

UNITED STATES GOVERNMENT

# Memorandum

TO : MR. W. C. SULLIVAN *WCS*

FROM : MR. W. A. BRANIGAN *WAB*

SUBJECT: PUBLIC DISCLOSURE OF  
MARKEN COMMISSION RECORDS

1 - Mr. Belmont  
1 - Mr. Callahan  
DATE: 7-29-65

1 - Mr. Conrad  
1 - Mr. Rosen  
1 - Mr. Sullivan  
1 - Mr. Malley  
1 - Mr. Branigan  
1 - Mr. Stokes

Tolson \_\_\_\_\_  
DeLoach \_\_\_\_\_  
Mohr \_\_\_\_\_  
Bishop \_\_\_\_\_  
Casper \_\_\_\_\_  
Callahan \_\_\_\_\_  
Conrad \_\_\_\_\_  
Felt \_\_\_\_\_  
Gale \_\_\_\_\_  
Rosen \_\_\_\_\_  
Sullivan \_\_\_\_\_  
Tavel \_\_\_\_\_  
Trotter \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holmes \_\_\_\_\_  
Gandy \_\_\_\_\_

Memorandum from Mr. Rosen to Mr. Belmont dated 7-12-65 set forth facts concerning request of the Attorney General that we review pertinent documents in the possession of the National Archives relating to the assassination of President Kennedy for the purpose of recommending which of the material on file can be placed in the public domain. The Department furnished us with a set of guidelines to follow in making our review. (Copy of these guidelines is attached.) We have now completed our review of the pertinent material on file at the Archives. The purpose of this memorandum is to set forth our findings and our plans to complete this project.

We have reviewed over 2,000 documents and are prepared at this time to indicate which of these documents can go into the public domain as is. In our review we have been guided by the overriding policy favoring the fullest possible disclosure of this material. Our review has noted the reporting of some information which falls within the guidelines for excision and we are prepared to recommend the excision of such material on a page-to-page basis.

Examples of such material which falls within the guidelines are as follows:

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Guideline 1 - Statutory requirements that prohibit disclosure. Example - Records of the Family Court in New York City concerning psychiatric treatment of Oswald as a youth.

Guideline 2 - Respect of security classifications. Examples - It has been necessary to classify some of our material in order to protect sensitive informants and investigative techniques and in line with classifications afforded material by other agencies. Examples - Considerable information was obtained from long-established sensitive sources of the Legal Attache in Mexico City. An anonymous source and a trash cover furnished some information reported and classified data from the Central Intelligence Agency (CIA) is among the material. We are, at this time, reviewing the Administrative Pages of our classified documents to determine if

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ENCLOSURE

*Handwritten signatures and initials, including "WCS" and "WAB".*

MEMORANDUM FOR MR. SULLIVAN  
RE: PUBLIC DISCLOSURE OF WARREN COMMISSION RECORDS

they may be declassified or downgraded. Where possible to do so without destroying the significance of any given document, we are preparing to recommend excision of the classified portions of such documents so that the remaining portions may be placed in the public domain.

Guideline 3a.- Data detrimental to the administration and enforcement of the laws and regulations of the U.S. Example - Information furnished by the Soviet defector Yuri Nosenko concerning his knowledge of the KGB file on Oswald. To publish this would be to inform the Soviets as to what Nosenko said.

Guideline 3b. - Information which would reveal identity of confidential sources by precluding or limiting the use of such sources hereafter. Example - This concerns records not normally produced unless a subpoena is issued, such as bank and telephone company records.

