

April 11, 1997

Mr. J. Barry Harrelson
Historical Review Group
Center for the Study of Intelligence
Central Intelligence Agency
Washington, D.C. 02505

Re: Status of CIA Responses to Assassination Records Review Board's Compliance Program and Requests for Additional Information and Records

Dear Barry:

I am writing to memorialize the Review Board's understanding of the status of the Central Intelligence Agency's compliance with the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) (JFK Act). This letter is divided into three parts involving first, the Compliance Program, second, the formal requests for information and records, and third, the informal requests for information and records. This letter does not discuss the ongoing review of postponements in assassination records. Please let me know if your understanding of any of the following points differs from ours so that we can resolve any potential discrepancies.

This memorialization follows-up, in large part, on your conversations of March 19 and 20, 1997 with Michelle Combs and on the DO and DS&T briefings to the ARRB staff on April 1, 1997. As you are aware, all of our requests for additional information and records will need to be incorporated by reference in the Agency's Final Compliance Statement, which will be making representations under oath that the answers are accurate and complete.

In response to your request, the ARRB staff has now identified six of our outstanding requests as high priority issues. We would appreciate your forwarding to us as much responsive material as you are reasonably able to assemble during the upcoming two weeks with regard to these five issues. We wish to obtain a reasonably complete

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response to these requests within one month. These six issues are identified in the text by double asterisks (**).¹

I. Review Board Compliance Program.

CIA has yet to submit its Initial Compliance Statement describing the scope of its work under the JFK Act. At this point, CIA is one of a very few agencies that has not yet completed the statement. We understand that CIA has undertaken a significant amount of work in order to comply with the Act and we are appreciative of the work completed to date. We also understand that you preferred to begin by providing briefings by the appropriate directorates.² We do, however, believe that CIA should now provide its general description of its work that has been completed thus far to locate all relevant files as well as describe any additional plans it has to seek other relevant files. We anticipate that most Federal agencies will use the Initial Compliance Statement as a draft for the Final Compliance Statement, which will need to be submitted under oath. We request that you submit to us, by May 1, your Initial Compliance Statement.

Finally, it is important for you to remember that your Final Compliance Statement will need to incorporate, directly or by reference, CIA's responses to the Review Board's requests for additional information and records. Essentially, CIA will need to attest that it has made all reasonable and diligent searches and that its answers are true and correct to the extent of its best, reasonably available information. In this regard, you should also note that when the Review Board requests, for example, a 201 file, it is *not* asking that you identify relevant records within the JFK Collection. *Rather*, it is asking to review the original 201 file in its current and most complete version.³

¹As identified more fully below, the six issues are: CIA-7 (Histories); CIA-16 (Oswald Pre-assassination files); personnel assigned to a designated post; QKENCHANT; the electronic take from the Mexico City Station; and files on George Stanley Brown.

²The following briefings have yet to be conducted: OGC, Legislative Affairs, IG's office, and the DCI's office.

³The Review Board has no basis for assuming that a 201 file as it appears in the JFK Collection today is necessarily complete. It is fully possible that a relevant document was not included in the Collection in 1979 or that a relevant document may have been misplaced at some point during the subsequent twenty years. Therefore, in response to requests for files, *it is not sufficient merely to point to places where responsive records appear in the Collection.* On a case-by-case basis, we are very willing to hear your explanations for the possible burdensomeness of

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any particular search or your analysis of why a search will not be fruitful.

II. Formal Requests.

CIA-1 Organizational Material.

CIA has collected information responsive to this request for Review Board action. The ARRB staff has identified records that it believes will enhance the historical understanding of the assassination by providing some background on CIA records.

CIA should now review the DO and DS&T organizational material and re-examine some of the proposed redactions. Several documents have been cleared by the directorate IROs for either release in full or release with minor redactions.⁴ The ARRB staff will consult with CIA to determine whether these records should be designated "assassination records" or whether they could be made available publicly in a manner similar to the material from the 1996 Boston trip. HRG would like to discuss this issue before the materials are formally put before the Review Board.

⁴These are:

DCI

- Organization of the Office of the Director 1963
- Mission Statements for 1959, 1962, 1965 and 1966
- some Office of the Director notices
- OGC and IG Mission Statements for 1964, 1966, 1969, 1975, and 1976
- OLC Mission Statement for 1975 and 1976

DI

- Organization and Functions of the DI pre-1961
- Organizational Charts for 1961, 1964, and 1969
- Mission Statements for 1961, 1963, 1964, 1966, and 1970

DA

- Mission Statements 1957, 1958, 1960, 1963, and 1974
- Organizational Chart 1958, 1960, 1961, 1962, 1964, and 1966
- Office of Security Organizational Charts for 1956, 1958, 1962, 1963, 1966, 1967, 1969, and 1975
- Office of Security Mission Statements for 1958, 1962, 1963, 1966, 1969, and 1975.

