

National Archives and Records Service
Washington, DC 20540

JUL 3 1975

Honorable Edward H. Levi
Attorney General
Washington, DC 20530

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OFFICE OF LEGAL COUNSEL

Dear Mr. Attorney General:

The President's Commission on the Assassination of President Kennedy transferred its records to the National Archives in November 1964 to be "permanently preserved under the rules and regulations of the National Archives and applicable Federal law" (Report of the Commission, p. XV). The records included some documents which are withheld from disclosure by specific statutes, security classified records, investigatory files compiled for law enforcement purposes, and medical and personnel records. It was apparent that the records of the Commission would have to be reviewed on a document-by-document basis in order to identify the relatively few documents of this nature that could not immediately be made available for research.

Reviews of the records have been conducted in accordance with "Guidelines for Review of Materials Submitted to the President's Commission on the Assassination of President Kennedy," which were prepared by the Department of Justice in consultation with the agencies which furnished records to the Commission (copy enclosed; see also the enclosed related memoranda of Attorney General Katzenbach of April 13, 1965, and McGeorge Bundy, Special Assistant to the President, of April 19, 1965). Under these guidelines (page 2) it is the responsibility of the Archivist of the United States to arrange for successive reviews of the records of the Commission that are withheld from research. As it is now five years since the review of the Numbered Document File of the Commission in 1970, it is time for the documents that are withheld from research to be reviewed again as indicated in the last paragraph of the guidelines. The National Archives will be pleased to show the documents withheld from research at the request of your Department to any members of your staff who may be selected to review them. About three linear feet of FBI documents are withheld at the request of the Office of Legal Counsel of the Department of Justice.

These records, of course, should be reviewed under the terms of the Freedom of Information Act (5 U.S.C. 552) as amended, and one or more of the specific exemptions listed in 5 U.S.C. 552 (b) should be cited as the basis for withholding any documents that you request.

ENCLOSURE

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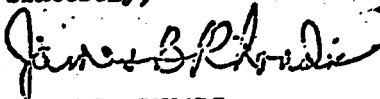
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the National Archives to withhold from research. Security classified documents should also be reviewed under the terms of Executive Order 11652 and one of the specific bases for classification of documents listed in the order (Section 5 (B)), as well as the level of classification desired, should be cited as the basis for continued classification of any documents you do not feel should be declassified.

Because of the recent amendments to the Freedom of Information Act, the Department of Justice may wish to revise the guidelines to conform to the terms of that act for future use.

The following staff members of the National Archives may be called for any additional information that may be needed: Mr. Mark C. Eckhoff, Chief, Legislative, Judicial and Fiscal Branch, or Mr. Marion M. Johnson, on Code 13, Extension 23171.

Sincerely,



JAMES B. RHOADS
Archivist of the United States

Enclosure

