

MEMORANDUM

October 16, 1997

To: Laura Denk and Jeremy Gunn
From: Joe Freeman and Kevin Tiernan
Subject: Determinations Regarding FBI/Church Committee Records

Introduction

The FBI created administrative files to document its correspondence and records production for the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (hereafter referred to as the Church Committee). Because the entire body of FBI/Church Committee records was not explicitly defined in the JFK Act as assassination records (unlike, for instance, all the JFK-related records of the HSCA), the FBI conducted a review of these files for assassination records after the passage of the Act. As part of this review, the FBI assigned the whole body of Church Committee/FBI records record identification numbers ("RIFs"), processed certain records as assassination records under the JFK Act, and processed the remaining records as not assassination-related ("NAR"). The ARRB decided to conduct its own review of the FBI-designated NAR records to ensure that no assassination records were missed in the initial FBI review. A follow-up memo will be sent to the FBI when we have determined which of the heretofore NAR records should be processed under the JFK Act. In this same memo, we will make it clear to the FBI that the assigning of RIFs to records which are clearly NAR was an unnecessary step, and they need not deliver these records to the National Archives JFK Collection for eventual release in 2017.

During the week of September 15-19, 1997, Joe Freeman reviewed on FBI premises sections 1-56 of the FBI-designated NAR records described above. Subsequently, Kevin Tiernan reviewed sections 57-59, and sections 1-3 of the "June" documents, which completed the review of the main part of the headquarters file. One hundred eighty-five sections and twenty boxes (ninety sections of ebf's, thirty-three sections and twenty boxes of bulkys and sixty-two sections of field office files) of ebf's, bulky exhibits, and field office files remain to be reviewed for potential assassination records and proper application of "NAR" designation. The sixty-two field office sections would seem to be the most important additional records to review.

In addition to FBI-designated NAR documents, these sections also contained copies of the relatively small number of records which the Bureau *had* designated as assassination-related during its review of these files. The originals of these records had been forwarded to NARA for incorporation into the

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JFK Collection; stamped copies were inserted in place of the originals within the FBI files, indicating where the originals had been sent and why. In addition, FBI personnel placed at the front of each section of reviewed records an index indicating which of the serials in that section had been so forwarded.

Summary

Broadly speaking, the FBI's review of this material was thorough and fully consistent with the Bureau's responsibilities under the JFK Act. Several thousand pages of documents yielded only a smattering of records which may have been incorrectly designated by the Bureau as non-assassination-related. In fact, for the most part, the Bureau clearly acted on a very liberal reading of the statute in reviewing this cache of records. Omissions, when they occur, appear largely to be a function of human error (i.e. they were simply missed) rather than a result of a substantive Bureau judgment which the Review Board would want to take issue with. And, in any event, the omissions were few and far between given the volume of records reviewed. The vast majority of the FBI/Church Committee records are, in fact, unrelated to the assassination, consisting mainly of administrative files relating to the voluminous document requests made of the Bureau by the Committee, as well as substantive records regarding non-assassination related subject matter within the Committee's larger writ of domestic intelligence abuses (e.g. FBI surveillance of Dr. Martin Luther King, Jr., or the development of the so-called Huston Plan).

This being said, we nonetheless propose removing the following list of documents from the "NBR-in-full" universe (thus adding them to the universe of records previously processed by the FBI as assassination records), and sustaining the indefinite postponement of the documents remaining.

Possible Additional Assassination Records

Listed below are specific records in the first 59 sections (as well as Sections 1-3 of the June documents) of FBI/Church Committee files which the Review Board may wish to designate as assassination-related. Section and serial locators are provided along with a brief description of the cited record.