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CIA-2 through CIA-5.

These requests have been satisfied and no further action is needed by CIA.

CIA-6 Cables and Dispatches.

The Review Board first made this request on September 11, 1995. On September 11, 1995, CIA agreed to make these materials available by December, 1995. On October 1, 1996, CIA agreed to make these materials available by November, 1996. These materials have not yet been made available.

Although it has been fifteen months since CIA itself agreed to make these additional materials available, no response has been provided.

We are aware that many of the cables requested are already in the JFK files, but not all are included. Those that we have not been able to locate in the collection include: Mexico City Station to Headquarters (September 26-30, 1963); Headquarters to Mexico City Station (September 26-30, 1963); JMWAVE to Headquarters (September 26-November 21, 1963); Headquarters to JMWAVE (September 26-November 21, 1963); and all traffic between the Mexico City Station and JMWAVE for the periods September 26-October 20, 1963 and November 22-December 30, 1963.

**CIA-7 Histories.

The Review Board first requested access to several internal CIA histories and to indices of histories on November 8, 1995. On August 8, 1996, CIA first made available to the ARRB staff a list of histories. On that same date, the ARRB staff designated sixty histories from that list for which further review was sought. To date, the ARRB staff has reviewed the seven histories that CIA has made available and has made suggestions with respect to further processing of those seven histories. CIA should make the remaining sixty-plus histories available for review as soon as possible.

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CIA-8 Intelligence Community Staff records.

The Review Board first requested information on the Intelligence Community Staff on March 1, 1996. On October 1, 1996, CIA agreed to report on the status of this request within two weeks. The Review Board has not yet received any substantive response to this request.

CIA-9 Intelligence Community publications related to Cuba or USSR from November 20-30, 1963.

The LBJ Library has already identified several publications for mandatory review.⁵ Michelle Combs reviewed the materials and marked them as assassination records. We anticipate that this will speed their release. The DI has been tasked to locate the additional publications that have been requested.

CIA-10 Interagency Source Register.

CIA has provided a full description of the ISR, which should now be submitted as a formal response to the Review Board's request. Once the formal statement is provided, this request will be complete. (Under separate cover, the Review Board is sending to you an additional request for information and records, CIA-17, which provides a list of names that we request you check against the Interagency Source Register.)

CIA-11 Sylvia Duran materials.

CIA reports that it has exhausted its reasonable leads for pursuing additional information. CIA has agreed to provide a formal letter for the record detailing what searches were done and

⁵They include:

Intelligence Report (11/22/63; 11/23/63; 11/24/63; 11/26/63; 11/27/63; 12/11/63; 12/13/63; 12/18/63; and 12/20/63).

Intelligence Memorandum (11/23/63; 11/24/63; 11/25/63; 11/25/63; 4/20/64; and 10/16/64).

President's Intelligence Checklist (11/23/63; 11/24/63; 11/25/63; 11/26/63; 11/27/63; 11/28/63; and 11/30/63).

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confirming that the responsive document currently in the JFK collection is a true copy of the original letter. Once this formal statement is provided, this request will be complete.

CIA-12 JMWAVE and David Sanchez Morales.

On May 22, 1996, the Review Board requested access to "all 201 files, personnel files, Office of Security files, P-files, or any other files" relating to five persons allegedly connected to JMWAVE.

In response to this request, CIA has provided some materials on David Sanchez Morales and Ted Shackley. It is the Review Board's understanding that the records provided were already part of the Sequestered Collection. If CIA is now prepared to state, under oath, that it has made available to the Review Board "*all* 201 files, personnel files, Office of Security files, P-files, or any other files" on Messrs. Morales and Shackley, it should do so in a formal statement. If it cannot make that statement, it should either make all of the responsive records available or explain why it is not doing so.

With regard to the remaining individuals, DO has been tasked to look for additional files related to "Ron Cross," "Bart Henry," and "Doug Gupton." To date, the DO has provided no response and no time frame for a response.

CIA-13 Mexico City Backchannel Communications.

This request, dated November 1, 1996, was raised at the DO follow-up briefing on April 1, 1997. The DO provided no response and no time frame for a response. This request should be answered promptly.

CIA-14 Mexico City Station Annual Reports.

