

Dear Henry,

10/12/82

I don't believe you will have any particular use for the information in the attached record I've just come across but it does provide a means of giving you an insight into the Byzantine Katzenbach and FBI minds as of the time of the WC. I'd made a copy of this for other purposes for Jim and just found it - after four years!

By way of background, the day before this DeLoach memo really intended for Hoover - only NOBODY ever addressed Hoover directly - Katzenbach had appeared before a Warren Commission executive session. Note this date in connection with the Nozenko business because it is significant. The day before I'm certain and a few days even earlier I believe the essential contents of the FBI's report had been published. It was leaked by the FBI, by DeLoach's office to my knowledge and probably also by him. I know that Tom Bishop did some of the leaking. The Commission members raised the question of the leaks with Katzenbach.

So DeLoach may not have been lying and was probably telling the literal truth in the part I have marked with a 1. To those to whom the FBI did not leak they undoubtedly refused to state when the report would be completed even though to its knowledge it had been completed and was being run off and bound.

The first part of what I have marked 2 is almost literally what Katzenbach did tell the Commission, but only half of his response. I do not believe he said the second part, about making certain that there were no FBI leaks. My reason is the second part of what Katzenbach actually said: that although the FBI pretended to be searching diligently for the leaker(s), without doubt it was the source of the leaks.

(I'd not be a bit surprised if by this time DeLoach knew it because Gerald Ford was his personal informant on the Commission.)

Perhaps in the literal language of 3 there is no lie because K. may not have had absolute proof that the FBI was leaking, but he also was without any doubt and he should have known that some of those to whom it had leaked were not particularly friendly with those in DJ who might have had access to the text of the report.

What DeL. says in 4 is the literal truth yet he knew it was totally irrelevant. He was deceiving and misleading, yet without lying. This is FBI SOP.

In order to keep Hoover misled and misinformed DeLoach later went into purple and impassioned extension of the line I marked 5.

If K had any complaints against the FBI, as at 6 DeL says he didn't, he would never have articulated them to the FBI. As it is he did not long survive its dislike of him after he was AG. However, this was good and comforting stuff to feed to Hoover, particularly because the FBI to-level bureaucrats were doing what they were telling him the DJ press people had done.

Perhaps one of the more significant and least known early developments was frustrating Warren's effort to get a man he liked, respected and had worked with before, Warren Olney, of I think the Criminal Division, to be general counsel and staff director. Olney did not always trust the FBI, it knew it, so he had to go. Boggs is only one of those through whom it worked. And thus Rankin, who was not about to fight the FBI on anything and, as you will have seen in the Commission's papers I've published, was determined to have a no-conspiracy report without major criticism of any agency.

I'll try to remember to get and copy the K memo you want and send it with this.

Hastily,