

1 - Mr. DeLoach
 1 - Mr. Felt
 1 - Mr. Wick
 1 - Mr. Rosen
 February 24, 1967

The Acting Attorney General

Director, FBI

1 - Mr. Sullivan
 1 - Mr. Branigan
 1 - Mr. Lenihan
 1 - Mr. Linton

PUBLIC DISCLOSURE OF
 WARREN COMMISSION RECORDS

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On February 23, 1967, Mr. Marion Johnson of the National Archives contacted Special Agent Robert E. Lenihan to advise that correspondents had inquired concerning the public availability of information the FBI developed in 1963 concerning David William Ferrie, whose death in New Orleans, Louisiana, was reported on February 22, 1967. The "Evening Star," Washington, D. C., February 23, 1967, contains an article reporting that about 40 pages of material believed to involve Ferrie, but also to deal with FBI techniques and mode of operation, are kept secret.

The pertinent information appears on pages 212 to 221, 225 to 228, 231 to 304, 307 to 311, 313 to 316, 319 to 323, and 341 to 343, all inclusive, of Document Number 75 of the Warren Commission's Numbered Document File. Copies of these 55 pages are enclosed.

The above pages were excluded from public disclosure as set out on page 11 of an enclosure to my letter to the Attorney General dated August 10, 1965. These pages were then excluded from public disclosure under guidelines approved by Mr. McGeorge Bundy, Special Assistant to the President. The specific guideline applicable is identified as 3(C), which provided that public disclosure should be made unless disclosure "would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the assassination of the President."

As, in *our* view, the final decision as to the public disclosure of the material in question rests with the Department of Justice, it is requested that you advise us and the National Archives of your decision concerning making disclosure of the enclosed pages. This Bureau has no objection to public disclosure of these pages in view of the public interest.

Enclosures - 55

62-109090

79-MAR 1-1967
 The Deputy Attorney General

LML:clis (12) TELETYPE UNIT

MAILED 5
 FEB 24 1967

Tolson
 DeLoach
 Mohr
 Wick
 Casper
 Callahan
 Conrad
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 Gale
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 Sullivan
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 Trotter
 Tele. Room
 Holmes
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REC-74

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SEE NOTE PAGE TWO

The Acting Attorney General

NOTE:

See memorandum Branigan to Sullivan, captioned as above, dated 2-24-67, prepared by LML:cls.

RECEIVED
FEB 28 1967
U.S. DEPARTMENT OF JUSTICE

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Ferrie Death Probed, Link to 'Plot' Is Denied

A former investigator who claimed to know four conspirators in a 1963 plot to assassinate President Kennedy dropped out of sight early today in New Orleans, but later showed up at Dist. Atty. Jim Garrison's office there.

David Lewis, 26, met reporters briefly, to say that David W. Ferrie, 49, former Eastern Airlines pilot found dead in his apartment yesterday was not one of the "possible members of the plot."

Lewis said previously he had given Garrison four or five names of persons involved in the conspiracy, and as a result feared for his life.

He dropped out of sight with his wife and four children last night, but reappeared at the district attorney's office today.

United Press International said he refused to say anything other than that Ferrie was not one of the group he knew.

Ferrie was mentioned in the Warren Report and questioned

by Garrison in his new investigation of the assassination. Garrison called his death apparent suicide. The coroner said suicide was possible.

Washington sources who refused to be identified told UPI that a Warren Commission investigation of Ferrie showed that he had no connection with the Kennedy assassination.

"The allegations of Ferrie's connection with an assassination plot were washed out by the investigations done for the Warren Commission," the unidentified sources said.

Ferrie emphatically denied in 1963 that he knew either Lee Harvey Oswald or Jack Ruby.

The FBI investigation at the time found nothing to tie Ferrie to the assassination, the Associated Press noted.

Statements Ferrie made un-

der questioning by the FBI are included in the Warren Commission Report in the National Archives here. Nineteen pages of testimony about Ferrie are open to public scrutiny. About 40 more pages, believed to involve Ferrie but also to deal with FBI techniques and mode of operation, are kept secret.

Oswald was named by the Warren Commission as the assassin of President Kennedy in Dallas on Nov. 22, 1963. Ruby was convicted of slaying Oswald two days later.

"Do Not Know Oswald"

"To my best knowledge and belief, I do not know Lee Harvey Oswald and have no personal recollection of ever having met him," Ferrie said Dec. 10, 1963, in a signed statement to the FBI. "If I did ever meet him it was casual and to my best recollection have definitely not seen him in recent years."

