

MEMORANDUM

July 1, 1997

To: Carol Keeley  
Acting Unit Chief  
JFK Task Force, Federal Bureau of Investigation

From: Laura Denk  
Kevin Tiernan

Subject: Assassination Records in the O & C Files of J. Edgar Hoover  
(Follow Up to FBI-36)

Ronald G. Haron has completed his review of certain Official & Confidential ("O & C") files of J. Edgar Hoover. He has also completed his review of an FBI administrative file (FBI File No. 62-HQ-116606) relating to the Hoover files.

Among the O&C file, as well as the administrative file, certain documents appear to be assassination records. We would like the FBI to review these records to determine whether the Bureau will agree that they are assassinatiuon records eligible for processing under the JFK Act. The records are as follows:

1. Administrative File Re Hoover Files (File No. 62-HQ-116606)

This file is an administrative file regarding Hoover's records, and it contains communications between the FBI and the Senate Committee to Study Governmental Operations with Respect to Intelligence Activities ("the Church Committee") regarding the Official & Confidential ("O&C") files of Hoover, including a request by the Committee for O&C documents relating to the assassination of President Kennedy. <sup>1</sup> We recommend designating the following documents in this file as assassination records:

--Jan. 30, 1976 Memorandum from the FBI Director to the Attorney General enclosing a

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<sup>1</sup> This file also contains internal FBI records of its investigation regarding the disposition of Director Hoover's files after his death in 1972, as well as FBI correspondence on the O&C files with the Subcommittee on Government Information and Individual Rights, chaired by then Congresswoman Bella Abzug, of the House Committee on Government Operations.

proposed response to the Church Committee to agree to make available J. Edgar Hoover's Nov. 29, 1963 memorandum on the Kennedy assassination contained in Folder 92 (President Johnson) of the O&C files (original of the 1976 memorandum is at 62-116395-1440, which is the FBI's Church Committee file).

--Feb. 13, 1976 FBI Memorandum from Steven K. Blackhurst, Assistant Special Counsel for Intelligence Coordination, to John Mintz, Legal Counsel Division, requesting a response to Feb. 12, 1976 Letter from Paul G. Wallach, Counsel for the Church Committee, to the FBI requesting materials on the JFK assassination from the O&C files (the original filed at 62-116395-1476).

--Feb. 27, 1976 Memorandum from FBI Director to Attorney General (original in 62-116395) with enclosed response to Church Committee re O&C materials on the Kennedy assassination (It is indicated that Special Agent Hugh Mallet, Legal Counsel Division, reviewed "indices relating to the O&C files" and concluded there were no assassination-related documents other than the Nov. 29, 1963 memorandum on Hoover's conversation with President Johnson regarding President Kennedy's assassination).

--Within this file is an alphabetical and numerical listing of the O&C files forwarded to FBI Director Kelley in February 1975 (62-116006-13x). Since we are designating certain O&C files, or parts thereof, as assassination records, we deem it appropriate to also designate the FBI's list of O&C files.

--Also in this file is an inventory of other Hoover records that was prepared by FBI agent Cornelius G. Sullivan shortly after Mr. Hoover's death in 1972. See "Memo for Mr. Felt dated 7/7/72 Listing Disposition of Cabinets #7 & #8 (5-Drawer Cabinets) or Material Therein" (File 62-116606-1). This inventory should be designated as an assassination record since it identifies certain materials regarding President Kennedy's assassination that were among Hoover's files and that had been transferred to the Domestic Intelligence Division of the FBI after Hoover's death.

## 2. O&C Files on President John F. Kennedy (O&C Files 13 and 96)

It is our understanding that the FBI has designated these files in their entirety as assassination records and is processing them under the JFK Act.

## 3. O&C File on Agreement Between the FBI and Secret Service Concerning Presidential Protection (O&C File 25)

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This file contains a copy of the February 1965 agreement between the FBI and the Secret Service

regarding Presidential protection, as well as 1966 documents relating to revisions to the agreement. We recommend designating this file as an assassination record.

4. O&C File on President Lyndon Johnson (O&C File 92)

We recommend designating the following documents in this file as assassination records:

--Nov. 29, 1963 Hoover memorandum regarding his discussion of President Kennedy's assassination with President Johnson.

--Dec. 1, 1963 Memorandum from D.J. Brennan to W.C. Sullivan re Protection of the President (The original at 62-27799-424 has previously been designated as an assassination record).

--Dec. 2, 1963 Memorandum entitled, "Protection of the President" (The original at 62-27799-424 has previously been designated as an assassination record).

--Jan. 21, Jan. 31, Feb. 20, Feb. 24, and Feb. 26, 1964 Memoranda regarding a potential Cuban "kamikaze" attack on President Johnson's plane during his planned visit to Florida in February 1964.

5. O&C File Entitled, "77-51387 serials 309, 310 only" (O&C File 9)

We recommend designating this file, in its entirety, as an assassination record. It consists of three documents, two concerning reported allegations by Meyer Lansky in 1962 that Robert F. Kennedy had an affair with a woman in El Paso, Texas. The third document is a UPI teletype reporting that Hoover had advised Robert F. Kennedy of the assassination of his brother.

