



DEPARTMENT OF COMMERCE
OFFICE OF THE GENERAL COUNSEL
WASHINGTON 25

OGC HAS REVIEWED.

DOC Waiver Letter In ERU File

Lawrence R. Houston, Esq.
General Counsel
Central Intelligence Agency
2430 E Street, N. W.
Washington 25, D. C.

SEP 2 3 1955

Dear Mr. Houston:

This is to confirm a request orally made to your agency in informal discussions between Mr. Theodore L. Thau, Deputy Assistant General Counsel in my office, and [REDACTED] of your agency. Our request is for the advice and assistance of your agency in helping this Department to answer a letter dated July 29, 1955, from The Honorable William F. Tompkins, Assistant Attorney General, Department of Justice, to The Secretary of Commerce. In that letter this Department has been asked to determine whether three documents, originally prepared by the Bureau of Foreign and Domestic Commerce of this Department, and which were seized early in 1945 from the now defunct Amerasia Magazine in New York City, "are presently classified and, if so, whether they can be declassified at this time and released to Senator Eastland's Internal Security Subcommittee by this Department without impairing the national defense of the United States."

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The three documents referred to by the Department of Justice are described by it as:

(1) "The document is a Summary of Economic Information on Japan as reported by Americans returning to the United States on the S. S. Gripsholm, August 25, 1942. The report is by Victoria C. Hungerfort, Assisted by C. N. Henning, Far Eastern Unit, Bureau of Foreign and Domestic Commerce, dated December 14, 1942.

(2) "The subject of this document is: 'Railway Transportation in Occupied China,' Volume I - Parts I and II Section A of Part III, it was prepared in the Far Eastern Unit 1943, Bureau of Foreign and Domestic Commerce. It is a 'Confidential' document and bears the date '1943'.

(3) "This is a 'Confidential' Report captioned: 'Preliminary Economic Survey of Korea.' This was prepared for the Division of

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Economic Studies, Department of State by Charles M. Henning, Far Eastern Unit, Bureau of Foreign and Domestic Commerce, August 2, 1943."

The Bureau of Foreign and Domestic Commerce is no longer in existence and the successor agencies of this Department are not in a position to review and make a judgment about the present classification and possible declassification of these documents in terms of potential impairment of the national defense in the light of all relevant considerations, many of which we believe may be now known only to your agency. It is for this reason that we are asking your agency's advice and guidance to help us determine whether any or all of the three documents in question may be declassified by this Department for release to the Senate Internal Security Subcommittee by the Justice Department.

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At our suggestion [redacted] has obtained from the Justice Department a copy of its letter of July 29 and the attached list of documents and, we understand, review of the documents in question has been made by representatives of your agency. We are also informed by [redacted] that your agency may now be in a position to consider our request on a formal basis and we would, therefore, greatly appreciate any advice and guidance that you can give us in this matter at your earliest convenience.

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Sincerely yours,

Philip A. Ray

Philip A. Ray
General Counsel

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