Section	Serial	Description
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4	62-116395-189	Enclosure "M" contains a 7/25/61 communication
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from Director Hoover to Special Assistant to the
President McGeorge Bundy, re: internal security
programs. Hoover is writing in his capacity as
Chairman of the Interdepartmental Intelligence
Conference (IIC). Attached to Hoover's
communication is a document entitled "IIC Report
Internal Security Programs, 7/1/60-6/30/61," on
dated 7/25/61. A
portion of this report ("Section III -
Fair Play for Cuba Committee. Cuba") briefly references the

5 62-116395-238 This is a 6/10/75 Church Committee request for a
memo of Director Hoover's dated 5/10/62, re:
a meeting with Robert Kennedy on 5/9/62. Though
the Committee's letter of request does not reference
the meeting's subject matter, we know that it is the
meeting where RFK talks to Hoover about CIA/
Maheu/Giancana anti-Castro plots. The memo this
letter requests is an assassination record; presumably
the request letter is, as well. **This same request letter
can also be found in Section 18, Serial 62-116395-436.**

7 62-116395-276 This serial contains a 2/19/64 letter and 2/28/64
airtel, re: general procedures regarding the provision
by the FBI of assistance to the USSS on Presidential
protection. There is no reference to JFK or the
assassination, but the documents' temporal proximity
to the assassination may make it relevant.

7 62-116395-281 This is a 6/20/75 Cregar memo to Wannall, re: CIA's
so-called "family jewels" document. Page 4 of this
memo references JFK and RFK and their knowledge
of a domestic CIA break-in of an unnamed foreign
establishment. This record *could* be an assassination
record if the referenced break-in involves, say, Cuba.
Someone with knowledge of CIA source document
should be consulted.

- 7 62-116395-289 This is a statement by a Daniel Armstrong (in manila envelope), re: disposition of files from Director Hoover's office. On the last page (pg. 7) of the statement is a reference to a serial in said files concerning a Capitol Hill reception at which JFK (while still a U.S. Senator) was present. The reference is general and predates JFK's presidency: presumably this is *not* an assassination record, but it should be looked at again by someone with authority to decide.
- 9 62-116395-337 This is a 6/3/7 Fulton memo to Wannall, re: COINTELPRO, with attachment. Page 3 of attachment references "X. Cuban Matters" and cites 8/3/61 and 8/7/61 records concerning Cuba-related COINTELPROs. The '61 records are not themselves attached. **This same attachment is also located in Section 18, 62-116395-430 (yellow sheets).**
- 16 62-116395-422 This record references mail cover of mail to Cuba from Puerto Rico, 1/63-7/66.
- 16 62-116395-425 This record references Z-coverage on Cuban Mission to U.N., 8/62-5/65.
- 17 62-116395, Serial Two-thirds through this serial are three Wm. Sullivan
429 Only 2 "52" memos to Belmont, re: Security Index (criteria for inclusion, etc.). Memos are dated 11/26, 12/9 and 12/11, 1963. None mention JFK/Oswald/assassination, but all were presumably a response to the events in Dallas and the absence of Oswald on the Index.
- 34 62-116395-992 These are the notes Sam Papich submitted to the Bureau on his testimony before the Church

Committee. Page 4 contains a brief reference to his being unofficially queried by a Committee staffer, re: Judith Campbell's involvement with JFK.

- 34 62-116395-1007X This serial contains charts tracing the history of FBI domestic telephone surveillance programs, 1960-1975. Possibly relevant chart entries include: 1) 1960 - "Co-conspirator in Plot to Kidnap Prominent Anti-Castro Cuban Activist", 2) 1961 - "Pro-Castro Organization" and "Pro-Castro Movement Leader," 3) 1962 - "Pro-Castro Group Functionary," 4) 1964 - "Coverage at Request of President's Commission to Investigate the Assassination of JFK." **The last listing, at least, is presumably an assassination record; a similar chart listing can also be found in two later serials (both in Section 36: 62-116395-1096 and 62-116395-1098X) and these, also, are presumably assassination records.**
- 35 62-116395-1031 This record concerns the CIA L.I.MUD mail-opening program (Mexico City, 1958-1972). **Elsewhere (Sect. 49, Serial 62-116395-1343) a similar record was duly forwarded to NARA by the FBI under the JFK Act.**
- 46 62-116395-1248 This is a 1/7/76 Leavitt to Wannall memo, re: a call from Senator Richard Schweiker about compliance with document requests from the Church Committee, and subsequent meeting with Church Committee staffers on the same subject. Date and names -- Sen. Schweiker and staffer Paul Wallach) *strongly* suggest that this record concerns documents requested in the JFK assassination phase of the Committee's investigation (Book V of the Church Committee report). A review of the requested documents would presumably confirm this. On the other hand, this memo contains no substantive information.

