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28 January 1970

MEMORANDUM FOR : Assistant Deputy Director for Intelligence
SUBJECT : "The OSS Archives"

1. Organizations Involved

The records (archival material) considered in this paper commence with the establishment of the Office of the Coordinator of Information (COI) under General Donovan on 11 July 1941. COI was succeeded on 13 June 1942 by the Office of Strategic Services (OSS) which was placed under the jurisdiction of the Joint Chiefs of Staff. By Executive Order 9621, dated 20 September 1945, President Truman ordered the termination of OSS, effective 1 October 1945. Under the provisions of that Executive Order, OSS' Research and Analysis Branch (R&A), the Presentation Branch, and certain other minor functions, but excluding the functions performed by these entities in Germany and Austria, were transferred to the Department of State. This transfer included the records of these functions. All other functions of OSS, including the records, were transferred to the War Department. On 27 September 1945, Secretary of War Patterson created the Strategic Services Unit (SSU) with a Director under the Assistant Secretary of War.

SSU was liquidated as an operating unit on 19 October 1946 with the Central Intelligence Group (CIG) in due course assuming most of its functions. However, SSU continues to exist as an entity which is considered an integral part of CIA, largely for the purpose of replying to specific requests for certain types of administrative information in the OSS records. By CS instruction 1-16, dated 15 April 1965, Mr. Helms, then DDP, designated the Chief, RID [redacted] as Director, SSU and the Chief, Administrative Staff, RID, as its Executive Secretary. Thus, the loosely used term "OSS Archives" comprises the records noted above, commencing with the creation of COI in 1941 and ending with the liquidation of SSU as an operating entity in 1946 plus the continuing files and correspondence of SSU.

2. Physical Location of "OSS Archives" and Description of Contents

a. RID/Archives - CIA Headquarters. 1796 cu.ft. These comprise the OSS Director's Files, some personnel files, operational files and those records most frequently called for.

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b. CIA Record Center 4151 cu. ft. These comprise field records; R&A documents and studies; personnel, finance, communications, training, medical, logistics and other administrative files; some operational reports and project files; and some documents and cards set aside for Cornelius Ryan at the time he was engaged in writing the OSS history (see par. 6, c. below).

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c. The National Archives, Washington, D. C. 1300 cu. ft. of which 973 cu. ft. were transferred from the Department of State. These comprise some COI records but the great part are the R&A records which were transferred to the Department of State upon the liquidation of OSS. It includes incoming and outgoing communications, both from OSS officials and from State Department personnel in the field. It also includes reports prepared by the War and Navy Departments and other agencies which were received in R&A. Also included are the records of the Interdepartmental Committee for the Acquisition of Foreign Publications which was located in OSS. (One 5 inch file is noted as containing "summaries of conversations of staff members with representatives of foreign groups in the United States and with foreigners, chiefly delegates to the San Francisco Conference, regarding postwar problems, opinions and conditions in foreign countries, " 1945).

d. CIA Central Reference Service - Headquarters. 143 OSS films on countries, operational reports, training aids, target studies, etc.

e. Franklin D. Roosevelt Library, Hyde Park, New York. 13 boxes. Correspondence between President Roosevelt and General Donovan, OSS reports and studies and miscellaneous documents. The bulk of this material consists of the originals of the correspondence and reports sent to the President.

f. An archival rule of thumb is 2000 sheets of paper to one cubic foot (half a safe drawer). Thus a wild guess as to the number of pages involved here (minus the FDR Library boxes) would be 13,840,000. However, some boxes are crammed, others only partially filled, etc., so it is impossible to reach a firm figure. Ten million pages might be a top working figure.

3. Access to and Control of "OSS Archives"

a. RID/Archives. Over-all control is exercised by the Director and Executive Secretary of SSU. General access is limited to CIA employees through RID/Archives on a need-to-know basis. Requests from other

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government agencies or from non-government sources for information in the files are processed through the Executive Secretary of SSU. These latter amount to less than a dozen a month and do not include name trace requests.

b. Record Center. Same procedure as in a. above, except that the Agency Records Management Officer houses the material.

c. The National Archives. This organization will not release the OSS material in its possession without the specific approval of the CIA Records Management Officer, who, in turn, needs the approval of the Executive Secretary of SSU. While the OSS R&A records now in Archives were transferred to the State Department in 1945 and by them ultimately transferred to National Archives, the latter will not release this material without CIA approval.

d. CIA/Central Reference Service. OSS films are housed in CRS but release for use outside the Agency is controlled by the Executive Secretary, SSU. Many of the tradecraft films are being used by the liaison services.

e. Franklin D. Roosevelt Library. The OSS records here are maintained in the "closed" section of the Library. It is believed that only CIA or SSU can authorize access. Access to the limited amount of early Roosevelt-Donovan correspondence and Presidential references to OSS or its material which are not in the "closed" section of the Library (presumably very little) is controlled by the Historical Division of the State Department.

