



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 21, 1977

Mr. W. Scott Malone  
4705 North 37th Street  
Arlington, Virginia 22207

Dear Mr. Malone:

Reference is made to your Freedom of Information-Privacy Acts (FOIPA) request dated March 24, 1976.

The first part of your request is for access to all memoranda between the Director of the FBI and Mr. Herbert J. Miller, Jr., former Assistant Attorney General, on whether the Jack Rubenstein mentioned in The Dies Committee hearings in 1938 and 1939 was identical with Jack Ruby (Rubenstein) who was charged with the murder of Lee Harvey Oswald.

Enclosed are copies of two documents from our files. One document has been excised in order to protect material which is exempt from disclosure by the following subsection of Title 5, United States Code, Section 552:

- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:
- (C) constitute an unwarranted invasion of the personal privacy of another person.

The second part of your request is for all FBI material concerning Jack Rubenstein, who was mentioned in the Dies Committee hearings. You indicated that your request was made with the permission of Mr. Rubenstein. You were advised by this Bureau by letter dated April 26, 1976, of the policy of the FBI not to indicate whether we do or do not have the information of the type you requested, and that a notarized authorization from Mr. Rubenstein directing that we furnish to you information concerning him was necessary before we would commence processing your request. In the absence of such authorization, the information, if it exists, is exempt from disclosure pursuant



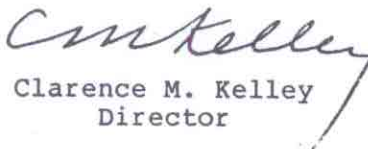
Mr. W. Scott Malone

to Title 5, United States Code, Section 552, (b)(6) and (b)(7)(C), which exempts information the disclosure of which would constitute an unwarranted invasion of personal privacy.

Since we have not conducted a search of our files please do not infer that we do or do not have the information you requested.

You have thirty days from receipt of this letter to appeal to the Attorney General from any denial contained herein. Appeals should be directed in writing to the Attorney General (Attention: Freedom of Information Appeals Unit), Washington, D. C. 20530. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal."

Sincerely yours,

  
Clarence M. Kelley  
Director

Enclosures (2)

Mr. Herbert J. Miller, Jr.  
Assistant Attorney General

January 17, 1964

Director, FBI 44-24016-964  
REC-33

JACK RUBY;  
LEE HARVEY OSWALD - VICTIM  
CIVIL RIGHTS

Reference is made to your memorandum of  
January 14, 1964.

Jack Rubenstein, who is mentioned in the "Dies  
Committee Hearings," was born in approximately 1904 in  
New York City and in 1947 was Vice President and New York  
State Director of the United Textile Workers of America.

Jack Ruby, the subject of this investigation,  
was born on March 25, 1911, in Chicago, Illinois.  
Investigation has ascertained that Jack Ruby in 1947  
was in Chicago, Illinois, and Dallas, Texas.

FBI

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(9) *cac*

NOTE: Information re Jack Rubenstein and the "Dies  
Committee Hearings" obtained from 100-349566.  
Items referred to in AAG Miller's letter as Volume I,  
page 593 and page 631 are contained in this file. Info  
re Volume II, page 7143 reviewed by [redacted]  
file review analyst, who advised only mention of Rubenstein  
was fact he attended caucus meeting concerning communist  
party. This page also mentioned other individuals present.  
No other identifying data.

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- \_\_\_\_\_ Tolson
- \_\_\_\_\_ Belmont
- \_\_\_\_\_ Mohr
- \_\_\_\_\_ Casper
- \_\_\_\_\_ Callahan
- \_\_\_\_\_ Conrad
- \_\_\_\_\_ DeLoach
- \_\_\_\_\_ Evans
- \_\_\_\_\_ Gale
- \_\_\_\_\_ Rosen
- \_\_\_\_\_ Sullivan
- \_\_\_\_\_ Tavel
- \_\_\_\_\_ Trotter
- \_\_\_\_\_ Tele. Room
- \_\_\_\_\_ Holmes
- \_\_\_\_\_ Gandy

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*[Handwritten signatures and initials]*

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# Memorandum

TO : The Director, Federal Bureau of Investigation

DATE: January 14, 1964

FROM : Herbert J. Miller, Jr., Assistant Attorney General,  
Criminal Division

SUBJECT: Jack Ruby.

A Congressional inquiry has been received by this Department and by the President's Commission to Investigate the Assassination of President Kennedy as to whether Jack Ruby may be identical to a Jack Rubenstein mentioned in hearings of the Dies Committee. The following references have been cited:

Volume I of the Dies Committee Hearings (75th Congress) at page 593 (hearings of August 17, 1938) refers to Jack Rubenstein as one of those who in 1930 launched the Revolutionary Youth as an organization to contribute to the Marxist drive in the United States.

At page 631 of the same volume of the Dies Committee Hearings there is another reference to Jack Rubenstein as a leader of the Communist Party of the United States of America-Majority, founded in July 1929.

Hearings, 76th Congress, Volume II, page 7143, in which the name Rubenstein appears in a document entitled "Relation to the Comintern".

It will be appreciated if you will advise me of any information relating to the foregoing which may be of assistance in answering the Congressional inquiries.

EXP. PROC.  
40 JAN 14 1964

EX-112

REC-33

44-24016-964

JAN 14 1964

*Memo AAG Miller  
-17-64  
Fet PHB*

*[Handwritten signature]*