"To my knowledge, I have never met Jack Ruby, who I understand, from public sources, operated a night club in Dallas. I have seen a photograph of Jack Ruby and I do not recognize this photograph to be a person with whom I am acquainted."

The FBI investigated Ferrie in 1963, following up telephone leads, and found him to have no connection with Oswald, Ruby or the assassination, according to statements given the Warren Commission.

Agents John W. Rice and Anthony E. Gerrets conducted one investigation of Ferrie during the period Nov. 24-29 based on leads provided by a Jack S. Martin, a private investigator, to the New Orleans district attorney's office. They said Martin appeared to be an alcoholic.

- Tolson
- DeLoach
- Mohr
- Wick
- Casper _____
- Callahan _____
- Conrad _____
- Felt
- Gale
- Rosen
- Sullivan
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

Let me know details of 40 pages which are said to be classified -

- The Washington Post _____
 - Times Herald _____
 - The Washington Daily News _____
 - The Evening Star (Washington)
 - The Sunday Star (Washington)
 - Daily News (New York) _____
 - Sunday News (New York) _____
 - New York Post _____
 - The New York Times _____
 - World Journal Tribune (New York) _____
 - The Sun (Baltimore) _____
 - The Worker _____
 - The New Leader _____
 - The Wall Street Journal _____
 - The National Observer _____
 - People's World _____
- Date FEB 23 1967

ENCLOSURE

25 FEB 28 1967

25 FEB 28 1967

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REC-74

2 pages 2/28/67

Vertical text on left margin, possibly a file number or date.

"Investigation disclosed that information furnished by Jack S. Martin to the effect that David William Ferrie associated with Lee Harvey Oswald at New Orleans and trained Oswald in the use of a rifle with a telescopic lens (sic), also that Ferrie had visited Dallas several weeks prior to the assassination of President John F. Kennedy is without foundation," they said in a signed statement.

Other statements indicate the FBI investigated Ferrie's whereabouts during the period immediately before and after Kennedy's assassination. There are signed statements indicating Ferrie and two companions

made a trip by car to Houston and Galveston during the period.

There was a discrepancy over the time of Ferrie's death.

An unsigned, undated note was found in Ferrie's apartment saying that death would be "sweet prospect."

George Lardner Jr., a Washington Post reporter who may have been the last man to see Ferrie alive, said Ferrie told him he was convinced Oswald killed the President Nov. 22, 1963, in Dallas, and acted alone.

Lardner told UPI he thought there was no mystery about an apparent discrepancy in the time of Ferrie's death. Lardner said Ferrie was alive when he left Ferrie's apartment at 4 a.m. Wednesday.

The Coroner, Dr. Nicholas J. Chetta, had put the time of death at Tuesday night, and Garrison called the differing times "one of the mysteries we don't understand."

"Ferrie was certainly living when I said good-bye to him Wednesday shortly before 4 a.m.," Lardner said. "I can see nothing inconsistent about that."

Ferrie told Lardner that he never knew Oswald and never met him as far as he remembered.

Dr. Chetta said Ferrie's death had to have occurred before 4 a.m. but Lardner insisted he had visited with Ferrie until that hour.

Dr. Chetta, an M.D., said Ferrie suffered a massive cerebral hemorrhage when a blood vessel burst at the base of his brain. The coroner called this the cause of death Wednesday night, but said today he was not sure, and indicated he felt Ferrie could have killed himself.

Ferrie Called "Involved"

Garrison described Ferrie as "one of history's most important individuals" and said he was "involved in events culminating in the assassination of President Kennedy."

Garrison, at a hurried news conference, announced dramatically he now was not even accepting the Warren Commission's conclusion that Oswald killed Kennedy.

"I have no reason to believe at this time that Lee Harvey Oswald killed anybody in Dallas on Nov. 22," Garrison said.

Ferrie said in an interview Saturday with the New Orleans States-Item he was afraid he was suspected of being a "get-away pilot in an elaborate plot" to kill Kennedy.

Garrison said he had feared Ferrie might commit suicide.

"Because of this... we had reached a decision to arrest him early next week," Garrison said. "Apparently we waited too long."

Had Encephalitis

Found near Ferrie was the unsigned, undated, unaddressed note saying, "to leave this life is for me a sweet prospect. I find nothing in it that is desirable and on the other hand everything that is loathsome."

Eastern Air Lines suspended Ferrie because of a 1961 arrest in Suburban Jefferson Parish and Ferrie eventually quit.

