

20530

APR 12 1965

Honorable Dean Rusk
Secretary of State
Washington, D.C. 20520

Dear Mr. Secretary:

In a letter of February 8, 1965, I requested an expression of the views of your Department with regard to public disclosure of unpublished documents that were furnished to the President's Commission on the Assassination of President Kennedy by your Department.

X
Following a review of the recommendations of your Department and of officials of other interested departments and agencies, I submitted a memorandum to Mr. George Bundy, Special Assistant to the President, proposing certain guidelines for determining which of those documents should be made available to the public. By a memorandum of April 19, 1965, Mr. Bundy approved those guidelines and asked me, in coordination with the National Archives, to instruct the appropriate agencies to conduct a review of pertinent documents in accordance with those guidelines and to complete that review by September 1, 1965.

X
In order to facilitate this review, the National Archives has prepared a list of the documents which are in the files of the President's Commission and which were submitted by, or originated in, your Department. This list includes only the documents that were not published by the Commission and those that could readily be determined to have been published only in part.

It is requested that you arrange for the prompt examination of the listed documents with a view to authorizing the removal of existing restrictions on public

availability of as many of those documents as possible. The guidelines approved by Mr. Bundy, which are set forth in the attachment to this letter, should be applied in making the required determinations.

X The document-by-document review that this procedure requires may be undertaken on the basis of file copies of documents which were retained in the files of your Department, or, since all records of the President's Commission have been transferred to the National Archives, the Archivist will arrange to give your representative access to the listed documents if that procedure would be more convenient. At the conclusion of your review, a copy of the enclosed list, worked so as to show which documents may be made public and which must remain closed for the time being, should be sent to Dr. Wayne C. Grover, Archivist of the United States. With respect to items that must be withheld from the public, please indicate the letter or number of the item in the attached guidelines that best describes your Department's reason for such withholding.

In addition, I am attaching lists, prepared by the National Archives, of documents which were acquired from the Governments of Mexico and West Germany, respectively. Would you arrange to have the Archivist advised as to whether those documents can be made available to the public.

It is essential that the Archivist of the United States receive your reply by August 15, 1965, since a report to the White House must be prepared and submitted by September 1 on the overall status of accessibility to the records of the Commission. If any questions or problems arise in the course of the review, your representative should contact Dr. James B. Rhoads, Assistant Archivist for Civil Archives, whose telephone number is code 13, extension 22442.

I am aware of the difficulties inherent in this undertaking, but the public interest in these documents, and the determination of the White House Office that they be disclosed to the fullest extent consistent with the national security, sound public administration, and the rights of individual privacy, require that this assignment be accomplished with care and dispatch.

Sincerely,

Attorney General