

DATE: 11-14-2017

JFK Assassination System  
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TO : BRYANT

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DATE: 11-14-2017

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Memorandum

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Dep. Dir. \_\_\_\_\_  
 Chief of Staff \_\_\_\_\_  
 Off. of Gen. Counsel \_\_\_\_\_  
 Asst. Dir.:  
 Crim. Inv. \_\_\_\_\_  
 CJIS \_\_\_\_\_  
 Finance \_\_\_\_\_  
 Info. Res. \_\_\_\_\_  
 Insp. \_\_\_\_\_  
 Lab. \_\_\_\_\_  
 National Sec. Personnel \_\_\_\_\_  
 Training \_\_\_\_\_  
 Off. of EEOA \_\_\_\_\_  
 Off. of Public & Cong. Affs. \_\_\_\_\_  
 Director's Office \_\_\_\_\_

To : Mr. Bryant

Date 3/21/96

From : Carolyn G. Morris

Subject : JOHN F. KENNEDY (JFK) ASSASSINATION RECORDS  
 COLLECTION ACT OF 1992 (JFK ACT)  
 PUBLIC LAW (P.L.) 102-526  
 DECLASSIFICATION OF DOCUMENTS (U)

**PURPOSE:** To advise National Security Division (NSD) and Office of General Counsel (OGC) that United States Department of State (USDS) advised the JFK Task Force (JFKTF) since the Assassination Records Review Board (ARRB) agreed to postpone until August, 1996, the release of documents revealing FBI investigation of Russian establishments and personnel in the United States, USDS agreed not to seek postponement past August, 1996, on foreign relations grounds, of the release of information in documents referred to the USDS by the FBI. (S)(u)

**RECOMMENDATIONS:** 1. That NSD, OGC, and the JFKTF meet in the immediate future to discuss the ramifications of such releases.

APPROVED:

Crim. Inv. _____	Info. Res. <i>cmj</i>	Training _____
Crim. Jus. Info. _____	Inspection _____	Office of EEO _____
Servs. _____	Laboratory _____	Affairs _____
Director _____	Finance _____	National Sec. <i>B/J</i>
Deputy Director _____	Gen. Counsel _____	Personnel _____
		Office of Public & Cong. Affairs _____

Enclosures (3)

62-HQ-1029205

- 1 - Mr. Kennedy, Room 7142
- 1 - Mr. R. Bucknam, Room 7176
- 1 - Mr. Shapiro, Room 7427
- 1 - Mr. P. Kelley, Room 7338
- 1 - Mr. Bryant, Room 7110
- 1 - Ms. Buckleitner, Room 4127
- 1 - Mr. Loturco, Room 4026.
- 1 - Mr. Swanda, Room 4425
- 1 - IRD Front Office, Room 5829
- 1 - Mr. O'Brien, Room 6296
- 1 - Mrs. Keeley, Room 6362
- 1 - Mr. Valentine, Room 6362
- 1 - Ms. Siford/Mrs. Leeper, Room 7176

DECLASSIFIED BY *5668-5LD/mde*  
 ON *3/15/99* *(EHL)*

Classified by: 5668  
 Reason: 1.5 c, d  
 Declassify on: X (1), (6)

CS/llsv (14)

(CONTINUED - OVER)

*Working Papers det.*

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DATE: 11-14-2017



United States Department of State

Washington, D.C. 20520 9600932

January 26, 1996

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E.O. 12958 DECL: 1.5 (c) and (d)

MEMORANDUM FOR ROBERT M. BRYANT  
FEDERAL BUREAU OF INVESTIGATION

SUBJECT: JFK Assassination Records: Release of Information from  
FBI Investigations of Foreign Officials (S)(u)

The Department of State agrees with the FBI's recommendation to not release documents related to the assassination of President Kennedy if they could constitute acknowledgement of investigations of foreign diplomatic officials and establishments in the United States. It is the Department's opinion that disclosure of these counter-intelligence investigations could have a significant adverse effect on US foreign relations. (S)

William J. Burns  
Executive Secretary

ALL FBI INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 2/24/99 BY 5668-56/nde  
(JFK)

CLASSIFIED BY: Jennifer E. Sims, INR DAS/IPC  
REASON: 1.5 (c) (d)

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DATE: 11-14-2017

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BY LIAISON

Date: December 27, 1995

To: Mrs. Toby T. Gati  
 Assistant Secretary  
 Bureau of Intelligence and Research  
 United States Department of State  
 Washington, D. C.

