

# MEMORANDUM

January 22, 1997

To: David Marwell

From: Joan Zimmerman

Subject: Current Status of Secret Service Review of Assassination Records

This is a brief outline of several current issues pending with the US Secret Service. It is not intended to include every detail raised in our correspondence with Jane Vezeris. The list of potential requests is not limited to the records indicated in that section of the outline. Having made that disclaimer, I offer the following issues as an agenda for discussion.

I. Letters that Need to be Answered

A. USSS Letter of December 20, 1996: Protective Surveys with Postponements; Account of Missing File from Compliance Letter

B. USSS Letter of January 3, 1997: Potential Assassination Record Enclosed

C. USSS Letter of January 6, 1997: RIFs Need Updating, Questions about Computer Printouts (Two SSNs should be requested for Board Review) and Rowley Memos

II. ARRB Requests Awaiting a Response

A. Third Agency Referrals have delayed USSS responses to ARRB requests:

--Richard Case Nagell file: USSS referred August 9, 1996 [requested by a researcher] (BOP and VA have not responded to our direct requests)

--SS-6 Diaz, Broshears, Bolden: USSS referred October 29, 1996

--SS-7 Numbers of files from Oswald file: USSS referred October 29, 1996

--SS-9 Letters of Understanding and COS Material: USSS response on December 5, 1996 indicated referrals

--ARRB letter of October 21, 1996 re: Protective surveys at NARA; USSS responded December 20, 1996. One referral to CIA;

this document is already open (We should tell USSS this is open in our response to Dec. 20, 1996 letter. See above.)

### B. ARRB is waiting for responses to Formal Requests

--SS-11 due on February 12, 1997

--SS-9 follow-up response due February 19, 1997

--Statement of Compliance was due on January 6, 1997; Ron sent letter saying maybe wait until end of January. Received no reply. Ron wants to call Vezeris to set a date for the Statement of Compliance.

### III. Outstanding Issues that Require a Response

--John Machado told me that USSS material in the LBJ Library Collection is open. Tina Houston is waiting for a letter from USSS saying their box is open. Need to send letter asking Machado to forward us a copy of the letter he sent (so he says) to Houston telling her the records are open.

--John Machado told me he would tell Steve that news clippings we requested (SS-4) are in NARA. They need to be photocopied and /or made available to the public. Machado said he would work this out with Steve. We need to confirm the Service's intention to copy the clippings and put them in the JFK Collection.

--Steve has told me that the Service has essentially refused to come to NARA to stamp their Warren Commission box of records open. We need to request that USSS send a representative to NARA to do this. Steve wants the *originals* of these documents stamped open. Copies will not do.

--Who will put RIFs on the folders of protective surveys? Especially the 12 surveys on which the Service has requested postponements?

--In our December 19, 1996 letter, we indicated that the Review Board had refused to reconsider its vote to open 154-10002-10353 (White House tour-- broken vase). We asked to be notified if the Secret Service intended to appeal to the White House. Vezeris's letter of December 11, 1996, stated that the Service wanted this document placed along with the Dinneen material as part of their potential appeal. We have not received a response to our December 19, 1996 letter. Barring any word from Vezeris, this document will go through our processes and end up in the Archives. The White House tour document contains a name and information exactly the same as material on a certain threat sheet.

#### IV. Records that Need Board Review and Information for the Board

--Postponements from January 6, 1997 enclosures (including Russo computer printout [154-10002-10429], which USSS wants placed with the Dinneen material for potential appeal--see Vezeris letter January 6, 1997). If the Board decides to open the Russo document (except for SSNs), our letter to Director Bowron should make it clear that the Service has *7 days* to appeal the decision.

--Protective surveys (12) with postponements. We can ask USSS for consent release before the Board considers these documents. Even if the Service does not agree to a consent release, our letters informing them that certain documents are already open seem to forestall a threat to appeal.

