

29/10
JFK assassination records appeals Harold Wadsworth 9/22/79
Classification - withholding of the public domain
Pre-assassination files on Oswald - separate request

As provided to me and as attached 105-82555-1902 had two second pages.

It appears that initial classification was long after my request, was by 2040 and was not in accord with the E.O.

The withheld information, supposedly, was released by the CIA, first to the Commission and then in its own FOIA releases. There is no reason not to believe that what is withheld is within the public domain. In context there does not now appear to be any possibility of any authentic national security question relating the Oswald before the assassination. Of course there is the possibility that the withheld information might be officially embarrassing.

The information not withheld, what went upward within the FBI, is under-informative to the point of being misleading if not actually false. It is quite relevant that Oswald had a security clearance in the Marines. This is not the only FBI record not to include that. One of its first post-assassination checking also has the same omission.

Yet the Marine Corps records, as provided to and published by the Commission, make it clear that the so-called "real" Oswald, had a "Confidential" clearance. In fact Oswald had Top Secret and Crypto clearances in the Marines. This alone makes the represented official tranquility after his reported defection not easy to credit.

And, of course, there is the continued withholding of the fact of his high security clearance.

This is the subject of a separate FOIA request the appeal on which has not been acted upon.

If by any remote chance there is what is still reasonably classifiable pre-assassination information relating to the only official-approved assassin of a President I believe that withholding of it today is not in accord with historical case standards.

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan

CONFIDENTIAL DATE: 2-2-64

FROM : W. A. Branigan

- 1 - Belmont
- 1 - Mohr
- 1 - DeLoach
- 1 - Sullivan
- 1 - Malley
- 1 - Branigan

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

SUBJECT: LEE HARVEY OSWALD
INTERNAL SECURITY-RUSSIA-CUBA

Classified by 2040
Exempt from GDS, Category III
Date of Declassification Indefinite

Memorandum from Sullivan to Belmont 1-28-64 briefly outlined the basis for and the scope of investigation of subject prior to the assassination. The Director inquired if we checked with other Government agencies (CIA, State and Defense) to determine what, if anything, they had on subject before the assassination. U

State Department Checks:

Prior to the assassination, State Department furnished us copies of communications received from the American Embassy in Moscow at the time and subsequent to subject's defection to Russia in October, 1959. In a letter to State Department 2-27-61, we requested any additional information regarding subject and WFO agents also checked State Department files on 5-9-61, 8-22-61, 1-29-62 and 6-5-62. The last date was just before Oswald's return to the U. S. U

After the assassination we again checked State Department for data concerning Oswald and State Department made available to us a copy of the file the American Embassy in Moscow maintained on Oswald. This file consisted of communications from Oswald to the American Embassy in Moscow while Oswald was in Russia, letters to him from the Embassy and memoranda prepared by consular officers concerning his case. There was nothing in the American Embassy, Moscow, file which would indicate or suggest that Oswald in any way represented a threat to the personal safety of the President. U

Department of Defense Checks:

Prior to the assassination we did not specifically check with the Department of Defense, but did contact Office of Naval Intelligence (ONI) on 11-2-59 at the time of Oswald's defection to Russia, because Oswald was described in publicity as a former U.S. Marine. U

105-82555
REL:mhw (9)

REC-41

105-82555

1902-421
S. J. Fisher

FEB 24 1964

CONFIDENTIAL

Section 97

Memo W. A. Branigan to W. C. Sullivan
re: LEE HARVEY OSWALD
INTERNAL SECURITY-RUSSIA-CUBA
105-82555

CONFIDENTIAL

At that time we obtained a summary of his Marine file and later, on 11-15-60, ONI informed us that subject had been given an undesirable discharge. U

Immediately following the assassination we again checked with ONI concerning Oswald and were furnished a copy of the Marine Corps file concerning Oswald. The only items of significance in the Marine Corps file that had not previously been obtained from Marine records concerning Oswald was information that Oswald was convicted by two Subunary courts-martial hearings in 1958. The first was based on a charge that he possessed a privately-owned weapon, a .22 caliber derringer, that was not registered. The second was based on the charge that Oswald had wrongfully used provoking words to a staff non-commissioned officer. U

Subsequent to the assassination of President Kennedy we also determined that Departments of the Army and the Air Force had no information of significance on Oswald in their files prior to the assassination of President Kennedy. U

CIA Checks:



Immediately following the assassination of President Kennedy we again checked with CIA to see if they had any data in their possession not previously furnished us. CIA indicated it had no data in its possession that had not already been made available to Bureau prior to the assassination. U

INS Checks:

Prior to the assassination of the President we checked records of INS on 6-22-62. On 7-12-62 we checked INS files concerning subject's wife. No information was obtained from INS concerning subject or his wife of pertinence subsequent to the assassination of President Kennedy. U

ACTION: None. This is for information. U

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pd *Rel* *Wes* *TD*
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CONFIDENTIAL