Guideline 3c. - This deals with information consisting of rumor, gossip or details of a personal nature having no significant connection with the assassination which would be a source of embarrassment to innocent persons. This is the area that gives us most difficulty in evaluating our material against the guidelines. We investigated hundreds of rumors and false reports often made maliciously or for reasons of personal aggrandizement or by demented people. In keeping with the policy of full disclosure, we are recommending leaving in the record information of a derogatory nature which we have uncovered which reflects unfavorably on people who have maliciously made false reports or charges. We have found many instances in which our rundown of false reports has uncovered derogatory data concerning the person making them. However, where a person has given us rumor, gossip or false information reflecting unfavorably on another person and which material is not related to the assassination, we are recommending excision. Example - Examples of this type of thing are the considerable derogatory data developed concerning the personal affairs of George de Mohrenschildt, a member of the Russian community in Dallas who befriended the Oswalds. De Mohrenschildt, who has been married several times, is regarded by many as a sexual delinquent. Information concerning mental treatment of a brother of Ruby; numerous instances of claimed extramarital activity and homosexual tendencies on the part of individuals not related to the assassination.

MEMORANDUM FOR MR. SULLIVAN  
RE: PUBLIC DISCLOSURE OF WARREN COMMISSION RECORDS

Guideline 3d deals with the excision of material pertinent to the criminal prosecution of Jack Ruby prior to the final adjudication of that case. In this connection, we are not attempting to theorize what material, the public disclosure of which, may affect Ruby's case and we plan to tell the Department that with respect to the Ruby material, the Department will have to render a legal decision as to whether the reports in the Ruby case can be disclosed in view of the legal action pending concerning Ruby. We know in this connection that the Commission has already reported considerable information concerning Ruby which is highly derogatory.

It is interesting to note that the records reviewed which are contained in that portion of the Commission's records known as the Commission's Numbered Document File, are not in very good condition. In this connection, some 125 documents (mostly cover letters) appearing in the Archives list are missing. We intend to call this to the Attorney General's attention when we make our report to him and to stress that our review did not include a review of the listed documents which the Archives has not to date produced. Mr. John F. Simmons, the supervisor of the Security Room at the Archives where these records are maintained, stated it is likely that the missing documents are contained among a group of unfiled papers which were turned over to Archives by the Commission. These documents are contained in some seven Archives filing boxes and we do not intend to review them at this time.

In addition, we have discovered four instances in which classified letterheads which have been marked to indicate that they have been declassified are contained among the documents in support of exhibits which were published in the Commission's report. The four documents in question are not copies of the exhibits that were actually published for in each instance we rewrote the classified document in an unclassified form and advised the Commission that the original document should remain classified. The Commission published our unclassified redrafts. This will be called to the Attorney General's attention.

**ACTION:**

For information. Our processing of the Attorney General's request is continuing and the deadline of 3-15-65 will be met.

*JES*  
*WCS*

GUIDELINES FOR REVIEW OF MATERIALS SUBMITTED TO  
THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY

1. Statutory requirements prohibiting disclosure should be observed.
2. Security classifications should be respected, but the agency responsible for the classification should carefully re-evaluate the contents of each classified document and determine whether the classification can, consistently with the national security, be eliminated or downgraded.
3. Unclassified material which has not already been disclosed in another form should be made available to the public on a regular basis unless disclosure--
  - (A) Would be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies;
  - (B) Might reveal the identity of confidential sources of information and impede or jeopardize future investigations by precluding or limiting the use of the same or similar sources hereafter;
  - (C) Would be a source of embarrassment to innocent persons, who are the subject, source, or apparent source of the material in question, because it contains gossip and rumor or details of a personal nature having no significant connection with the assassination of the President;

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- (D) Would reveal material pertinent to the criminal prosecution of Jack Ruby for the murder of Lee Harvey Oswald, prior to the final judicial determination of that case.

Whenever one of the above reasons for nondisclosure may apply, your department should, in determining whether or not to authorize disclosure, weigh that reason against the overriding policy of the Executive Branch favoring the fullest possible disclosure.

Unless sooner released to the public, classified and unclassified material which is not now made available to the public shall, as a minimum, be reviewed by the agency concerned five years and ten years after the initial examination has been completed. The criteria applied in the initial examination, outlined above, should be applied to determine whether changed circumstances will permit further disclosure. Similar reviews should be undertaken at ten-year intervals until all materials are opened for legitimate research purposes. The Archivist of the United States will arrange for such review at the appropriate time. Whenever possible provision should be made for the automatic declassification of classified material which cannot be declassified at this time.

