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JFK ASSASSINATION SYSTEM  
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AGENCY INFORMATION

AGENCY : CIA  
RECORD NUMBER : 104-10331-10031  
RECORD SERIES : JFK  
AGENCY FILE NUMBER : PROJFILES-CORRESPONDENCE

Released under the John  
F. Kennedy  
Assassination Records  
Collection Act of 1992  
(44 USC 2107 Note).  
Case#:NW 53217 Date:  
06-22-2017

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DOCUMENT INFORMATION

AGENCY ORIGINATOR : CIA  
FROM : ASST. GENERAL COUNSEL  
TO : CHIEF, HISTORICAL REVIEW GROUP  
TITLE : MEMO: MHCHAOS MATERIAL CONCERNING ACTIVITIES OF U.S.  
PERSONS OVERSEAS  
DATE : 01/12/1994  
PAGES : 2  
  
SUBJECTS : MHCHAOS  
JFK ASSASSINATION  
  
DOCUMENT TYPE : PAPER  
CLASSIFICATION : ADMINISTRATIVE  
RESTRICTIONS : 1A  
CURRENT STATUS : RELEASED IN PART PUBLIC - RELEASED WITH DELETIONS  
DATE OF LAST REVIEW : 04/30/03  
COMMENTS : JFK-M-16 : F3 : 2000.02.08.08:43:47:000035

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[R] - ITEM IS RESTRICTED 104-10331-10031

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OGC-94-50130

12 January 1994

MEMORANDUM FOR: Chief, Historical Review Group

FROM: Robert J. Eatinger, Jr.  
Assistant General Counsel  
Litigation Division, OGC

SUBJECT: MHCHAOS Material Concerning Activities of U.S.  
Persons Overseas

1. This memorandum responds to Frank Most's request for guidance on how to process certain MHCHAOS material. Specifically, I was asked whether the standards for processing the MHCHAOS documents that I provided in my 8 May 1993 memorandum to you would change if the MHCHAOS reporting was of the activities of U.S. persons in foreign countries. The standards do not differ if the reporting was of the U.S. person's activities overseas.

2. The authority of the Central Intelligence Agency to collect information on U.S. persons is based on the rationale for the collection, not the location of the U.S. person. While the foreign activities, as opposed to domestic activities, of U.S. persons are more likely to be of a foreign intelligence or counterintelligence interest, it does not mean all foreign activities may be collected. Additionally, the fact the activities of a U.S. person take place overseas does not, by itself, remove the U.S. person's privacy interests.

3. I recommend that you treat MHCHAOS reporting of a U.S. person's activities in a foreign country in the same manner as you treat MHCHAOS reporting of a U.S. person's activities in the United States.



Robert J. Eatinger, Jr.

DCI/OGC/LD RJE:ig 76105/ 12 Jan 1994

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