

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

FROM : Mr. W. A. Branigan

SUBJECT: ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963
DALLAS, TEXAS

1 - Mr. DeLoach
1 - Mr. Bishop
1 - Mr. Rosen
1 - Mr. Sullivan
DATE: 3/21/68

1 - Mr. Branigan
1 - Mr. Lenihan

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Tolson	_____
DeLoach	_____
Mohr	_____
Bishop	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
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Tele. Room	_____
Holmes	_____
Gandy	_____

The New York Office has received on a highly confidential basis from a person at the "Saturday Evening Post" an article entitled, "Secret Evidence On The Kennedy Assassination," which will appear in the "Saturday Evening Post" April 6, 1968, issue. The article is written by David Wise who has been very friendly with the Bureau but who is very much anti-Central Intelligence Agency.

The article by Wise deals primarily with the Warren Commission material in the National Archives which is not available to the public. Wise claims that approximately 20 per cent of the Warren Commission material remains closed to the public and he feels that so long as one file remains closed, there will always be those who maintain that the secret of the assassination is locked inside it.

Wise reports that he recently reviewed stenographic transcripts of several Warren Commission meetings which "give a fascinating picture of attitudes, methods, and frustrations of the seven men named to investigate the assassination." He noted that when the Warren Commission first assembled, Chief Justice Warren urged his six associates to rely on the FBI and other existing Federal agencies in gathering the facts but that John J. McCloy warned his fellow panel members "This Commission is set up to lay the dust...not only in the United States but all over the world...there is a potential culpability here on the part of the Secret Service and even the FBI," and that their reports might be "self-serving." Wise reports that Senator Richard B. Russell sided with McCloy and stated bluntly "I'm not suspicious of anyone going out to cover up but people will be writing about this thing. I told the President the other day, 50 years from today people will be saying he had something to do with it so he could be President." Wise also reports that the Warren Commission was reluctant to interview Mrs. Jacqueline Kennedy, was fearful to make a trip to Dallas to see the assassination site because of the possibility of being subpoenaed by Jack Ruby's defense counsel, and debated over whether to contact Robert Kennedy to gain

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access of pictures of the autopsy of President Kennedy which were in possession of Robert Kennedy. He noted that the Warren Commission never saw the autopsy pictures and that the pictures remained in the possession of Robert Kennedy until October 30, 1966. Then, the X-rays, color photographs and black-and-white pictures of the autopsy were delivered to the Archives under an agreement with the Kennedy family that will preserve their secrecy until 1971. After that, recognized pathologists or specialists with a serious purpose may see them, if the Kennedy family approves.

Wise writes that he reviewed the master list of documents prepared by the Warren Commission and noted that 250 documents are total closed to the public. He states that of the 250 closed documents, 165 are FBI reports; 50 are CIA, 13 are State Department, 11 are Secret Service, and the rest are from a scattering of other agencies. He notes that the titles of many of the closed documents are "particularly intriguing." Most of the documents noted by Wise in this category are CIA documents; however, Wise lists 3 FBI documents in this category as follows:

1. Letter from Director, FBI, dated March 6, 1964, with attached results of interview of Yuri Ivanovich Nosenko (Commission document 451). (Note: Nosenko is the Soviet defector who is in the custody of CIA. He supervised the Soviet KGB inquiry of Oswald in Moscow following the assassination).
2. FBI memo re: Lee Harvey Oswald re: Charles Small, Charles Smolikoff (Mexican trip).. (Commission document 1006). (Note: Small, an American, ran a shop in Mexico. Security informants in Mexico were contacted re possibility Small was in contact with Oswald).
3. FBI memo re: investigation concerning telephone numbers found on the 47th page of Oswald's address book (Commission document 941). (Note: This memorandum dealt with telephone numbers of Cuban Consulate, Soviet Embassy in Mexico City, and Cuban Airlines. Security informants were contacted in this matter).

Wise notes that the next review of Warren Commission data in Archives is scheduled for 1970 but that he believes much more could be opened to the public now. Wise writes that "In a Democratic Society, of course, the right to know is not absolute. It must be balanced against national security, law, and individual rights. But, the assassination of a President endangers the very fabric of society, and

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the response must match the danger." Wise concludes his article by writing "As long as 20 per cent of the commission's files remain locked in the Archives - only 100 feet or so from the Declaration of Independence and the Constitution - doubts will continue to multiply.

"Further disclosure would be consistent with President Johnson's statement on November 25, 1963, the day that John F. Kennedy was laid to rest in Arlington National Cemetery.

"The people of the nation may be sure, the President promised his numbed listeners, that all of the facts will be made public."

OBSERVATIONS:

Wise, in stating there are 165 FBI documents totally closed to the public, is incorrect. Actually there are 155 documents. Of these documents, 4 are withheld from the public because of statutory requirements (Guideline 1); 97 are withheld because they contain classified security information (Guideline 2); and 54 are withheld because disclosure: (a) would be detrimental to the administration and enforcement of U. S. laws; or (b) might reveal the identity of confidential sources of information and impede or jeopardize future investigations; or (c) would be a source of embarrassment to innocent persons.* The Guidelines were established under instructions of the Attorney General and the White House.

ACTION:

For information. At no point in his article is Wise critical of the FBI.

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W.C.S.

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*(Guideline 3)