

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

Released under the John
F. Kennedy
Assassination Records
Collection Act of 1992
(44 USC 2107 Note).
Case#:NW 53217 Date:
06-22-2017

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DOCUMENT INFORMATION

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FROM : ROBERT J. EATINGER, JR.
TO : CHIEF, HRG
TITLE : MEMO: MHCHAOS MATERIAL INCLUDED AMONG JFK DOCUMENTS
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SUBJECTS : POSTPONEMENT
JFK ASSASSINATION
ARCA

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[R] - ITEM IS RESTRICTED 104-10331-10043

OGC-93-51501

8 May 1993

MEMORANDUM FOR: Chief, Historical Review Group

FROM: Robert J. EATINGER, Jr.
Assistant General Counsel
Litigation Division, OGC

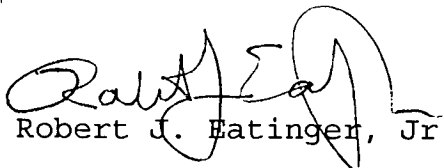
SUBJECT: MHCHAOS Material Included Among JFK Documents

1. This memorandum responds to Ellie Neiman's request for guidance on how to process MHCHAOS material found in the collection of documents currently being processed by the Historical Review Group pursuant to the President John F. Kennedy Assassination Records Collection Act of 1992 (ARCA).

2. I recommend that MHCHAOS documents concerning specific U.S. persons be postponed in their entirety under the privacy provision in Section 6(3) of the ARCA. The Agency may present the materials to the Assassination Records Review Boards at the appropriate time and argue that release of the records should be postponed because of various congressional statements that the collection of information was improper. Further, the information does not in any way help identify President Kennedy's assassin.

3. In addition, specific items of information in the documents may concurrently qualify for postponement under the ARCA provisions protecting intelligence sources and methods. Further, any MHCHAOS files on the National Lawyers Guild are covered by a settlement agreement that precludes their release to the National Archives and Records Administration until the year 2025. If you identify any such material, please notify me. I will contact the Department of Justice.

3. I have found no court order mandating destruction of the MHCHAOS materials. However, the Agency did undertake to destroy all MHCHAOS material in 1990. However, this destruction effort was in furtherance of the Agency's routine records destruction schedule. The collection of documents the HRG is now processing apparently was never searched for MHCHAOS materials during this destruction effort. However, the materials in the collection could not have been destroyed even if found because the collection was and remains the subject of the FOIA litigation Allen v. DOD.


Robert J. EATINGER, Jr.

DCI/OGC/RJE:ig 76105/ 8 May 1993

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