- 50 62-116395-1395 This is a yellow teletype from Director to SAC, San Diego, regarding a file search for any Bureau "operation" against the Soviet Embassy in Mexico City in the early '60s which could have involved a SA Rinaldo/Arnold Orrantia. The teletype references a Church Committee request of 2/19/76. This is clearly related to the JFK assassination phase of the Committee's inquiry. **This same teletype can also be found in Section 52 at serial 62-116395-1451.**
- 54 62-116395-1523 Pink teletype of 3/15/76 to Director from ADIC, New York, re: attempt by Paton [sic] Fonzi to contact SA Cotter of NYO. Since Fonzi was on Schweiker's staff working exclusively on the JFK assassination, it is fair to assume this contact involved that investigation.
- 55 62-116395-1591 Memo of 5/3/76 from Legal Counsel to Mr. J.B. Adams, re: Church Committee efforts to secure testimony of SA George Tucker concerning his interview of Ed Morgan. This interview concerned Roselli, anti-Castro plots, etc. **Serial 62-116395-1583 concerns the same topic and should also be reviewed. A separate serial on the same topic which the FBI *did* process and forward to NARA under the JFK Act can be found at -1562 of the same Section.**
- 55 62-116395-1592 Memo of 5/3/76 from Legal Counsel to Mr. J.B. Adams, re: FBI position that informant name requested by Sen. Gary Hart be withheld. Page 2 of the memo makes clear that this name relates to investigation of JFK assassination.
- 55 62-116395-1603 Phillips to Leavitt memo of 5/10/76 regarding an abandoned attempt on the part of the Church Committee to interview C. DeLoach on JFK-related

issues.

- 55 62-116395-1612 Church Committee request of 5/17/76 for FBI's file copy of 9/9/63 *New Orleans Time Picayune* article entitled "Castro Blasts Raids on Cuba." This article arises in various investigations of the assassination, re: Oswald's motivation. This is clearly a JFK-related document request by the Committee.
- 56 62-116395-1 nr 1637 Two-thirds of the way through Section 56 is a study entitled "Recent FBI High Lights [sic]" and dated 12/4/63. Parts of this study which directly reference the assassination have been processed and forwarded to NARA under the JFK Act. The very first page of the actual text of the study, however, was not forwarded, despite the fact that the assassination is directly referenced in the second paragraph under "Communist Party, USA." There is red line down the page, suggesting the reference was inadvertently missed.
- "June" file, 62-116395-1263, The Church Committee made a request to the Bureau to Section 3 1274, 1288, 1289, search their elsur files for references to certain 1345 Warren Commission members and staff. The memos ordering the search, as well as the search results are here. The positive search produced either conversations between a Warren Commission member or staff member, and another party who was the subject of FBI surveillance, or conversations in which a Commission member or staff member was merely mentioned. Only one conversation touches on an assassination related topic. It is between Russ Nixon of the National Guardian and Gibby Needleman of the National Lawyers Guild. Nixon and Needleman discussed the New York University decision to withdraw permission of the use of

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NYU's Town Hall for a National Guardian sponsored speech by Mark Lane and Marguerite Oswald. Nixon wanted Needleman to contact Norman Redlich, of NYU and the Warren Commission staff to seek his aid.