6. O&C File Entitled "92-2831 serials 582, 583, 584, 585 only" (O&C file 12)

We recommend designating this file as an assassination record. Like O&C file 9, this file concerns reported allegations by Meyer Lansky that Robert Kennedy was having an affair.

7. Joseph P. Kennedy (O&C File 14)

This file contains general material relating to Joseph P. Kennedy, including correspondence between Mr. Hoover and Mr. Kennedy. We recommend designating the following documents as assassination records:

--April 12, 1957 Letter from Joseph P. Kennedy to Hoover relating to Kennedy's luncheon meeting with Allen Dulles (serial 94-37808-25).

--June 28, 1965 Memorandum from R. I. Shroder to Mr. Rosen re allegations of a member of the public (Mary J. Hall) regarding a possible conspiracy in the death of Marilyn Monroe (serial 94-37808-not recorded) (original filed in 62-109334-34).

--Letter filed June 27, 1968 from a member of the public (Everett Hitch) to J. Edgar Hoover mentioning the Kennedy assassination (serial 94-37808-not recorded) (original filed in 62-587-611).

8. CRIMDEL-- CRS (O&C file 6)

We recommend designating the following document from this file as an assassination record:

--April 1, 1960 memorandum from the SAC for Los Angeles to the FBI Director relating to Senator John Kennedy's associations with Peter Lawford and Frank Sinatra (serial 63-4296-26).

9. Fred B. Black, Jr. (O&C File 37)

This file pertains to a Washington, D.C. lobbyist who was the subject of electronic surveillance by the FBI, and the file contains material relating to a dispute between the FBI and Robert F. Kennedy as to whether Kennedy, while he was Attorney General, had authorized the FBI to engage in microphone surveillance, particularly involving FBI agents committing trespass to install the microphone surveillance.

Although the file does not relate to the assassination, one document could be designated as an assassination record. On a memorandum that discusses the possibility of an arbitrator reviewing the issue of electronic surveillance (*see* June 14, 1966 memorandum from DeLoach to Tolson in Part 1 of the Black File), Hoover comments on the arbitrator concept in a handwritten note: "It can be another 'Warren Commission' and end in a fiasco." Given Hoover's comment, we recommend that this one document, but not the file, be designated as an assassination record.

10. O&C Index Cards

The FBI maintains original pink index cards that we understand were created and maintained by Ms. Gandy, Mr. Hoover's secretary,<sup>2</sup> to identify certain subjects that were referenced among the O&C

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<sup>2</sup> Please confirm the authenticity of these index cards (*i.e.*, that they were indeed created by Hoover's staff contemporaneously and not after his death).

files. We recommend that the following index cards be designated as assassination records in view of the fact that they reference materials within the O&C files that relate to the assassination:

--The index card entitled, "Kennedy, President John F.--Assassination," which references certain materials on the assassination apparently maintained by Hoover.

--The index cards for "Presidential Commission on Assassination of President Kennedy," "Security--Presidential," "Presidential Conferences," and "Presidential Travel Security" since these cards reference the November 29, 1963 Hoover memo on his conversation with President Johnson regarding the assassination.

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--The index cards for Lee Harvey Oswald; Jack Ruby; Gerald Ford; Richard B. Russell; John Sherman Cooper; Hale Boggs; Allen Dulles; and John McCloy since each of these cards cross-reference the November 29, 1963 Hoover memorandum.<sup>3</sup>

#### 11. Hoover Office and Phone Logs

Because the Hoover office and phone logs for 1941-72 are available in the FBI's Public Reading Room, there appears to be no need at this time to designate separately any of these materials as assassination records. However, the Review Board staff first needs to inspect the unredacted copies of the logs for certain time periods to confirm that the redactions on the public copies do not relate to the Kennedy assassination (the FBI has previously agreed to make the unredacted copies available to the Review Board).

#### 12. Other Hoover Records

As we have previously written, we have seen references to other materials on President Kennedy's assassination located within the files of Mr. Hoover, and we wish to inspect those materials. See April 22, 1997 Letter from David G. Marwell to Carol Keeley. Please advise us as to the status of your search for these records.

#### 13. Transmission of Hoover Assassination Records to the JFK Collection

We request that all of the Hoover assassination records be transmitted to the JFK Collection at NARA together, as one group, and that they be clearly identified for the public as coming from Hoover's files.

It appears to us to be reasonable for the FBI to submit copies of assassination records from the Hoover O&C files, in lieu of originals, so as to preserve the integrity of the original O&C files. This is subject, however, to any contrary Review Board determination and, in addition, we need the FBI's assurance that the original O&C files will not be destroyed.

Please let me know if you wish to discuss any of these matters further. Thank you for your continuing cooperation.

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<sup>3</sup> There is also an index card for G.B. Banister, which references an S.B Tracy O&C File (File No. 147). Neither the card nor the file need to be designated as an assassination record since the file is composed of only one document having nothing to do with the assassination. The document, from 1938, relates to comments of Banister regarding the New York FBI office.

Sincerely,

David G. Marwell  
Executive Director