This request, dated December 23, 1996, was raised at the DO follow-up briefing on April 1, 1997. The DO provided no response and no time frame for a response. This request should be answered promptly.

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CIA-15 Win Scott files identified in Russ Holmes Files.

CIA has completed its response and no further action is needed.

**CIA-16 Oswald Pre-Assassination Files.

The HRG reportedly received a lengthy answer from the Office of Security on the LHO files and a formal response to the Review Board's request is in process. Oswald's Office of Security file has been located and will be delivered to HRG for review in April. Access to other files will require a special request from HRG to the Office of Security and should be requested by HRG for ARRB staff review.

III. Informal Requests.

All of the following informal requests have previously been made to CIA. For future reference, they will be referred to by the "Informal Request" (IR) number provided below.

**CIA-IR-01 Personnel assigned to post referenced in 104-10065-10199 from 1959-64.

This request, originally made in November 1996, was raised at the DO follow-up briefing on April 1, 1997. It is our understanding that the DO believes that it is not able to answer this request. The ARRB staff does not find DO's response to be credible. We believe that with all of the resources at the Agency's disposal -- including ready contact with individuals who should be able to answer this question from memory -- this question can be easily and promptly answered.⁶ The ARRB staff has provided suggestions as to how this information could be obtained, including suggesting the types of files and cables that could be searched.

CIA-IR-02 Location of cable identified in JFK 1993.07.20.10.18:29:650630.

The cable was delivered to the Review Board on March 20, 1997. No further action by CIA is needed.

⁶The ARRB staff has spoken with a retired CIA official who claims to be able to answer this question from memory, but who refused to do so.

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CIA-IR-03 Full computer search for list of documents in HTLINGUAL file.

CIA should undertake a computer run for all HTLINGUAL documents. All computer searches for these documents should be documented in a formal letter for the record. The ARRB staff has learned, unofficially, of a significant number (albeit less than 200) of these records that have been located -- but which have not been provided to the Review Board.

CIA-IR-04 Disposition of Angleton's files.

The Review Board seeks to ensure that it has taken all reasonable steps to account for any files that James Jesus Angleton possessed or controlled that related to the assassination and to Lee Harvey Oswald. Because of the perceived controversy surrounding the disposition of Angleton's files, the Review Board believes it prudent to obtain a clear understanding of the types of files that he maintained and their ultimate disposition. (The Review Board does not seek to explore any subjects in Angleton's files beyond those that may have pertained to the assassination.) To date, CIA has made available certain documents provided by the CIC and the case files for *Mangold v. CIA*. The Review Board requests any additional information in the possession of CIA that would explain the disposition of Angleton's files.

CIA-IR-05 Possible foreign source for records on Oswald.

CIA was informally requested, more than two years ago, to use its contacts to pursue certain records related to Oswald that were orally described to CIA. The Review Board believed that, for reasons of security classification of information, it was effectively precluded from making such inquiries on its own. After waiting two years, the Review Board was informed by CIA that it should make an initial inquiry through standard channels, and that CIA would pursue the information after the official request had been made. It would have been helpful if CIA had told the Review Board of this position, inasmuch as an official request had been made long ago by the Review Board. A copy of the Review Board's official request is being transmitted to CIA under separate cover.

**CIA-IR-06 QKENCHANT.

The Review Board seeks information regarding the purpose of QKENCHANT and its connection with Clay Shaw, Howard Hunt, and Monroe Sullivan.
The Review Board was initially provided some information in regard to this request that now

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appears to be incorrect. CIA is now seeking additional information to correct or to clarify its previous answers. The Review Board seeks an immediate, full, and accurate response to this request.

CIA-IR-07 Claude Barnes Capeheart.

The Review Board understands that the OGC has information that may be responsive to this request. The ARRB staff will contact OGC on this issue to determine whether it possesses any responsive information.

CIA-IR-08 Unredacted copy of the "Family Jewels" memoranda.

HRG will locate this item and provide access to it.

CIA-IR-09 George Bush computer search.

The Review Board provided CIA with a copy of an FBI document, dated November 29, 1963, prepared under the name of John Edgar Hoover, which states: "The substance of the foregoing information [on the assassination of President Kennedy] was orally furnished to Mr. George Bush of the Central Intelligence Agency" We have been informed that the DO has no record of a "George Bush" being in the employ of CIA in 1963 with the exception of Mr. George William Bush who has already given a sworn affidavit that he is not the "George Bush" in question. CIA is now checking whether the search query included George Herbert Walker Bush prior to 1970. CIA should determine whether George Herbert Walker Bush is the person to whom the memorandum refers and should provide a definitive statement regarding the scope of its search and the basis of its conclusion.

