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August 19, 1976

Mr. Timothy H. Ingram
Room B-349C
Rayburn House Office Building
Washington, DC 20515

Dear Mr. Ingram:

Thank you for sending me the transcript of the hearing held last November on security classification problems involving Warren Commission records at the National Archives. Since there are several references to my own work, and to other matters with which I am familiar, in this document, I would like to submit some additional material for your records. Of course, if you are still working on these matters, I would welcome the opportunity to discuss them with you.

Appendix 2 of your hearing lists some 100 documents apparently missing from the Archives. This listing does not always indicate which documents are cited in other Warren Commission records and therefore must have been in the Commission's files at one time. In many instances, researchers asked the Archives to look for documents which might have been in the files, but (in the words of the introductory note) were "not known to have been in the possession of the Commission." It is now clear that many of these items either did not exist or were not given to the Commission by the FBI or other investigative agencies. The latter situation does raise some serious questions about the nature of the whole investigation of the assassination, but does not involve the Archives' handling of the Commission files.

I recognize many of the listed items as documents which I asked the Archives staff to look for. If you wish, I could prepare a list of those items which definitely did exist, with appropriate references. In some cases, it does not surprise me that they have not been found, since the Warren Commission did not make multiple copies of certain incoming material, and I have found some originals filed in unlikely places.

I would like to call your attention to a small number of particularly significant missing items. There is considerable evidence that the Warren Commission files were purged of certain particularly sensitive internal documents before they were turned over to the Archives. The evidence is circumstantial and inconclusive, since it is impossible to assert that any given document is nowhere in the massive collection, but I think it deserves further investigation.

In this regard, I think that the most important missing documents are some of the early drafts of the Warren Report itself. I have internal memos confirming that many copies of some such drafts were made, as would be expected. For example, I found a reference to a draft of Chapter 4 and asked the Archives to locate it; no copy could be found in any of the obvious places, such as the collection of drafts in Entry 27. Finally, a copy was found "in the general material at the beginning of the Lee Harvey Oswald Post-Russian files." Similarly, no copy has been found of all of a draft of Chapter 8 (item 13 in your appendix 2); all but the first 30 pages were found in another "general" file, bearing no identification. This suggests to me that an attempt was made to remove all copies of these drafts, but that these two "misfiled" copies were missed. Also, I found it peculiar that the office files of Sam Stern, who dealt with the sensitive problem of Oswald's relationship with the FBI, contain only a small amount of material, in file folders numbered

1, 3, 3a, 4, 9, 10, 11, 14, and 15 - again, suggesting that part of the file was removed.

I am enclosing two letters I wrote to Mr. Rankin, who not only was General Counsel for the Commission but had personal responsibility for Mr. Stern's area of the investigation. He did not reply to either letter. My letter of May 10, 1974 to Mr. Stern discusses two of the above-mentioned items, and a chronology which was also missing from the appropriate files. Mr. David Slawson did reply to my letter of September 17, 1975, which mentions two additional missing items. You might want to consider directing a formal inquiry to Mr. Rankin or to other staff members about this problem.

Your hearing last November discussed the executive session transcript of January 22, 1964. As the researcher whose request caused the Archives to locate the stenotype notes and have them transcribed (see p. 22), I could send you my correspondence on this matter for your files. Harold Weisberg and I found evidence that the Commission had confiscated the reporter's notes for this session. On March 31, 1973, I asked if these notes were with the other stenotype notes in Entry 39. On April 17, the Archives said they were. On October 19, I asked if they were withheld, and made a formal request for them; on November 27, 1973, the Archives said they were withheld because of the security classification (!), as an intra-agency memo (!!), and as part of investigatory files (!!!). On June 25, 1974, I asked that this material be reviewed in accordance with Executive Order 11652. In March 1975 it was sent to me, two years after the original request and at about the same time that Jim Lesar filed a formal Freedom of Information Act Request for this and other transcripts on behalf of me and Harold Weisberg.

I feel that neither this transcript nor that of the session of January 27, 1964 should ever have been withheld. Both deal primarily with the serious allegation that Oswald had been a CIA or FBI informant. My analysis of the January 27 transcript, which comments on the misuse of the security classification system, is reprinted in the anthology "The Assassinations: Dallas and Beyond." (I have just sent Bob Fink a copy; I would be glad to send one to you also.)

Your appendix 7 deals with President Ford's Warren Commission files in the University of Michigan library. I believe that the Archives' contact with that library was the result of inquiries I started in November 1974. If you want this correspondence for your files, let me know. I have also made unsuccessful attempts to gain access to the files of Commissioners Boggs, Russell, and Warren; John Sherman Cooper has advised me that he took away no files.

Although I sympathize with the Archives' position that they should not be blamed for the overclassification of the Warren Commission files, I have complained to them about their unwillingness to obtain certain replacement documents. (See the enclosed letter of February 28, 1974.) Other agencies tend to be much less helpful than the Archives: when I wanted to get the newspaper clippings on Oswald which HUAC had sent to the Warren Commission and could not find them in the Archives, my request to HUAC was denied until I made it through my Representative; then it was routinely granted.

I hope you will continue your inquiry into the handling of the Warren Commission files by the Archives; I would be pleased to make what I know available to you.

Sincerely yours,

Paul L. Hoch

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