

## MEMORANDUM

May 20, 1964

TO: J. Lee Rankin

FROM: W. David Slawson

SUBJECT: Personal Check on State Department Files

Reference is made to the letter from Mr. Abram Chayes, the Legal Adviser to the Department of State, dated May 8, 1964 and the memorandum attached thereto. Question No. 1 in that memorandum asks the Department of State to explain the appearance of the word "NO" on the copy of a list of applicants for passports which was sent by telegram from the New Orleans passport office to the passport office in Washington, D. C., on June 24, 1963. The answer given by the Department of State is that "NO" signifies that the message originated in the New Orleans passport office and that this symbol is routinely placed on incoming teletype messages by anyone of the group of employees in the TWX section. The answer goes on to say that the placement of the symbol on this particular message opposite to the name of Lee Harvey Oswald was purely coincidental.

As a check upon the accuracy of the Department of State's statement that "NO" signifies that the message came from New Orleans and that such symbols are routinely placed on incoming teletype messages of this type, I personally made an investigation at the passport office of the Department of State this morning at approximately 10:30. The procedures I followed were:

Late in the afternoon of May 19 Mr. William T. Coleman, Jr. and I spoke confidentially with Mr. Abram Chayes, the Legal Adviser, Department of State, and Mr. Richard A. Frank, Attorney, Office of the Legal Adviser, Department of State, in Mr. Chayes' office. We told them that I wanted to make some kind of personal check on the above situation in a way that would give no forewarning to any employee at the Department of State who might be in a position to take action on the basis of the warning. Coleman and I explained that we did not have any reason to believe, nor did we believe, that any employee would try to do anything improper, but we were of the opinion that all possible precautions should be taken in a matter of this importance in order that there could be no question of its having been carried out correctly.

*noted*  
*5-29-64*  
*J. L. R.*

*Rankin Papers*  
*Box 18*  
*F. 290*

Mr. Frank and Mr. Chayes agreed to cooperate to the fullest extent and said that I could call Mr. Frank the first thing in the morning and tell him I was coming, and that after I arrived he and I would proceed as directly as possible to the appropriate place in the files to make the checks I had in mind. (At the time that we were conferring it was too late in the day to make these checks immediately.)

The following morning, which was this morning, May 20, I telephoned Mr. Frank and advised him that I could come immediately. He said to come ahead. As soon as I got to his office, he telephoned Mr. Edward J. Hickey, Deputy Director of the Passport Office, and advised him that I was in his Mr. Frank's office, identified me as a member of the staff of the Commission and asked if we could come down to see him. Mr. Frank gave Mr. Hickey no indication of why we wanted to visit him. We then went immediately to Mr. Hickey's office and he asked Mr. Carroll H. Seeley, Assistant Chief of the Legal Division, Passport Office, to come in. I then explained the purpose of my visit. Mr. Hickey and Mr. Seeley immediately consented to my checking their records. Mr. Hickey then, in my presence, telephoned Mr. Dominic L. Tucci, Chief of the Records and Communications Branch, Administrative Division, Passport Office, and asked him to come into his Hickey's office. Mr. Tucci appeared immediately. I again explained the purpose of my visit, and Mr. Tucci said that he could take all of us down to the files at once. We left immediately.

We all went into the large filing room where files of this kind are kept. Mr. Tucci told me that telegrams of this type are kept for three years before being destroyed, and in view of the fact that a great number come in each day, this means that the filing space required is substantial. I told him to give me the telegrams from the New Orleans passport office for June 1963. He took them out of the file drawer in my presence and handed them to me. I looked at virtually every telegram in the group he gave me, which included all of June. All but two or three out of the approximately 50-60 telegrams I estimate were in the file had the letters "NO" written on them in red pencil. Moreover, in almost all cases the symbol appeared about two-thirds of the way down the page on the right hand side, the same place it appeared on the message containing the name of Lee Harvey Oswald. I next asked Mr. Tucci to show me the telegrams from the New York passport office for June 1963. I chose New York simply at random, wanting to check the routine from some office other




than New Orleans. He produced them from the file drawer in my presence. Examination of the New York telegrams gave the same results as the examination of the New Orleans telegrams, except that here of course the symbol was "NY" instead of "NO."

I inquired of Mr. Tucci whether there were any written procedural guides or similar documents which would show that the passport office employees were to follow the foregoing procedure of marking incoming telegrams of this type or that simply listed the symbols used, for example, "NO" for "New Orleans." Mr. Tucci did not know whether any written regulations existed, but he said that he would search for them and if any could be found he would see that the Commission received a copy. In the meantime he thought it wise that we ask some employees whether they knew of any such written regulations, and we did so. None of the employees was aware that such procedures had ever been put into written form.

With that, I thanked the men for their cooperation and left.

  
 William T. Coleman, Jr.  
 Assistant Counsel

  
 W. David Slawson  
 Assistant Counsel