

NATIONAL ARCHIVES—SECURITY CLASSIFICATION
PROBLEMS INVOLVING WARREN COMMISSION
FILES AND OTHER RECORDS

See 2 from Greg Stone 11/24/63

HEARING

BEFORE A

SUBCOMMITTEE OF THE
COMMITTEE ON

GOVERNMENT OPERATIONS
HOUSE OF REPRESENTATIVES

NINETY-FOURTH CONGRESS

FIRST SESSION

NOVEMBER 11, 1975

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APPENDIX B.—SUBCOMMITTEE FINDINGS REGARDING VALIDITY OF
CLASSIFICATION MARKINGS ON ORIGINAL COMMISSION FILES

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 9, 1975.

Dr. James B. Hurovics,
Archivist of the United States,
National Archives and Records Service,
Washington, D.C.

Dear Dr. Hurovics: Thank you for your letter of November 24, 1975, forwarding some of the material that this Subcommittee requested while you were testifying at our hearing on November 11, 1975. Of special interest are those items relating to the question whether the President ever granted the Warren Commission the authority to originally classify information for secrecy under Executive Order 10450.

During the hearing, GSA Counsel Stephen Garfield reported to the effect of November 22, 1964, from President Johnson to Commission Chairman Earl Warren, as I read that letter it was simply a waiver of requirements in Executive Order 10450 for marking declassified documents to show that the previously assigned classifications had been cancelled.

If applied only to some documents which had been declassified by the records converted and were printed in exhibits of the Warren Commission Report without the prescribed declassification notations, there is nothing to suggest to me that the Commission had been granted original classification authority. Attached for your information is a copy of a memorandum by a member of the staff of this Subcommittee regarding classification markings on Warren Commission records. Pages presented show that the Commission did not have original classification authority.

In the absence of evidence that the President delegated classification authority to the Warren Commission, this Subcommittee must agree with the conclusion in the attached memorandum that any classification marking assigned by the Commission to information it originated was not a valid classification. We must also agree that any information originated by the Warren Commission which was not properly classified by an authorized classifier while the Commission was in existence should be viewed as having been nonclassifiable since the date the Commission ceased to exist.

With best regards, I am
Sincerely,

BELLA S. ANZURE,
Chairwoman.

Enclosure.

MEMORANDUM

October 27, 1975.

To: Mr. Timothy H. Ingram, Staff Director, Subcommittee on Government Information and Individual Rights.
From: Mr. William G. Forester, Professional Staff Member.
Subject: Classification Markings on Warren Commission Records.

This is in response to your request for comments on the question whether the Warren Commission had authority to originally classify information as Confidential, Secret or Top Secret under the Executive branch security classification system. According to available facts, the Warren Commission did not have original classification authority. Neither the chairman nor the Commission as a whole could have exercised such authority or delegated such authority to any Commission personnel.

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APPENDIX 2.—RECORDS RELATING TO WARREN COMMISSION
INVESTIGATION ALISSING PROWL ARCHIVES COLLECTION

LIST OF DOCUMENTS THAT THE NATIONAL ARCHIVES HAS BEEN UNABLE TO LOCATE
IN THE RECORDS OF THE WARREN COMMISSION

[This list has been compiled from the "List of Basic Source Materials" of the Commission and the correspondence of the National Archives with the most active researchers on the records of the Commission. Some of the items requested by researchers are not known to have been in the possession or under the control of the Commission, and some items of evidence were apparently returned to the owners of this evidence.]

Commission Document 61 on the "List of Basic Source Materials" of the Commission, formerly listed as missing, is now regarded as duplication of the entry for CD 60. Both entries have the same date (December 3, 1963) and were listed as received from FBI Special Agent O'Flaherty in New York.

CD 102—File of Attorney General of Texas on Oswald submitted by letter of January 11, 1964 (Full description with missing parts marked as been furnished to the Subcommittee for the record). (See below.)

Part (b) (1) of CD 362—Card from Howard G. Chilton Jr. to Sovereign Club Inc.

Transmittal letter of CD 374.

Part (1) of CD 598—Instructions as to use of immigration forms.

Preliminary memorandum in the Coleman-Slawson area of the Report dated before January 27, 1964.

Letter of December 15, 1963 from Leon Jaworski to the Commission expressing thanks for courtesies and willingness to assist in any way.

Letter of July 5, 1964 from David Belin commenting on the Report of the Commission.

Letter of J. Lee Rankin to the Commissioners, transmitting a draft of Chapter 8 of the Report dated August 4, 1964.

Letter of David Belin to J. Lee Rankin, January 23, 1964, on interrogation of Oswald by Dallas Police Department.

Letter of February 7, 1964 from Workers Defense League to the Commission.

Letter of January 30, 1964 from Waggoner Carr to the Commission.

The first 30 pages of a draft of Chapter 8 of the Report.

Original draft of a letter of May 20, 1964 from J. Lee Rankin to J. Edgar Hoover (referred to in memorandum of Howard Willens of May 7, 1964 to Rankin).

Memorandum of December 28, 1963 by Howard Willens setting forth proposed procedures for the Commission.

