices of the President's Commission on the Assassination of President Kennedy to discuss the handling of certain investigative material in the Oswald case and its use with certain Soviet defectors. Present were: Chief Justice Warren, Mr. J. Lee Rankin plus two of his Staff Assistants, Mr. Bolin of the Treasury, Inspector Malley of the Secret Service, Mr. Malley of the FBI, and the undersigned.

2. Chief Justice Warren opened the meeting by stating the Commission's desire to handle material before it with the greatest of care to avoid premature or undesirable publicity. He indicated that the purpose of the meeting was to try to reach an agreement among the agencies present about the use which each might make of material provided by the other. The undersigned gave a detailed exposition of the reasons for our interest in showing certain investigative material provided on Oswald by the FBI and the Secret Service to certain Soviet defectors available to us in this country. I pointed out that what we were interested in principally was to avail ourselves of their expertise. I briefly covered the role of the KGB in Soviet society, and recounted the function it would have had in a case such as that of Oswald. I indicated that the FBI had formerly told us we could not show any of its material to one of our defectors. Mr. Malley said that there was no problem as far as the FBI was concerned, that they were prepared to have information resulting from their investigations discussed with anyone we chose, and that the only prohibitions they had was the identification of sources or the actual showing of official FBI documents. This statement appeared to settle the problem for Chief Justice Warren and Mr. Rankin who indicated that each agency should deal bilaterally on the handling of documents. It was further agreed that the President's Commission would inform the FBI in writing of the investigative material turned over to the CIA for further study by experts and defectors.

3. At the end of the meeting, the undersigned rehearsed the material thus far provided to the Commission by the Agency:

a) Soviet bloc reaction to the President's assassination.

Document Number

1142-434

for FOIA Review on

SEP 1976

- b) Draft questions to be presented to the Soviet Government.
- c) Draft questions to be used with Mrs. Oswald.
- d) A chronology of Oswald's stay in the Soviet Union.
- e) Traces on all the names contained in this chronology.

I stated that we hoped soon to have ready for presentation our recital of Oswald's trip to Mexico City to apply for Soviet and Cuban visas. Mr. Rankin asked us to speed up the preparation of this report and to have it in the Commission's hands by 1 February at the latest inasmuch as the Commission wished to review it before taking testimony from Mrs. Oswald on 3 February. In conclusion, I said that we would react with an analysis of any new material presented to the Agency which was currently in the hands of the Commission, the FBI, or the Secret Service.

4. On the way down town in the automobile after the meeting, Mr. Malley indicated privately that he was surprised that the meeting had been held at all. I reminded him that the purpose of the meeting was to clarify the Bureau's official statement to us that we could not discuss any of their material to . Mr. Malley expressed surprise and said he was not familiar with any such FBI position. He said he would look into the matter but that he foresaw no difficulty in our using investigative data with Soviet defectors as long as we did not identify the sources or leave the actual documents in the defectors' hands.

(Signed) Richard Helms

Richard Helms  
Deputy Director for Plans

cc: LBB/P

11 October 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Fensterwald Request for 20 Photographs

1. I interviewed [redacted] who retired recently from the Agency, on Friday night, 29 September. We met at home, [redacted] was assigned to the Mexican station during the Oswald investigation and was thoroughly familiar with the Mexican aspects of the case. I showed [redacted] the 24 February, FBI memorandum and she said that she could not identify any of the 20 photographs and doubted that they originated with the CIA. She stated that if the photographs were passed to the FBI at any given time, she certainly would have known about it; that [redacted] personally supervised the case and would have come to her for the pictures. She allowed for no exceptions. [redacted] is now dead, as is [redacted] the FBI legal attache who headed the FBI investigation in Mexico. [redacted] stated that the interrogator probably collected the pictures from a "mug book" (look-out notices maintained in the embassy) which was available to the FBI. This book consisted of American soldiers AWOL, American travelers to and from communist countries, persons wanted for criminal violations, etc. The photos came from a variety of sources including FBI headquarters, CIA, U. S. military services, and the Mexican police.

2. We also queried the Mexican station regarding the 20 photographs with negative results. The entire station file [redacted] on Lee Harvey Oswald was forwarded intact to Headquarters on 25 February 1970. These also were examined without success.

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