From: Robert M. Bryant  
 Assistant Director in Charge  
 National Security Division

Subject: JOHN F. KENNEDY ASSASSINATION RECORDS  
 COLLECTION ACT OF 1992 (THE ACT)  
 PUBLIC LAW (P.L.) 102-526  
 DECLASSIFICATION OF DOCUMENTS (U)

3/15/99

5668-SW/ndk  
 C. d.  
 (1)(6)  
 (JFK)

**The following information should not be disseminated outside your organization without prior FBIHQ authority. (U)**

Reference Federal Bureau of Investigation memorandum dated July 20, 1995, and a meeting of representatives of the FBI and the U.S. Department of State (USDS) on August 29, 1995. (U)

At the August 29, 1995, meeting, referenced July 20, 1995, memorandum was discussed, as were documents which had been provided to USDS as examples of documents selected by the JFK Board for the FBI to justify the nondisclosure of excised foreign counterintelligence (FCI) information. (U)

- 1 - H. M. Shapiro  
 (1 - D. H. Evans)
- 2 - C. G. Morris  
 (1 - J. A. Hartingh)  
 (1 - S. L. Davis)
- 2 - R. M. Bryant  
 (1 - J. F. Lewis)  
 (1 - J. A. Swanda)

CSV (8)

SEE NOTE PAGES 12 AND 13

Derived from: ~~X~~ G-3  
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Mrs. Toby T. Gati  
 Assistant Secretary  
 Bureau of Intelligence and Research  
 United States Department of State

4. To date, the FBI has processed documents with information obtained from technical or mail coverages of establishments or officials from: 1) the former Soviet Union; 2) Cuba; 3) France; 4) Dominican Republic; 5) Venezuela; 6) Poland; 7) Hungary; 8) Israel; 9) Bulgaria; 10) Mexico; 11) Panama (Ambassador); 12) Czechoslovakia; 13) British Guiana (Public Relations Office); and 14) The People's Republic of China. A USDS policy statement is needed on whether investigations of any establishment or official of these countries can be released. See item 5 below. (S)

5. If the policy of not acknowledging our FCI targets is changed for any country's establishment or officials, all coverages on the establishment or officials, as well as cases opened on persons who contacted the establishment or officials will also be declassified for foreign relations reasons. How DOJ/DRC will handle these matters under Executive Order 12958 is uncertain since no case history has been established yet. It appears, at present, that the DRC will protect the technical coverages, lookouts and mail covers by allowing classification under the "method" exemption. The DRC has classified several investigations using the foreign relations and method exemptions. To date, no foreign relations exemption has been declassified, but two on the former Soviet Union are being referred to USDS. If the investigation is declassified, any telephone calls received at the establishment or by the officials would be declassified; however, much of the information would still be protected under FOIA guidelines. That would not protect the fact of the technical coverage nor the target. (S)(u)

6. If the investigation and technical, mail, banking, or other coverage of one establishment is declassified, it sets the precedent of an open acknowledgment that the United States Government condones and, in fact,

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**DRAFT**

February 26, 1996

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The Honorable William J. Clinton  
 President of the United States  
 Washington, D.C.

Dear Mr. President:

For the reasons set forth in detail in the enclosure, this letter requests, on behalf of the Federal Bureau of Investigation and the State Department, that you exercise your authority, under Section 9(d) of the President John F. Kennedy Assassination Records Collection Act of 1992, to postpone public disclosure of portions of eight documents ordered released by the Assassination Records Review Board. (U)

Consistent with the spirit of the Act, the FBI has cooperated extensively with the Board and made the broadest disclosure of documents in our history. Over 600,000 pages of material have been transferred to the National Archives, and we are working to transfer another 250,000. We have withheld very little. Nonetheless, when vital national interests would be compromised by the release of certain information we have asked the Board to postpone disclosure. Unfortunately, in this instance the Board has refused to accede to our request. (U)

