

MEMORANDUM

December 6, 1995

To: Jeremy Gunn

From: Joe Freeman

Subject CIA/HSCA Security Classified Folders: Second Report

Introduction

The purpose of this second report is to further clarify the disposition of HSCA materials originally contained in the Security Classified Files record series but withdrawn by the CIA at or near the close of the Committee's life.

To briefly recap the first report of 12/1, documents withdrawn from the HSCA Security Classified Files by the CIA became part of the CIA Segregated Collection. Specifically, the documents became boxes 19, 20 and 21 (these are the CIA's "old" box numbers) of the Segregated Collection. The folders in these boxes at CIA still reference the Security Classified Files designations for the documents (e.g., 015-JFK).^{*} When these boxes were reviewed by the CIA, the agency RIFed all CIA-originated documents. RIFed copies of CIA-originated documents remain in the boxes today (though the RIFs contain no reference to the Security Classified Files designations). Copies of these CIA- originated documents were transferred to NARA when the bulk of the Segregated Collection was forwarded to NARA.^{**} But the CIA treated *HSCA-originated* documents (staffer notes/memos) in Boxes 19-21 differently. The CIA removed these documents from their folders and replaced them with withdrawal slips (or, in many cases, handwritten notes on yellow "stick-ums") which reference the absent material as "HSCA-only." This "HSCA-only" material was reviewed separately by CIA. This material was *not* RIFed by the CIA (which did not regard these documents as theirs). These documents, says Barry Harrelson, were then transferred to NARA as part of the "HSCA staffer notes" consignment.

* The institutional memory regarding the meaning and origins of these designations, however, had been effectively lost at CIA until last week.

**The CIA-originated material from the HSCA Security Classified Files is less problematical, since copies remain at the CIA in folders still carrying the Security Classified Files designations. In short, we know where to find them.

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It may be useful to summarize at this juncture the different CIA document consignments which NARA has received. (This summary is for orientation purposes only and leaves out many details which would be important in other contexts).

1992 - first half of Oswald 201 file (unRIFed)

Aug. 93 - second half of Oswald 201 file (RIFed by CIA)

Aug. 93 - largest portion (CIA-originated) of CIA Segregated Collection; their RIFs do not reference the HSCA in the Agency field, but the documents' folders reference the HSCA (e.g., "Rocca deposition", "Phillips hearing", "Wolf's request", etc.)

Approx. Sept. 94 - microfilm portions of the Segregated Collection (CIA Box 64 of the Segregated Collection contained microfilm and this consignment consisted of CIA-generated hard copies of the microfilm)

Dec. 94 - "HSCA Staffer Notes" portion of Segregated Collection, unRIFed by CIA, RIFed by NARA. NARA's RIFs reference the HSCA in both the Agency and Originator fields. NARA received two sets of boxes, one of which contained unredacted versions of documents that were redacted in the other. This shipment is thus the only one of the five listed here where unredacted versions of the publicly-released documents are in the physical custody of NARA (see end of this memo for a qualification of this statement).

It is therefore CIA's contention that the HSCA-generated material which the CIA withdrew from the HSCA Security Classified Files record series was transferred to NARA as part of the December, 1994 consignment of documents.

Tracking HSCA-Generated Material Withdrawn By CIA From the Security Classified Files

It appears possible to track HSCA-generated/CIA withdrawn material from the Security Classified Files and locate it in the CIA's Dec. 94 "HSCA Staffer Notes" consignment to NARA. To do so, it's

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necessary to go back to (old) Boxes 19-21 of the Segregated Collection which contain the folders withdrawn from the Security Classified Files. CIA reviewed CIA-originated documents from these boxes for the Aug. 93 Segregated Collection consignment to NARA. In that consignment CIA included a dummy folder and withdrawal slip ("HSCA Material" -- see attached sample) for the withdrawn HSCA-generated material. The withdrawal slip references the (old) Segregated Collection box and folder numbers -- not the Security Classified Files designation. But the designations (e.g., 015-JFK) *are* on the *folders* in which the withdrawal slips are placed (even though their original meaning was almost certainly lost by this point). Later, in Dec. 94, when CIA forwarded the reviewed staffer notes to NARA, CIA requested that NARA's RIFs for these documents reference the box and folder numbers of the earlier, Aug. 93, consignment. CIA wanted the two shipments to be able to be interfiled. In fact, NARA put the Dec. 94 consignment in separate boxes at the end of the Segregated Collection. But NARA did accede to CIA's request in that they referenced the Aug. 93 Segregated Collection's box, folder and item number in the Agency File Number field of the RIFs they generated for the staffer notes (enabling a future interfiling). So it is possible to correlate the HSCA-generated material in the Dec. 94 consignment with the "HSCA Material" withdrawal slips in the Aug. 93 Segregated Collection boxes. Moreover, since the original Security Classified Files designations are on the Aug. 93 folders, it is also possible to identify those Dec. 94 documents that were Security Classified records.

Related Issues

Re-boxing of CIA material by NARA - NARA reboxed the Aug. 93 Segregated Collection consignment from CIA. Thus, "old" boxes 19-21 are analogous to Boxes 55-57 out at NARA II. These are the boxes that contain the CIA-generated Security Classified Files material as well as withdrawal slips for the HSCA-only material.

HSCA finding aids relevant to Security Classified Files - There is a Classified Mail *Log* which can be used as a "pre-CIA-withdrawal" index to the Security Classified Files. There is also a Classified Document *Register* which provides the original Numbered Files designation for all the Security Classified Files folders.

Redacted HSCA staffer notes for which no unredacted versions exist and their designation by NARA as "Open in Full" - In looking through the Dec. 94 "HSCA Staffer Notes" consignment from

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CIA at NARA II, there was a particular redacted document which I wanted to see the unredacted version of. When I went to the Legislative Vault in Archives I to find the unredacted version (since I knew that CIA had provided NARA with a "parallel" unredacted set of Dec. 94 release boxes), it wasn't there. According to NARA staff -- who got their understanding of this from the CIA -- permanent (ie, non-retrievable) redactions of HSCA staffer notes were made contemporaneously with the HSCA's existence. That is, HSCA staffers would take notes on CIA documents while at CIA and would have to hand them in for CIA review before taking them back to their Committee offices. The CIA would forward the notes to the Committee subsequently -- sometimes after making redactions. In the case of the notes I was interested in -- handwritten on yellow lined sheets of paper -- these redactions had been made with an exacto-knife: redactions were literally cut out of the staffer's notes. So no version of the unredacted notes exist. In a case like this, NARA regards the record as "Open in Full" -- even though it's redacted -- because the redacted information no longer exists, ie: all that exists has been opened, thus it is open in full. When the CIA handed over the HSCA staffer notes in Dec. 94, the Agency included a parallel series of boxes containing unredacted versions of *documents which had been redacted as part of the most recent CIA review -- and only these documents*. The parallel boxes do *not* contain copies of documents opened in full in the complete set out at NARA II. Nor do they contain copies of staffer notes redacted contemporaneously with the HSCA's existence -- *unless new redactions were made as part of the most recent CIA review*.

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File 4.20.5
4.23.5
4.20.8