

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 full 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 reasonable able to assemble during the upcoming two weeks with regard to these five issues. We wish to obtain a reasonably complete response to these requests within one month. These six issues are identified by double asterisks below.¹

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 the personnel file of George Stanley Brown.

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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 completed 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 had a preference to provide briefings by the appropriate directorates before submitting the statement. We do, however, believe that it is appropriate for CIA to provide a general description of the work that has been done to date to locate all relevant files as well as any additional plans 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.

It is important that CIA understand that the 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.

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 needs to review the DO, and DS&T organizational material and to re-examine some of the proposed redactions. Several documents have been cleared by the directorate IRO's for either release in full or release with minor redactions.² The ARRB will

²These are:

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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.

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 materials available, no response has been provided.

**CIA-7 Histories.

- 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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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.

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 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.³ 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 be submitted as a formal response to the ARRB 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

³They 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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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 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

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should be answered promptly.

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 ARRB 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 RIF 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.⁴ 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 (Box 34, F. 22)

⁴The 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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The cable was delivered to ARRB on March 20, 1997. No further action by CIA is needed.

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 been informed 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 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

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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 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 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 is willing to provide a formal letter for the record detailing the searches which have been run and their negative results.

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

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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 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.⁵

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 Are all files together? Document search of all records?

OGC will check their records.

Set up records briefings with OGC, Legislative Affairs, IG's office, and DCI's office:

CIA will arrange as soon as possible.

**Electronic take from Mexico City Station:

To date, the DO response on this issue has been unsatisfactory despite the Review Board's

⁵To 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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providing detailed questions in our memorandum of March 18, 1997. The DO has agreed to check Hqs files 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 document. The DO has given no time frame for a response. The DS&T will query their offices for possible records on Mexico City and Cuba and for the present location of Staff D records.

U-2:

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

Castro assassination plots:

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

Additional Miscellaneous Documents acquired from the LBJ Library declassification request:

CIA made available the following documents which are currently in the systematic review process. ARRB needs to decide how to handle these records.

Classified Log 11/22/63-12/31/63
Cuba Country File - cable Madrid 1155 12/7/63
Warren Committee, Meetings,
From the President 10/12/64
Chase to Bundy 10/13/64
"Meeting on 10/13/64" 10/15/64
Chase to Bundy 10/16/64
Osborn and Kallen to Carey 10/16/64
"Meeting on 10/19/64" 10/21/64
"Background Paper on Security of..." 10/64
"Procedure for Conducting..." 11/5/64
Bundy to President 11/6/64
Ash to Smith 11/17/64

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Computer search and listing of all documents in the files on the following people and organizations:

1. **Spas Raikin** Do we want a formal letter detailing searches and results?
2. **Leo Cherne** OP file starts in 1988. HRG is checking on a 201. No OMS file.
3. **Hunter Leake** Is there a time frame for New Orleans? HRG is checking for a DCD file.
4. **Marilyn Murret** Do we want a formal letter detailing searches and results?
5. **John McVickar** No OP file. No OMS file. DO is checking.
6. **Andy Anderson**
7. **Byron B. Morton, Jr.** No OP file. No OMS file.
8. **Marie Cheatham** No OP file. No OMS file.
9. **Paul Garbler** OP file. OMS file. HRG has requested personnel file.
10. **Verna Deane Brown** No OP file.
11. **George Stanley Brown**
12. **Howard Guebler** HRG will check for files
13. **Gordon Duane Novel** HRG will check for files.
14. **Ed Butler** HRG will check for files.
15. **INCA (Information Council of America)** HRG will check for files.
16. **Permindex** HRG will check for files

Please let me know if you have any supplements or corrections. We would very much like to ensure

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that these matters are handled expeditiously.

As always, thank you for your cooperation and assistance.

Sincerely,

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

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