

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2052-73
UNITED STATES GENERAL SERVICES)	
ADMINISTRATION,)	
)	
Defendant.)	

ANSWERS TO INTERROGATORIES

DISTRICT OF COLUMBIA)
CITY OF WASHINGTON) ss.:

JAMES B. RHOADS, Archivist of the United States, National Archives and Records Service, General Services Administration, Eighth and Pennsylvania Avenue, N.W., Washington, D.C., having been first duly sworn, under oath, deposes and says that it is upon his personal knowledge and belief that he gives the following information in answer to interrogatories propounded by Plaintiff:

22. Yes.

23. Top Secret. The National Archives contains a copy of a letter from J. Lee Rankin, General Counsel of the Warren Commission, ordering the firm which transcribed the executive sessions of the Commission to classify all such transcripts, "Top Secret."

X 24. The above-mentioned letter is dated May 1, 1964.

X 25. Based only on the above-mentioned letter, it is my assumption that Mr. Rankin, General Counsel of the Warren Commission, classified the transcript.

Deposer's Initials JB

After my request
promised review

- 26. I do not know.
- 27. The transcript was not subject to declassification or reclassification because of the issuance of Executive Order 11652. Its classification under Executive Order 10501 automatically carried over upon the effective date of Executive Order 11652, i. e., June 1, 1972.
- 28. Not applicable (N/A) in light of answer to No. 27.
- 29. N/A
- 30. The Central Intelligence Agency examined the transcript in 1967 and again in December 1972. The Department of Justice examined the transcript in 1967-68 and again in 1972.
- 31. Arthur Dooley, title and position unknown, examined the transcript for the CIA. Martin Richman, Fredericka Pass and Mary Eastwood, acting in behalf of the FBI, examined the transcript for the Department of Justice. Each identified himself or herself as an attorney in Justice's Office of Legal Counsel.
- 32. I do not know.
- 33. No. Each was held out as possessing such a security clearance.
- 34. No. It is not subject to the General Declassification Schedule.
- 35. Because the transcript was not originally classified under the provisions of Executive Order 11652, there is no requirement that one of that Order's exemptions from the General Declassification Schedule appear on its face. The transcript is presently undergoing a mandatory classification review. Should it remain classified after the completion of the review, one of these exemptions is required to appear on the face of the document as the basis for its continuing classification.
- 36. The transcript contains eighty-six pages, each of which is classified "Top Secret."
- 37. Defendant objects to this interrogatory on the grounds that it is not relevant to the subject matter involved in the instant action.

Deposer's initials JBW

38. Defendant objects to this interrogatory on the grounds that it is not relevant to the subject matter involved in the instant action.

39. Defendant objects to this interrogatory on the grounds that it is not relevant to the subject matter of the instant action.

40. No.

41. The transcript was classified under the provisions of Executive Order 10501, and, as was stated in No. 27, was not reclassified under the provisions of Executive Order 11652. I do not know the basis for classification relied upon by the classifier in 1964, other than the provisions of Executive Order 10501.

42. Section 798 of title 18, United States Code.

43. Defendant objects to this interrogatory on the grounds that it is not relevant to the subject matter of the instant action.

44. Defendant objects to this interrogatory on the grounds that it is not relevant to the subject matter of the instant action. Moreover, the interrogatory calls for a conclusion that I am not qualified to provide.

45. N/A

46. Defendant objects to this interrogatory on the grounds that it is not relevant to the subject matter of the instant action. Moreover, the interrogatory calls for a conclusion that I am not qualified to provide.

X I have read the answers above, and they are true and complete to the best of my knowledge and belief.

James B. Rhoads
JAMES B. RHOADS
Archivist of the United States

Subscribed and sworn to before me at Eighth and Pennsylvania Avenue, N. W.,
Washington, D. C., on this 22nd day of March, 1974.

Beverly S. Aub
(Notary Public)

My commission expires:

My Commission Expires August 14, 1974

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff

-v-

UNITED STATES GENERAL SERVICES
ADMINISTRATION,

Defendant

Civil Action No. 2052-73

OBJECTIONS TO INTERROGATORIES

Defendant, through its attorney, the United States Attorney for the District of Columbia, and pursuant to Rule 33, Federal Rules of Civil Procedure, hereby notes its objections to plaintiff's second set of interrogatories as set forth in defendant's Answers to Interrogatories filed herewith.

EARL J. SILBERT
United States Attorney

ARNOLD T. AIKENS
Assistant United States Attorney

MICHAEL J. RYAN
Assistant United States Attorney

Certificate of Service

I HEREBY CERTIFY that service of the foregoing Answers to Interrogatories and Objections to Interrogatories was made upon plaintiff by mailing a copy thereof to his attorney, James H. Lesar, Esq., 1231 Fourth Street, S.W., Washington, D. C. 20024 on this 1st day of April, 1974.

MICHAEL J. RYAN
Assistant United States Attorney
U. S. District Courthouse
Room 3421
Washington, D. C. 20001
Telephone: 426-7375