Article by Leonie Hudkins of Houston Post which was attached to letter of Leon Jaworski of May 18, 1964 to Rankin.

Report of interview of Louis Kutner during week of November 24, 1963.

Request to Lt. Jack Revell for records relating to possible pro-Castro situation by Oswald in Dallas, to which Commission Exhibit 1409 was the response.

FBI memorandum of September 14, 1964, and its attachments, which were an enclosure to Commission Exhibit 3140.

Memorandum mentioned in Dr. Humes's testimony as being attached to President Kennedy's coat.

Letter of J. Edgar Hoover to J. Lee Rankin, April 10, 1964 (cover letter for Commission Document 778).

Draft of part of report of September 8, 1964 by Wesley J. Liebler relating to Sylvia Odio.

Memorandum (60 p.) of Ball and Belin concerning identity of the assassin (there is a Ball-Belin memorandum (238 p.) of February 25, 1964 on this subject in the records).

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Memorandum of January 22, 1964 by J. Lee Rankin concerning the various phases of the investigation.

Tap enclosed with letter of L. G. Keria of May 15, 1964, documents showing its return to Olmstead Sound Studios, and figures 1A and 4B.

Clippings from Los Angeles Times of November 28, 1963 quoting Governor Connally about his wounds.

Original letter of Deputy Attorney General Katzenbach, December 4, 1962, to the Chairman about the FBI report (carbon copy is in records).

Historical memorandum by staff members requested by J. Lee Rankin in a memorandum of April 15, 1964.

Receipts by Commission for slides of bone fragments in Commission Document 126B.

Letter of Gerald Ford, April 7, 1964, concerning expelling the FBI investigation.

Letter of Leon Jaworski to Rankin, May 8, 1964.

Letter of Doubleday Co. to J. Lee Rankin, May 7, 1964, concerning Rankin's book.

Letter from Capt. Fritz to the Commission, June 9, 1964, on spent shells found in the Texas School Book Depository.

Letter from FBI, June 18, 1964, and enclosure of memorandum of June 16, 1964 on film taken at Parkland Hospital.

Letter of June 24, 1964 of John J. McCloskey and enclosures of notes on Chapters 2 and 3.

Letter of FBI of June 29, 1964 concerning Richard Nixon.

Letter from Doubleday Co., July 1, 1964, on publishing the Report.

Letter of David Belin, July 7, 1964, on comments on the Report.

Memorandum of May 21, 1964 by Wesley J. Liebler concerning rumor Oswald was an informant of a Government agency, with a reply of May 31, 1964 by Samuel Stern.

Cover letter for Commission Document 1537.

Draft chapter submitted by Ball and Belin in early June 1964.

Comprehensive memorandum for Area V of the Report other than one of February 18, 1964 by Hubert and Griffin.

Cover memorandum for CD 349 from Chief Bowley of Secret Service.

Reports of interviews with Marilyn Siltman.

Some of the documents listed in Secret Service receipt in CD 371.

Start memoranda concerning March 20, 1964, reenactment of movement of Oswald and May 24, 1964, reenactment of assassination.

Motion pictures of Secret Service reenactment of Presidential limousine.

FBI Laboratory report concerning examination of Presidential limousine.

Memorandum of November 22, 1963 from Secret Service Agent Greer to Gerald A. Babin concerning the Presidential limousine.

Secret Service report of interview with David Wayne House.

Commission Exhibits 707, 708, and 710 (these numbers were not used by the Commission).

Two FBI reports attached to a memorandum of January 11, 1964 from Charles Schaffer to Howard Willens.

Reports of Secret Service interviews with Phillip Geraci and Dr. Stanley L. Drennan.

Report of interview with mother of Phillip Geraci III.

Material relating to Rev. Jerry Owen.

Newspaper stories written by Altona Hudkins by Special Agent James W. Russell.

Allegation Oswald was an informant of a Government agency.

Report of interview with Altona Hudkins by Special Agent James W. Russell.

Material concerning California Rangers.

Records relating to Deyahn Calixtas (alias Diane Turner).

Memoranda or lists of questions relating to interviews with Deyahn Calixtas (alias Diane Turner) and Paul Navras (alias Pezzoci) by members of the staff of the Commission.

Report of an interview with Jim Doyle or information concerning Doyle film.

Four pictures relating to (SD) 1534, an FBI report concerning Norman Simliss.

Record concerning Loren Hall died under the name of Dean.

Original report from which CD 1534 was paraphrased.

Five recordings of Miami Police Department, Secret Service report, or other related records concerning a threat to kill President Kennedy.

Document identified with Secret Service Control No. 773.

The reference "Material relating to Rev. Jerry Owen" seems to relate to all those that precede and follow it in this list of items missing from The National Archives vis-a-vis Warren Commission data as to the timeframe, circa 1963-64; moreover, it correlates with two nearby references: "Reports of Secret Service interviews with....Dr. Stanley L. Drennan" [and] "Material concerning California Rangers."

We need to know when the Owen "material" was placed into The National Archives and the origins/source therein; hopefully you can use your intragovernmental contacts to find out without alerting any hostile elements to our suspicions.