Disclosure of four of the documents in question would reveal investigative or surveillance techniques used to gather important information from a foreign country. Disclosure of this material would compromise those techniques and impair foreign relations with the concerned country. That country and others in which we have investigative interests will quickly take countermeasures once they realize the significance of the material at issue. (U)

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 3/5/99 (GFK)

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**SECRET MATERIAL ATTACHED  
 UNCLASSIFIED WHEN SEPARATED FROM CLASSIFIED ENCLOSURE**

DATE: 11-14-2017

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DRAFT

PETITION FOR POSTPONEMENT  
UNDER  
SECTION 9(d)  
OF THE  
PRESIDENT JOHN F. KENNEDY  
ASSASSINATION RECORDS COLLECTION ACT OF 1992

This petition requests, on behalf of the Federal Bureau of Investigation (FBI) and the State Department, the President to exercise his authority, under Section 9(d) of the President John F. Kennedy Assassination Records Collection Act of 1992<sup>1</sup> (the Act), to postpone public disclosure of portions of eight documents ordered released by the Assassination Records Review Board (Board). Copies of the documents are attached at Tab A and are classified; portions ordered disclosed by the Board which the FBI or the State Department seeks to protect are highlighted in yellow. The State Department's view on this issue is memorialized at Tab B, and is also classified. (U)

The Board's determinations concerning disclosure of the information in question are set forth in a letter, dated February 14th. A copy of the Board's letter is attached at Tab C; it is not classified. Under Section 9(d) of the Act, the President has the nondelegable authority to require postponement of disclosure under the standards set forth in Section 6 of the Act. The President's decision must be provided to the Board within 30 days after the concerned agency receives notice of the Board's determination. (U)

The Standard for Postponement

Per Section 6 of the Act, disclosure of assassination records<sup>2</sup> or particular information in such records may be postponed if there is clear and convincing evidence that --

~~Derived from:~~ \_\_\_\_\_  
~~Declassify on:~~ \_\_\_\_\_

<sup>1</sup> 44 U.S.C. 2107, note.

<sup>2</sup> Defined by Section 3 of the Act to mean "a record that is related to the assassination of President John F. Kennedy, that was created or made available for use by, obtained by, or otherwise came into the possession of . . . any Executive agency . . ."

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C.d.  
(1)(g)  
(JFA)

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**SECRET****Documents Which the FBI Seeks to Protect**

Document 10290 is entitled "Funds Transmitted to Residents of Russia." Of this two-page document, the FBI seeks to postpone disclosure of a portion of one sentence comprised of 14 words: "accounts would reveal the Bureau's interest in the bank accounts of a foreign government." The government in question is Russia, or placed in historical context, the Soviet Union. The remainder of the document pertains to Mrs. Marguerite Oswald, mother of Lee Harvey Oswald and the remitter of the funds, and the Bureau's efforts to locate and interview her.

Documents 10017 and 10052 describe the comparison of the serial numbers of money found on Jack Ruby at the time of his arrest with the serial numbers of money known to have been issued to the Soviet establishments in New York and Washington. We seek to postpone disclosure of words and symbols that show our interest in and ability to track money issued to the Soviets.

Document 10396 originated in New York and concerns a telephone conversation [on a dedicated circuit] between a [S] [X] correspondent in the United States of Tass, a Soviet government controlled news organization, and an employee in Moscow of Pravda, a communist-party controlled news organization. We intercepted this conversation through technical surveillance of the [transoceanic cable on which the circuit was carried.] The [CS] conversation focused on American press coverage of Lee Harvey Oswald and related matters. We seek to postpone disclosure of the [Tass correspondent's name, his Tass affiliation, the identity of the individual to whom he was speaking and her Pravda affiliation] and language which suggests that the information was gleaned from a telephone conversation between the two. [X] [U]