--The Review Board should know that the Service has in the past released material that it now wishes to postpone, and that the White House tour document (opened by the Board), the Russo printout (pending), the Milford, PA protective survey (opened by the Board), and the Marguerite Oswald printout (opened by USSS) all contain the type of information the Service has said it will appeal. Also, the USSS included material from *The Record* along with the Nagell file, which the Service is willing to release. Finally, we have a letter from the Archives indicating that *The Record* from 1938 through 1959 has been open to the public for several years.

--The Review Board can consider whether the "Protect Subject Abstract" included with Vezeris's January 3, 1997 letter is an assassination record.

#### V. Future Requests from the Secret Service

1. In our SS-9 follow-up letter, we stated that our next request would be for inventories of Secret Service records as they appeared in 1963. See my draft of SS-12.

2. My draft of SS-13 requests files listed by the HSCA. Not all of the files on the list were "in the possession of" the HSCA, hence our disclaimer stating that we are not asserting that these are assassination records even though they were requested by the HSCA. I note that the Secret Service did not complain about the expansive "requested or viewed" standard in SS-10.

3. I anticipate at least one more HSCA-based request letter to the Secret

Service. This will include any additional names in individual letters from Blakey as well as names that were recorded by Dinneen in her personal set of materials. We might also include names that Blakey sent to other agencies just to ask the Service to take a look. For example, Blakey sent a long list to the Chicago Crime Commission that includes several names that he also requested from the FBI.

4. One request letter will be based on Senate Select Committee on Intelligence correspondence. We have part of this from the Secret Service. If we also had a set from the Senate Committee, we might generate more requests. This request will include the memo from Chief Rowley ordering the destruction of certain records pertaining to the assassination.

5. I have not yet encountered correspondence from the Pike Committee or any of the other congressional committees whose investigations might have included the Secret Service and the Kennedy assassination. If I find correspondence pertaining to these committees, I could ask the Service again if they have any relevant correspondence.

6. Another request will be based on the inventory the Service has already provided to us. I have already asked (in SS-9, SS-11, and SS-12) the Service to examine several boxes at Centre Pointe. One more letter should be enough to cover any remaining boxes that seem to hold promising material.

7. An additional request (or requests) will be based on my examination of all the Rowley material we have received so far as well as my review of other Secret Service materials we have received. These letters and memos sometimes refer to enclosures or other documents that are rarely included with the documents we have received.

8. Similarly, the Official Case File at NARA needs a further review since some of the reports and documents also refer to enclosures that are not included.

9. A researcher asked about some artifacts, specifically Jack Ruby's clothing and other items picked up by the Secret Service from Ruby's apartment. We now have more information in the form of Rowley memos that describe how confiscated materials were to be handled.

## VI. Other Issues

A. The main outstanding issue is the Dinneen material (threat sheets, memos, personal notes). Some of the pending matters listed above are relevant to the way this Dinneen issue is resolved.

It is important (and perhaps we should do this first) to establish which records are open without any question. Two sets of HSCA correspondence with the Secret Service have been opened: one by NARA and one by the Secret Service. Some of the material available in this correspondence contains information that the Service now wishes to postpone. We should, then, ask the Service to update its RIFs to show that their records (including the White House tour record) are clearly open.

After the Service has clarified which of its records are open, the Board can proceed with postponements in the computer printouts and the protective surveys.

After determining the Service's willingness to appeal the opening of some of this information, the Review Board could revive its offer not to declare *The Record* an assassination record in return for the Service's willingness to place volumes from 1960 through 1965 in the Archives.

If the Service does not object to these releases, the Review Board could then consider the Dinneen materials with a greater understanding of what the Service might be willing to open. There would at this stage be an enhanced basis for the Service to yield on its threat to appeal since it already has and would (especially by releasing more of *The Record*) have released most of what it is now insisting on protecting.

B. Are we satisfied with the Service's response to our requests for personnel files? Dave Montague has located files of some agents in St. Louis. They are in the SCIF. The Board may wish to review these files.

Dave is also looking for clerks who worked in Rowley's office who might know about COS files. I provided Dave with names from personnel lists at the Secret Service.

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