

MEMORANDUM

TO: T. Jeremy Gunn
Michelle Combs
Robert Skwirot

FROM: Ronald G. Haron

DATE: March 9, 1998

SUBJECT: FOIA Files of CIA and NSA

Based on my review of FOIA case files of the Department of Justice ("DOJ"), I have identified certain FOIA cases involving requests for assassination records directed to CIA and to NSA. I want to bring these cases to your attention so that you may consider whether or not it is worthwhile to request the internal FOIA files of the CIA and NSA regarding these matters.

The CIA-related cases are:

1. *Assassination Archives v. CIA*, No. 88-2600 (D.D.C.)

This case involved a request for CIA records relating to George Bush before he was the Director of CIA. The DOJ file disclosed that DOJ had requested a litigation report from the CIA General Counsel after the case was filed. The case was referred to the U.S. Attorney and, therefore, the main DOJ file does not contain the papers relating to this litigation. Thus, there is no CIA report in the DOJ file nor any indication whether or not a CIA report was prepared. According to FOIA attorney James Lesar, the CIA made an *in camera* submission of documents. Again, there is no information in the DOJ file regarding this alleged submission. The Government's position in this case was upheld on appeal to the D.C. Circuit.

2. *Allen v. CIA*, No. 78-1743 (D.D.C.)

This case involved a request for CIA document No. 509-803, which consisted of a January 31, 1964 memorandum from R. Helms to L. Rankin enclosing a 14-page CIA presentation on Lee Harvey Oswald's activities in Mexico City.

The DOJ file disclosed (but did *not* contain) a classified affidavit filed by Louis J. Dube and classified attachments to an affidavit of Gerald Liebenau (both are CIA officials).

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Files 4.14, 4.17, 4.20

The Government's position to release only a redacted version of this document was upheld.

3. *Allen v. CIA*, No. 81-2543 (D.D.C.)

This case involved a request for CIA records made available to the HSCA.

4. *Hoch v. CIA*, No. 82-0754 (D.D.C.)

This case involved a request for CIA records relating to the JFK assassination.

5. *Mangold v. CIA*, No. 88-1826 (D.D.C.)

This case was identified by Mr. Lesar as involving a request for James Angleton's files. According to Mr. Lesar, an *in camera* declaration was submitted regarding a request for a stay in the processing of Angleton records.

6. *Scott v. CIA*, No. 95-686 (D.D.C.)

This case involved a request by Win Scott's son for papers of his father, including certain manuscript(s) that had been secured by James Angleton after Win Scott's death.

7. *Fensterwald v. CIA*, No. 75-897 (D.D.C.)

This case involved a request for over 1,300 CIA records relating to the JFK assassination. There was an *in camera* submission of some of these records.

The NSA-related case is:

8. *Weberman v. National Security Agency*, No. 77-5058 (S.D.N.Y.)

This case involved a request for NSA records regarding a telegram Jack Ruby allegedly sent to Cuba. The DOJ case file identified (but did *not* contain) the May 19, 1980 Top Secret affidavit of M. F. Tilley, NSA Director of Policy & Liaison (the DOJ file indicates that the affidavit was retained by the NSA General Counsel's office).