In executing its law enforcement and counter-intelligence missions, the FBI employs a wide variety of investigative techniques and procedures. Some of these methods are widely known. That we implement wiretaps to gather information, for example, is hardly a surprise. How, when, where, and under what circumstances we make such electronic interceptions, are, however, closely guarded secrets. Similarly, that we often attempt to "follow the money" through analysis of financial records may be intuitive but how, when, and why we do so are matters the disclosure of which may seriously erode our ability to carry out analogous operations in the future. Further, if the target of such activity is a foreign nation, disclosure of the activity's existence will inevitably prejudice foreign relations. (U)

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of such electronic interceptions are well or even hardly known. On the contrary, our abilities in this regard are, and should remain, closely guarded secrets. Electronic intercepts of foreign conversations is an investigative technique that we employ on a daily basis. We cannot afford to compromise its effectiveness by admitting that, ~~as~~ long ago as 1963, we were able to and did intercept a transoceanic telephone conversation conducted on a dedicated circuit between two foreign individuals, one of whom was located in the Soviet capital. ~~Disclosure~~ Disclosure would also reveal the speed with which we were able to translate and digest the conversation, our interests and priorities, and what we considered important or trivial. Such information will be used to develop and deploy effective countermeasures. ~~(S)~~ ~~(S)~~

**Documents Which the State Department Seeks to Protect**

Portions of documents 10402, 10133, 10170, and 10336 reveal our targeting and investigation of Russian officers, agents, and establishments. Long standing FBI and State Department policy has been never to officially acknowledge that the FBI investigates foreign officials or establishments not involved in espionage or other criminal activity. This policy has evolved for a number of reasons, at least two of which warrant discussion here. ~~(S)~~ ~~(U)~~

First, if we officially confirm what the public may logically suspect in this regard, the country in question would be all but compelled to diplomatically respond. We may presume that most nations will tolerate in diplomatic stoicism the clandestine intelligence activities of their peers so long as such activities remain officially covert but no country can be expected to countenance the publicly avowed targeting and investigation of their diplomatic inviolate establishments and agents without reaction. The inevitable ramifications of such official acknowledgements would complicate and impair the relations of even long-standing allies, much less those of former enemies or neutrals. Uncertainties in this arena may adversely affect evolving relationships in others. When the relationships in question are in a state of evolution, such as those between Russia and the United States, the impact of such a disclosure may prove especially harmful. ~~(S)~~ ~~(U)~~

Second, if we declassify today investigative targeting and surveillance of foreign establishments, officials, and agents, we may not under prevailing classification principles keep classified the same information tomorrow. Thus, even though the consequences of a seemingly innocuous disclosure may be well understood in a particular context, assessing their impact from

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all other relevant perspectives is difficult at best. If, for example, we declassify our targeting of Soviet officials in this instance, then all other surveillance of the same officials in other situations could no longer be classified on the ground that disclosure would compromise foreign relations. Put differently, once we discard the policy against officially acknowledging our investigation of foreign establishments and agents, we can no longer use it to justify withholding sensitive information. Just as importantly, once the policy is breached, we may not be able to use it to shield our investigation of other countries which we target for surveillance. The same issue, for example, can be expected to arise with regard to our investigation of other members of the former Soviet block, Cuba, [France], Venezuela, [S] Israel, and a large number of other nations. (S)

We are not alone in maintaining this posture. To our knowledge, no other country acknowledges targeting, monitoring, or investigating the establishments or officials of foreign countries within their territory or elsewhere. For these reasons, then, the State Department seeks to maintain our traditional policy of not officially acknowledging our investigation of Soviet establishments and officials by protecting the information in question. We have agreed to advance this position on their behalf. (S)

**Conclusion**

In the collective view of the FBI and the State Department, the threat to United States intelligence operations and foreign relations posed by the public disclosure of the information at issue is of such gravity that it outweighs the public interest in disclosure. Disclosure would reveal currently utilized intelligence methods that have not been officially disclosed before, and would interfere with the conduct of intelligence activities and foreign relations. In turn, this will impair the national security of the United States. (U)

**Action Requested**

The FBI respectfully requests, therefore, that the President exercise his authority, under Section 9(d) of the President John F. Kennedy Assassination Records Collection Act of 1992, to postpone disclosure of the indicated portions of the documents described above. (U)

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