Lardner said Ferrie did not seem to be depressed.

Ferrie had been ill for several weeks with encephalitis. Investigators found 15 bottles of pills in his apartment. It was not known whether he had taken any of them or what they were.

Ferrie ran a flying service from New Orleans Lakefront Airport. He had no office. He operated out of the terminal coffee shop.

AP said a New Orleans florist, Edward Voebel, had seen Oswald's picture on television and reported that he and Oswald had served in a Civil Air Patrol squadron under Ferrie. When authorities sought to question Ferrie, they found he had gone to Texas.

Ferrie told a newsman recently that he and two friends took a short vacation trip to Texas the day of the assassination "on the spur of the moment." He said they visited Houston, Galveston and Alexandria, La., before returning home. They did not go to Dallas, he said.

And Ferrie said he and Voebel were in separate CAP squadrons.

A New Orleans police detective, Frederick S. O'Sullivan, told the Warren Commission he knew of no evidence that Oswald was acquainted with Ferrie. However, the district attorney hinted that he was close to finding a thread connecting Ferrie and Oswald.



DIST. ATTY. JIM GARRISON
Calls It Suicide



DAVID W. FERRIE
Found Dead



DR. NICHOLAS CHETTA

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

FROM : Mr. W. A. Branigan

SUBJECT: PUBLIC DISCLOSURE OF
WARREN COMMISSION RECORDS

- 1 - Mr. DeLoach
 - 1 - Mr. Felt
 - 1 - Mr. Wick
 - 1 - Mr. Rosen
- DATE: 2-24-67

- 1 - Mr. Sullivan
- 1 - Mr. Branigan
- 1 - Mr. Lenihan
- 1 - Mr. Linton

Tolson	_____
DeLoach	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

The "Evening Star," Washington, D. C., 2-23-67, contained an article showing that about 40 pages of FBI investigation concerning David William Ferrie deal with FBI techniques and mode of operation and are kept secret. The Director stated, "Let me know details of 40 pages which are said to be classified."

BACKGROUND:

Ferrie, whose death was reported on 2-22-67, was the subject of investigation under the caption "Lee Harvey Oswald" in November, 1963. The pertinent information we developed was furnished to the Warren Commission 12-20-63. The information was contained in the report of Special Agent Warren C. DeBrueys, dated 12-2-63 at Dallas. Fifty-five pages containing data on Ferrie were withheld from public disclosure when all of our investigation was reviewed and a letter dated 8-10-65 was sent to the Attorney General. We then indicated the now pertinent 55 pages containing data on Ferrie should be withheld from public disclosure. The basis for withholding these pages was that five persons interviewed furnished allegations, impressions, hearsay, gossip or rumor indicating Ferrie may have been a homosexual.

Our withholding was based on criteria approved by Mr. McGeorge Bundy, Special Assistant to the President. Pertinent portions of the criteria are: "Unclassified material...should be made available to the public on a regular basis unless disclosure would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the assassination of the President." Our letter to the Attorney General 8-10-65 indicated that in our view the final decision as to the public disclosure of the material in question rests with the Department of Justice. This should remain our position today.

On 2-23-66 Mr. Marion Johnson of the National Archives contacted Bureau Supervisor Robert E. Lenihan to advise that

Enclosure
62-109090

(LML:cls) (9)

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Memorandum Branigan to Sullivan
RE: PUBLIC DISCLOSURE OF
WARREN COMMISSION RECORDS
62- 109090

correspondents had inquired concerning the public availability of information the FBI developed concerning Ferrie as contained in Document Number 75 of the Warren Commission's Numbered Document File. This is the previously mentioned report of Special Agent DeBrueys. The pertinent pages of the above-mentioned report have again been reviewed. There are no FBI techniques and mode of operation in these 55 pages. The pages include interview of 19 persons who either furnished some information or were questioned concerning Ferrie. Thirteen pages consist of an interview with Ferrie on 11-25-63.

RECOMMENDATION:

In view of the above and the substantial public interest, we should have no objection to the public disclosure of the 55 pages previously withheld. We should indicate this position to the Acting Attorney General and we are furnishing him copies of the pertinent 55 pages for his review in reaching a decision. We are requesting the Acting Attorney General to advise us and the National Archives of his decision.

ACTION:

Attached for your approval is a letter to the Acting Attorney General in accordance with the above.

att. [unclear]
[unclear]
was OK [unclear]
[unclear]