



United States Department of Justice

OFFICE OF THE ASSOCIATE ATTORNEY GENERAL

WASHINGTON, D.C. 20530

Mr. Harold Weisberg
Route 12 - Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

In the course of our most recent meeting, it was agreed that Mr. Mitchell would check two specific aspects of the processing of Kennedy assassination records and that we would inform you of the results.

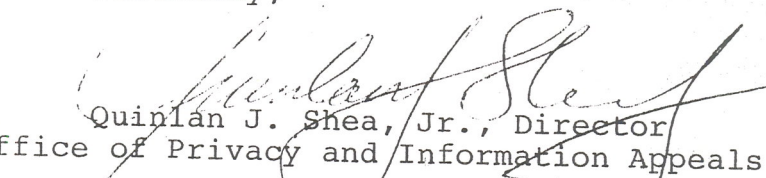
The first point you raised was unexplained gaps in the worksheets pertaining to the Dallas "bulkies." Mr. Mitchell has been informed by Bureau personnel that "bulkies" (which are, as you know, merely items or groups of items too large to be placed in regular files) are routinely rearranged and transferred in files. On occasion, such items as exhibits and real evidence are destroyed, or otherwise disposed of, when it is determined that there is no (further) need for them. Mr. Mitchell conducted a random check of a few items that appeared to be missing, based on an examination of the worksheets. The results of Mr. Mitchell's efforts tend to corroborate the explanations previously furnished by the Bureau. Enclosed are two illustrative examples. The first FD-192 (Serial 100-10464-1B6) indicates that one brown sweater and one brown corduroy coat, acquired from a Mrs. W. A. Anderson on November 27, 1963, are no longer in the file because they were returned to her on March 6, 1964. The second FD-192 (Serial 100-10461-1B19) indicates that the listed items were sent to the laboratory on March 17, 1964, which explains why they are no longer present in the Dallas file. There is, however, a handwritten notation on the latter document which states that photographs of the items listed on the FD-192 make up Serial 100-10461-1A-498. That serial was released to you. Based on the explanations we have received from the Bureau and the results of Mr. Mitchell's random check, I have concluded that there appears to be nothing irregular in the processing of the Dallas "bulkies"

by the Bureau. To whatever extent "missing" items still exist elsewhere in the Kennedy files, they would have been processed in their current locations. I do not feel that the Bureau is obliged by the F.O.I.A. to do any more than process its files as they exist at the time of processing. I specifically conclude that it is not required to do the kind of cross-checking and explaining that would be required to account for factual situations such as the ones covered by this paragraph.

The second point you raised at the meeting was whether the worksheets on the processing of Warren Commission documents might demonstrate that the Bureau withheld documents or portions of documents in the course of its F.O.I.A. processing which were already in the public domain. You must remember that the Warren Commission files were processed during "Project Onslaught," a time when it was not anticipated that worksheets were going to be released. One result is that these worksheets can be quite confusing. They appear in some instances, for example, to indicate that the same material was considered to be both exempt and non-exempt. What the worksheets really indicate is that judgments by initial processors to the effect that information was exempt were reversed upon review by supervisors, when it was determined that there was no basis for withholding. Mr. Mitchell reviewed several of these worksheets and compared them with the corresponding serials. He found no evidence that any public domain information had actually been withheld. Several of your recent letters to me have raised this same question with regard to possible classification of records put into the public domain by the Warren Commission. Because Mr. Mitchell was reviewing unclassified material, I am bringing your concern to the attention of Mr. Schroeder of my staff, who will look into the matter when and as classified Kennedy materials are being reviewed for consideration by the Department Review Committee.

I hope that this information is of some assistance to you.

Sincerely,


Quinlan J. Shea, Jr., Director
Office of Privacy and Information Appeals

Enclosures