CIA-IR-10 IG Reports.

CIA will determine whether the IG's office maintains an index or inventory of its reports and determine whether the IG's office prepared a report on the handling of Oswald.

CIA-IR-11 Warren Commission critics.

CIA will determine whether DO or the Office of Security possess any files or records on Warren Commission critics Edward J. Epstein, Josiah Thompson, Mark Lane, Harold

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Weisberg, or Sylvia Meagher. The Review Board is not requesting information *per se* regarding any FOIA requests by these individuals or any Public Affairs news clippings.⁷

CIA-IR-12 Contacts with journalists or publishing houses.

The Review Board seeks to determine to what extent, if any, CIA might have attempted to influence any journalists or publishers regarding public discussion of the assassination. This request, originally discussed in March 1997, was raised at the DO follow-up briefing on April 1, 1997. The DO had no response and no time frame for a response.

CIA-IR-13 Office or person dealing with organized crime and Cuba.

CIA has made a personnel file available for the Review Board. The Review Board is determining whether any documents from the file should be designated assassination records.

CIA-IR-14 Breckinridge files.

CIA (OGC) will determine the disposition of the files of Scott D. Breckinridge.

**CIA-IR-15 Electronic "take" from Mexico City Station.

The Review Board has for some time been attempting to determine whether it has had access to all of CIA's surveillance "take" from the Cuban and Soviet facilities in Mexico City at the time of the Oswald visit and in the immediate wake of the assassination. On numerous occasions, the Review Board has asked whether there was any surveillance take in addition to what is currently in the collection. On March 18, 1997, the Review Board provided additional leads to CIA to assist it in answering these questions.

The ARRB staff does not find credible CIA's explanations for not having promptly answered these and related questions fully and completely. The DO has now agreed to check Hqs records for the file referenced in HMMW 12454, to search for the crypts cited in this document, and to search for HMMA 20307 and other cables or dispatches cited in this

⁷To the extent that CIA possesses FOIA-related files on any of these individuals and those "FOIA files" contain records gathered by CIA about the individuals, such records *are being requested by the Review Board.*

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document. The DS&T will query its offices for possible records on Mexico City and Cuba and for the present location of Staff D records.

CIA-IR-16 U-2 files.

DS&T will provide a folder title print out of U-2 materials for Review Board examination, check for records filed under Richard Bissell's name, and search for OSP files. DS&T has also contacted Lockheed for assistance.

CIA-IR-17 DS&T Records on Castro assassination plots.

HRG will furnish the 1967 IG Report to provide possible search query suggestions for DS&T follow-up.

CIA-IR-20 DO Office.

The Review Board has requested orally information about a particular DO office. We understand that you are collecting the relevant information.

CIA-IR-19 Computer searches.

The Review Board has requested that full computer searches be conducted on all of the following people and organizations. The results of the searches should be documented.

Name	Results/Comments
1. Spas Raikin	ARRB awaits documentation.
2. Leo Cherne	ARRB awaits documentation. OP file starts in 1988. HRG is checking on a 201. No OMS file.
3. Hunter Leake	ARRB awaits documentation. HRG is checking for a DCD file.
4. Marilyn Dutz Murret	ARRB awaits documentation.
5. John McVickar	ARRB awaits documentation. No OP file. No OMS file. DO is checking.
6. Andy Anderson	ARRB awaits documentation.
7. Byron B. Morton, Jr.	ARRB awaits documentation. No OP file. No OMS file.
8. Marie Cheatham	ARRB awaits documentation. No OP file. No OMS file.
9. Paul Garbler	ARRB awaits documentation. OP file. OMS file. HRG has requested personnel file.
10. Verna Deane Brown	ARRB awaits documentation. No OP file.
** 11. George Stanley Brown	ARRB awaits documentation.
12. Howard Guebler	ARRB awaits documentation. HRG will check for files.
13. Gordon Duane Novel	ARRB awaits documentation. HRG will check for files.
14. Ed Butler	ARRB awaits documentation. HRG will check for files.
15. INCA (Information Council of the Americas)	ARRB awaits documentation. HRG will check for files.

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Name	Results/Comments
16. Permindex	ARRB awaits documentation. HRG will check for files.

Conclusion

Please let me know if you have any supplements or corrections. We would very much like to ensure that these matters are handled expeditiously. As always, we appreciate your cooperation and assistance.

Sincerely,

T. Jeremy Gunn
General Counsel and
Associate Director for Research and Analysis

cc: Linda Cipriani, Esq.