

*RILTY-LAB HAS NO FILES*

*in comp ansn with his affdts testimony in 75-224*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

vs,

THE UNITED STATES DEPARTMENT  
OF JUSTICE,

Defendant.

)  
)  
) Civil Action No.  
)

) 75-1996  
)  
)

Deposition of JOHN KEEFEY

Washington, D.C.  
October 12, 1979

Pages 1 thru 59

*Hoover Reporting Co., Inc.*

320 Massachusetts Avenue, N.E.

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1 A In a room that was full of file cabinets.

2 Q Of just that case, or just generally FBI files?

3 A I don't know what other -- there may have been more,  
4 another case there. I know I started in one file drawer and  
5 went up and down a number of file drawers. I don't remember  
6 if there were other file drawers in the room or not.

7 Q Does the FBI Laboratory have its own files on scien-  
8 tific examinations that it conducts in cases?

9 A No. We put our information regarding our examin-  
10 ations, that goes in the so-called file, the case file. This  
11 thing was titled 44-something or other.

12 Q -38861?

13 A Okay. That's where the information is. It may tell  
14 you to go somewhere else to find it, but that's where the  
15 information is.

16 Q What do you mean by Central Records? What is meant  
17 by the term "Central Records"?

18 A I don't know. I have never used it.

19 Q You have never used that term?

20 A No. You used it.

21 Q Right, that's correct.

22 On FBI Laboratory documents there is sometimes a  
23 file number, which would be a case file number, and sometimes

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1 there is also a lab number. What does the lab number signify?

2 A It signifies the submission.

3 Q Is there any index maintained in the FBI lab, or any  
4 laboratory index, of specimens submitted or tests performed?

5 A No, in response to that question, there is [redacted]  
6 or indices that have anything to do with the examinations per-  
7 formed or the specimens submitted.

8 Q Is there any index of cases which the FBI has per-  
9 formed examinations?

10 A Yes, there is.

11 Q Would that index contain references to examinations  
12 and tests that had been performed?

13 A What do you mean by "references"? It has no inform-  
14 ation regarding the examinations conducted in that indices.

15 Q What would the indices have, then?

16 A There's a laboratory number on it and a place of [redacted]  
17 submission, or city of submission, wherever it came from --  
18 you know, FBI Milwaukee or whatever it is. And the number of  
19 specimens submitted.

20 Q Is there any other information?

21 A I don't know of any other information. There could  
22 well be. I have never had any reason to look at it.

23 Q When you have the number that you retrieve from the

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1 Q So even if a case is going on, you don't keep it?

2 A No, not at all. All the data and the report, a copy  
3 of which, they're all in the main file.

4 Q But the lab itself keeps no separate files?

5 A There are no files in the laboratory that I know of --

6 Q Other than the tickler copies?

7 A That's not a file. I just keep them in a desk drawer,  
8 as a matter of fact. Every month, at the end of a 90-day period,  
9 after a three month's period, I put them in a white-rimmed  
10 wastepaper basket and they're thrown away.

11 Q Sometimes you get copies of test reports and they  
12 have a file number on them, and sometimes they don't. What's  
13 the explanation for that?

14 A That the communication came into us and we got a re-  
15 port out before the letter had gone through main files and was  
16 assigned a classification. If you have to do something exped-  
17 itiously, very often the report will go out with the lab num-  
18 ber on it only. It will not have a main file number on it.

19 Q Are there any lab tickler files on the King case?

20 A I have got just some copies of documents that I furn-  
21 ished you people. I don't know if that's a tickler file or not.  
22 Everything I have taken from the King case comes out of these  
23 brown folder-type things that we have. There is no file in the

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1 sized pieces of paper that we gave to you were at that time  
2 physically in the laboratory.

3 Q Did you search for any lab files in response to items  
4 one through four?

5 A As I understand the laboratory file, we did not have  
6 any laboratory files.

7 Q Well, let's not use the word "file" then. Let's just  
8 say records.

9 Q Did you search for any King records responsive to  
10 items one through four in the lab?

11 A There were things physically in the laboratory that  
12 were in response to these items.

13 Q What were they?

14 A The data, the raw data on the neutron activation anal-  
15 ysis.

16 Q Anything else?

17 A Not to do with the results. None of the results items  
18 here were in the laboratory.

19 Q Did you make any search to determine whether they were  
20 in the laboratory?

21 A There's no place in the laboratory to keep the re-  
22 sults of any tests.

23 Q Why were the neutron activation worksheets in the