4. Legal and Policy Background

As noted above, following the dissolution of OSS on 1 October 1945, most of the records of the R&A Branch and certain other minor OSS functions were transferred to the National Archives. However, it has been the policy of the National Archives to consult us on any request for release of classified material. At the same time, the operational and administrative units of OSS were transferred to the War Department and placed under the Assistant Secretary of War. The OSS records not transferred to State were also included, and these comprised the major segment of the records.

Sometime after the creation of CIG, the Secretary of War ordered that the SSU records required by the Director of Central Intelligence were

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to be transferred to the Office of the Secretary of War and "placed under the operational control of the Director of Central Intelligence." When SSU was liquidated as an operating entity in October, 1946, its personnel, property, supplies and equipment were transferred to CIG, but its records were not specifically mentioned in connection with the transfer. (There is some undocumented recollection that in 1946, when Admiral Leahy, Chief of Staff to President Truman, ordered an official OSS history prepared, SSU did not have the funds for this project, and it may have been funded by the JCS under whose jurisdiction OSS had originally been placed.) There is some recollection that the records were left "deliberately fuzzy" for jurisdictional reasons of the time. On 30 January 1952, Mr. Houston addressed a memorandum to the DDCI regarding Control of OSS Records. In it he concluded:

"In view of the foregoing, it is our opinion that there has been no transfer of title, in legal concept, of the OSS records from the Department of Army to CIA but that full operational control, including release of information, has been granted to CIA by the Department of the Army. As a practical matter, we believe the records could be authenticated as SSU records by either CIA or the Army depending on what is desired in any one case. In the past, releases or clearances through the Army have been handled by the Army public relations offices."

On 2 May 1964, following full coordination with DDP components, the Director of Security, and the General Counsel, Mr. Kirkpatrick, as Executive Director, wrote the Interdepartmental Committee on Internal Security that:

"... the classified data produced by this Agency for the U.S. Government and disseminated within the Government, on a need-to-know basis, cannot be released outside those confines and this Agency has no program for such releases. As custodians, we must also impose these same limitations upon the records of our predecessor organizations (OSS, SSU and CIG), wherever such records might be held."

It should be noted that a good deal of the material in the "OSS Archives" represents "record" material within the meaning of the statutes bearing on archival material, and much of it cannot be destroyed under the provisions of those laws. While the National Archives cannot tell us to give access to this material, they do exercise some control over its ultimate

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destiny. For instance, our recent request to destroy a lot of wartime photos of no use to us, was denied by National Archives.

5. The Freedom of Information Act

The Freedom of Information Act of 1966 (effective 4 July 1967) creates certain problems. The basic intent of the Act is to require every federal agency, on request for identifiable records, to make them available to any person requesting them and thus to prevent government agencies from unjustifiably withholding information that should be reasonably available to a person having some basis for seeking it. The Act makes provision to exempt from its terms information which should be kept secret "in the interest of the national defense or foreign policy." This would appear to exempt our classified OSS archives from its provisions. Also exempted are personnel and medical files, as release would constitute a "clearly unwarranted invasion of personal privacy", and investigatory files of a security nature.

The General Counsel advises that in his opinion to give access to the "OSS Archives" to certain people and not to others requesting the same privilege cannot be successfully challenged under this Act, provided we are dealing with classified records and appropriate security clearances. It should be noted that there is a suit presently pending in California under the Freedom of Information Act in which the plaintiff seeks to gain access to certain OSS records in possession of the Army. The plaintiff seeks a ruling that the Freedom of Information Act authorizes the court to review the validity of the classification of the documents rather than to accept the executive determination thereon. While the Federal District Court has ruled against the plaintiff in this case, the General Counsel states that we cannot be sure of the outcome until the pending appeal has been decided. The General Counsel also notes that there are a substantial number of papers in the "OSS Archives" which, if made public, could be seriously embarrassing or damaging to people still living, and about whom certain types of information probably cannot be excluded under the exclusion given to personnel or security files.

6. Use of the "OSS Archives"

a. The "OSS Archives" originally comprised about 12,000 cu. ft. By elimination of duplicate and unneeded non-record materials, this has been reduced to about 5000 cu. ft. In addition, since 1957, about 1000 boxes have been reprocessed and, as a result, an estimated 7% of all documents reviewed were reprocessed into the Clandestine Services Records System.

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What this means is that, while all "OSS Archives" documents are maintained inviolate in their original segregated OSS archival boxes, copies have been made and reprocessed into the CS Records System to the tune of an estimated 7% of the documents reviewed since 1957. Another 1750 boxes are currently being processed. Classified queries to the "OSS Archives" for name checks and other operational information amount to about 500 a week. (These latter include name traces for both CIA and other government agencies).