UNITED STATES GOVERNMENT

# Memorandum

- 1 - Mr. Branigan
- 1 - Mr. Hines
- 1 - Mr. Raupach
- 1 - Mr. Stokes

- Tolson \_\_\_\_\_
- Belmont \_\_\_\_\_
- Mohr \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- Felt \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

TO : Mr. W. A. Branigan

DATE: August 18, 1965

FROM : Mr. J. C. Stokes

SUBJECT: PUBLIC DISCLOSURE OF WARREN COMMISSION RECORDS

By August 10, 1965, letter to the Attorney General, we completed the project of reviewing past records of the Warren Commission on file at the National Archives for the purpose of determining how this material fit a series of guidelines approved by the White House with a view towards making as much of the material as possible available to the public. To accomplish this, the Department sent us an original list prepared by the National Archives in which the material to be reviewed was identified by Commission numbers and was, in part, otherwise described. When we completed this review, we returned the original list to the Attorney General.

The purpose of this memorandum is to record the identities of the SA personnel who worked on the project and to serve as a vehicle for the inclusion in this file of the work papers prepared by the personnel involved and our master listing which is a Xerox copy of the original Archives list which was returned to the Attorney General.

The review of the material was completed by SAs J. C. Stokes, J. W. Hines, K. M. Raupach, T. N. Goble, J. M. Sizoo, L. L. Anderson, and L. Whitson. The project was coordinated by SA Stokes who completed the preparation of the master list.

Each item on the master list bears a marking at the Commission document number. The significance of these markings is as follows: A check mark indicates the document can be released to the public; an X mark signifies that the entire document is to be excised; a circle around the document number indicates that the document is to be excised in part prior to release to the public; and a square about the document number signifies that no decision could be reached as to public disclosure because the document was missing or was a document of another agency which should make the decision. The colors of the markings signify the identity of the agent who made the decision as follows: Red, Stokes; green, Hines; dark blue, Raupach; brown, Whitson; purple, Sizoo; pink, Anderson; light blue, Goble. Attached to this memorandum for filing are the master listing and the notes of indicated personnel showing those items that were designated for complete or partial excision as well as their reasons for this designation. There is attached in addition one Xerox copy of our August 10, 1965, memorandum which portrayed our findings in connection with the review of the material in question. A yellow copy of our August 10, 1965, letterhead has gone to file.

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Enclosures-9

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"ENCL. BEHIND FILE" REC-113

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Memorandum, J. C. Stokes  
W. A. Branigan

PUBLIC DISCLOSURE OF WARREN COMMISSION RECORDS  
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All of this material should be filed and retained for future reference because it will be necessary to review in five years all of the material which we recommended be excised to determine at that time it can be made public.

ACTION:

Route to Records Branch for filing.

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AUG 13 1965

Dr. Wayne C. Grover  
Archivist of the United States  
National Archives and Records Service  
Washington, D. C. 20408

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

Dear Dr. Grover:

The Federal Bureau of Investigation has completed its survey of the documents relating to the Warren Commission files which were described in the list that was presented to this department by your agency, and has prepared five self-explanatory lists concerning those documents which the Attorney General has asked me to forward to you.

The first list describes the documents that may be publicly disclosed; the second list describes those that may be disclosed in part; the third list describes those that should not be released at this time; the fourth list describes those that are missing from your files or which were presented by other agencies; and the fifth list describes transmittal letters which were not in your files. Necessarily, the documents described in the last two lists have not been evaluated.

The Bureau notes that the documents identified as Commission Documents Numbers 294b-d, 294b-c, 294-d, 294e, 294j, 294k, and 1114 were not presented to it for review at the National Archives since those documents were filed with the Warren Commission by the Department of State. Accordingly, the Bureau has taken into consideration the effect the guidelines may have on material of the Bureau which may be included in those documents.

Furthermore, the Bureau notes that it found several instances in which documents in the possession of your

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EX-103

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