

THE SECRETARY OF DEFENSE
WASHINGTON

21 SEP 1964

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DL 44-1639

would behave in a very angry and overly emotional manner. He stated that it was RUBY's general nature to want to be in on activities that were going on in Dallas and WISE has observed him in the past at many sports events. WISE pointed out that on the occasion of WISE's transfer from TV Channel 5 to TV Channel 4, he was given a going away party which was held at the Carousel Club. On this occasion, WISE was given a bottle of champagne for having won first prize in a twist contest at the club. A man took the bottle of champagne and RUBY observed him take it and became very angry with the man and actually was violent in his reaction to the man having taken the champagne. WISE thought at the time that RUBY was going to strike this man and WISE interceded in an effort to calm RUBY down.

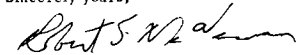
Honorable Earl Warren
Chairman, President's Commission
on the Assassination of
President Kennedy
Washington, D. C. 20002

Dear Mr. Chairman:

In accordance with your letter of September 10, 1964, attached is my affidavit that Lee Harvey Oswald was never an informant or agent of any intelligence agency under the jurisdiction of the Department of Defense.

There is also attached a copy of a report concerning Lee Harvey Oswald which does not appear to have been previously furnished the Commission. Otherwise, all known information that the Department of Defense has that relates to the assassination of President John F. Kennedy has been sent to the Commission. The Department of Defense does not have any information suggesting that the assassination of President Kennedy was caused by a domestic or foreign conspiracy.

Sincerely yours,



Enclosures

COMMISSION EXHIBIT No. 3040

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COMMISSION EXHIBIT No. 3039—Continued

A F F I D A V I T

COMMONWEALTH OF VIRGINIA
 COUNTY OF ARLINGTON

This certifies that Lee Harvey Oswald was
 never an informant or agent of any intelligence
 agency under the jurisdiction of the Department
 of Defense.

Earl Warren
 Secretary of Defense

Subscribed and sworn to before me this

21 Sept 1964

R. F. Dean
 Notary Public

My commission expires _____ My Commission Expires May 12, 1968

COMMISSION EXHIBIT No. 3040—Continued

JOHN L. MCCLELLAN, ASST. CHAIRMAN	Commission Exhibit No. 3041	SECRETARY
WALTER L. REYNOLDS CHIEF CLERK AND STAFF DIRECTOR	<p>United States Senate</p> <p>COMMITTEE ON GOVERNMENT OPERATIONS</p> <p>SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS</p> <p>(Pursuant to S. RES. 17, 85th CONGRESS)</p>	<p>JOHN L. MCCLELLAN, ASST. CHAIRMAN</p> <p>JACOBSON, THOMAS WYLLIE, JR., CLERK</p> <p>THOMAS J. SEBERTY, S.A.C.</p> <p>DAVID S. MEYER, INC.</p> <p>JOSEPH S. AUSTIN, JR. SENIOR COUNSEL</p> <p>RONALD F. SPENCER, JR. CHIEF COUNSEL</p> <p>FRANK W. HERRON CHIEF COUNSEL TO THE SENATE</p>
<p>EARL S. BARRY EARLY, OWEN JAMES H. JAMES JAMES WILHELM</p> <p>THOMAS J. SEBERTY, S.A.C.</p> <p>DAVID S. MEYER, INC.</p>	<p>JOHN L. MCCLELLAN, ASST. CHAIRMAN</p> <p>WALTER L. REYNOLDS CHIEF CLERK AND STAFF DIRECTOR</p>	<p>JOHN L. MCCLELLAN, ASST. CHAIRMAN</p> <p>JACOBSON, THOMAS WYLLIE, JR., CLERK</p> <p>THOMAS J. SEBERTY, S.A.C.</p> <p>DAVID S. MEYER, INC.</p> <p>JOSEPH S. AUSTIN, JR. SENIOR COUNSEL</p> <p>RONALD F. SPENCER, JR. CHIEF COUNSEL</p> <p>FRANK W. HERRON CHIEF COUNSEL TO THE SENATE</p>

January 8, 1964

Mr. J. Lee Rankin
 Room 401
 Veterans of Foreign Wars Building
 200 Maryland Avenue, N. E.
 Washington, D. C.

Dear Mr. Rankin:

In response to a request from Chairman Earl Warren of the President's Commission on the Assassination of President Kennedy, I wish to inform you that the indices of this office contain no reference to or record of Lee Harvey Oswald and Jack L. Ruby. In the event any information pertaining to these individuals comes to our attention in the near future it will be promptly furnished to you.

Sincerely yours,

John L. McClellan
 John L. McClellan
 Chairman

COMMISSION EXHIBIT No. 3041