

## MEMORANDUM

To: Jeremy Gunn  
File No 4.12.2.7  
From: Dennis Quinn  
Date: April 19, 1995

RE 4.12.5( BUREAU OF MEDICINE & SURGERY [BMS]DOCUMENTS AT  
ARCHIVES II)

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The BMS or Bethesda Documents consisted of one box containing eight file folders. Not surprisingly, these documents had little to do with the actual autopsy. Most of the files dealt with the HSCA investigation or FOIA requests for the autopsy records--with one exception. The first folder in the box contained the *original* Autopsy Protocol, prepared by CDR Humes shortly after the autopsy. Since the document has been available for years and has been reproduced in several other publications, I saw no need to copy it. I thought it was unusual for this document to be filed in this box, and not with the rest of the autopsy records.

### LIFTING OF "GAG ORDER"

Several of the files dealt with the HSCA trying to locate all of the Naval personnel who were present at the autopsy and the attempts to get the various individuals to speak in violation of the gag order.<sup>1</sup> There are some memos dealing with who had the authority to lift the order, as well as some questions as to why the order was issued in the first place. The documents seem to indicate that the BUMED and Bethesda lawyers, along with the Navy OGC, saw no reason not to lift the order, but that the DOD General Counsel originally was not inclined to see it lifted. Eventually the order was lifted. Included in the files are the actual written orders issued to the personnel, as well as the notification sent to each of them that the order had been lifted. The Navy attempted to send these notifications to the ex-military people at their last known address. Several were returned by the Postal Service stamped "Addressee Unknown."

As requested, I have attached two samples of the written order issued to personnel present at

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<sup>1</sup> All personnel, both military and civilian, were ordered orally by the Surgeon General on November 23, 1963 not to discuss what they witnessed at the autopsy with anyone. This was backed up by a written order from the individuals' respective Commanding Officers on November 26, 1963.

the autopsy, one to an enlisted Hospital Corpsman and one to a civilian(the penalties for violation are different for each). I have also included a list of those individuals who attended the autopsy. This list was compiled by Bethesda in 1977 in response to a request from the HSCA.

## FOIA REQUESTS

The rest of the files contained some FOIA and pre-FOIA requests to Bethesda for release of various autopsy documents. All of these requests were denied on the basis that the Navy did not have possession of any such documents. One pathologist in Kansas has been attempting since 1965 to view slides taken of the President's brain during the autopsy. His most recent request was dated 1992. Most of the files contain multiple copies of his requests as well as the Navy denials.