b. With the end of the war, General Donovan and others felt that the story of OSS should be publicly told and, in the period ending 1 October 1945, at least 181 different OSS reports or documents were declassified and made available on request to newspapers, magazines and radio networks. Included in this documentation was such material as Operation Sunrise (the Italian surrender); the Jedburghs (aiding the French Resistance); the Torch Mission (North African invasion); and OSS activities in Siam. Some of the personnel involved were made available for interview. Commencing in January 1946 and ending in October 1947, a series of 18 articles was prepared by Lt. Richard M. Kelly and others under OSS direction and was published in Bluebook magazine. These included an operation in Greece by Captain Andy Rogers; the Gulliver Mission in the Tyrol (written by Al Ulmer); the Halyard Mission (Captain George Musulin's mission to rescue Allied aviators from Yugoslavia); Operation Ruth in Siam; and OSS success with the Kachins. Books were also encouraged, including Sub Rosa by Stewart Alsop and Thomas Braden and Cloak and Dagger by Corey Ford and Alastair McBain. However, with the advent of CIG, further exploitation of OSS archival material ceased, except for what had been prepared.

c. Following the death of General Donovan in 1959, the Donovan heirs and partners desired to commission a life of General Donovan, with heavy emphasis on the history of OSS; Whitney Shepardson, a senior OSS official, was hired for this purpose. Under the agreement, he would have had full access to the "OSS Archives", subject to our declassifying the material he was to publish and with CIA security approval of the manuscript required. With Shepardson's advancing age and death, this project was turned over to Cornelius Ryan, the author, under the same conditions. For various reasons, CIA determined not to go through with the project during the McCone period, and it was canceled; subsequent attempts to revive it have been turned down by the DCI. To allow it to go forward at the present time would raise the serious problems under the Freedom of Information Act noted in paragraph 5. above. Upon the death of General Donovan, those OSS duplicate files and records which he maintained in his private office in New York, were brought back into CIA custody. They included chrono files of his correspondence with the White House, the JCS

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State, War and Navy Departments, as well as a complete file of R&A reports and other working papers, classified through Top Secret. These files are now kept in HIC and the "OSS Archives", but they are still technically the property of the Donovan estate and are so recognized. Access to this estate material was granted to the author, Corey Ford, and Otto Doering, the latter formerly the OSS Executive Officer and long time partner of General Donovan, in order to prepare a biography of the General. This permission does not run afoul of the Freedom of Information Act, because the documents concerned were technically part of the Donovan estate and not government property. This book, Donovan of OSS, is to be published in February 1970. However, due to Corey Ford's method of working, he did not utilize any of the classified material in the Donovan estate papers.

d. The semi-official Comité d'Histoire de la 2^e Guerre Mondiale in Paris, headed by M. Henri Michel, which collects material on the French Resistance, made a formal request through the French Embassy in Washington for permission to have copies of OSS reports on the French Resistance, largely relating to the Jedburghs. Copies of this material have been furnished to the French.

e. Classified material in connection with Operation Sunrise, the surrender of German troops in Italy, was made available to Mr. Dulles, by the DCI in 1964, and the necessary material was declassified for his book, The Secret Surrender.

f. Information from official OSS documents in British hands was utilized in the book entitled SOE in France by Michael Foot (1966), which comprises a volume in the official British History of the Second World War published by Her Majesty's Stationery Office in 1966. There is no record that permission to use this material was requested by the British.

g. Records in the "OSS Archives" are utilized for current name checks, for some of the current CIA historical program on bases and stations overseas, and for 201 files used for operational and counter-intelligence purposes with CIA. Thus, some material on China, for example, formed 201 files which were commenced in OSS days and were continued through SSU, CIG and CIA days to the present and are still being used. Current non-Agency use consists of certification of creditable OSS service for both U.S. citizens and foreign nationals; responses to

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requests for information from individuals formerly associated with the predecessor agencies, answering unclassified inquiries from the general public and settling claims submitted by heirs or relatives of former OSS agents.

h. Requests for information to the National Archives from students or scholars have been honored, where possible, by the CIA Records Management Officer with the approval of the Executive Secretary, SSU. The same system is followed by the Department of the Army for OSS material in their files.

7. Condition of the "OSS Archives"

If public access to "OSS Archives" for scholarly purposes were to be granted, a considerable manpower program would be required. All the operational records, 201 files and the like, would have to be screened by competent officers cognizant of current operational requirements before release could be accomplished. There seems to be no way to make even an educated guess of the man hours that this undertaking would require. The material which has already been released is but a small part of the whole, and most of the books on OSS have been written without access to it and suffer accordingly. There is still enough current use of the "OSS Archives" to make the undertaking of a large declassification program difficult at this time or in the foreseeable future, particularly in the light of current budgetary and personnel restrictions.



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Walter Pforzheimer
Curator
Historical Intelligence Collection

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TRANSMITTAL SLIP		DATE	6 Feb 70
TO: General Counsel			
ROOM NO.	BUILDING		
REMARKS: Copy of Mr. Proctor's memorandum to the DCI, based on the attached, will be forwarded to you directly. WP. OGC Subject: RECORDS <i>Recd 2/4/70</i>			
FROM: WALTER PFORZHEIMER			
ROOM NO.	BUILDING	EXTENSION	

FORM NO. 241 1 FEB 55
REPLACES FORM 36-8 WHICH MAY BE USED. (47)

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