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February 17, 1964

Honorable Charles S. Gubser
Congress of The United States
Washington 25, D.C.

Dear Congressman Gubser:

Thank you for your good letter of February 3, 1964. Because of your busy schedule I hesitate to continue commenting on the President's Commission on the Assassination of President Kennedy. However, it is obvious to me and to many voters of my acquaintance in your District that the Commission's investigation is being conducted in strange manner. The enclosed Palo Alto Times editorial is a case in point.

I invite your attention to Chief Justice Warren's letter of January 28, 1964 to you. In his penultimate paragraph, he wrote, "As you have fairly stated, the Commission cannot be expected to make interim reports. Also, it cannot undertake to explain newspaper articles ...".

I shared your view in a covering letter that it was "too early to expect a precise response to specific questions". Of course, I had sought none. Nor had I reason to doubt the Chief Justice's seriousness that "interim reports" would not be issued.

A week after his letter to you, nonetheless, the Chief Justice did precisely what he said he would not do: he told reporters that some of Mrs. Oswald's testimony "may not be released in your lifetime", apparently because of national security.

Later he explained he had commented "a bit facetiously but also factually (because) ... Oswald was in Russia and Mexico and we don't know what that might involve."

Not only did Mr. Warren produce an interim report, he added an incredible dimension to what he previously had called the Commission's "grave responsibility" in his letter. How can anyone of his stature speak "facetiously" of any aspect of President Kennedy's

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assassination? After his initial statement boomeranged, he seemingly attempted to recoup.

My letter to you, based on a disturbing New York Times dispatch, was passed over by the Chief Justice with the statement that the Commission "cannot undertake to explain newspaper articles". In this regard it stands to reason that the New York Times did not conjure up the story. It would appear that either Chief Justice Warren himself or Mr. Rankin gave the information to a reputable correspondent. Is it possible that the Chief Justice is trying to be disingenuous?

President Johnson on November 29, 1963 directed Chief Justice Warren as follows: "The President is instructing the special commission to satisfy itself that the truth is known as far as it can be discovered, and to report its findings and conclusions to him, to the American people and to the world."

Oswald's stay in "Russia and Mexico" and what "that might involve" is patently significant to all Americans, regardless of their political affiliation. President Kennedy was the Chief Executive of us all. As an ex-security-intelligence officer I maintain there is no conceivable national security reason to conceal from the American people pertinent facts about Oswald's background and actions.

Based on my experience in Soviet affairs and my several years of residence in the American Embassy, Moscow, I have attempted to reconstruct Oswald's sojourn in the Soviet Union. I presume to advise Chief Justice Warren what might thereby be involved:

- 1) An operation of a U.S. Intelligence agency.
- 2) An operation of a Soviet intelligence organization.
- 3) An operation of the intelligence force of a third nation.
- 4) A combination of the above.
- 5) An operation of an unaffiliated "loner".
- 6) An operation of a private organization in the United States or abroad.
- 7) An operation of a dissident organization in the Sino or Soviet bloc.

If Oswald were recruited by a U.S. intelligence agency, there would exist appropriate documentation, the disclosure of which could scarcely damage U.S. security, although it might shatter some bureaucratic reputations.

If Oswald were a Soviet intelligence agent, or if he had Soviet intelligence connections (which is circumstantially provable), its disclosure could hardly harm our national security now.

Were Oswald an agent of another nation, or nations, the disclosure of such an affiliation would not jeopardize the United States, although it might complicate international relations.

Even if there were elements of all the foregoing in Oswald's background, they could not make a dent in our national security posture. On the contrary, their disclosure would reasonably be expected to add to our strength.

If Oswald acted exclusively on his own as a "loner", only an irrational individual would consider that disclosure a threat to national security.

Had Oswald been affiliated with a non-governmental organization in this country - or abroad - or if he had accomplices, it is unbelievable that the release of this fact would harm the United States. On the contrary, such a revelation would probably be valuable to each of the nations involved. Certainly, it would constitute no threat to any of the governments concerned.

If Oswald represented some dissident organization within the Communist bloc, how could a disclosure to this effect endanger our national security?

It is manifest that Chief Justice Warren really failed to read his signed reply to you. Or he was perhaps dissembling? Unless public pressure is brought to bear there is a real danger that certain information concerning Oswald will be withheld from the American people.

At issue is no less than the "grave responsibility" of the Commission about which Chief Justice himself remarked. Of equal importance is his moral commitment to all Americans. If any of his statements are open to question or if his final report is incomplete or suspect in any way, the verdict of his fellow Americans and of history will be to vitiate the credibility of the Commission's work even though it be entirely above board.

I will not dwell on the obvious damage to the United States that would ensue were foreign peoples and governments to doubt the trustworthiness of the Commission's findings.

with all best wishes,

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