

ADMINISTRATIVE - INTERNAL USE ONLY

22 June 1999

MEMORANDUM FOR: •Edmund Cohen
Director, OIM

FROM: J. Barry Harrelson
JFK Project Officer
OIM/HRP

SUBJECT: Status of Obligations under Memorandum of Understanding With the
Assassination Records Review Board

REFERENCE: Memorandum of Understanding Regarding Continuing Obligations of the
CIA Under the JFK Act

On September 30, 1998, the Assassination Records Review Board, National Archives (NARA), and the CIA signed a Memorandum of Understanding to clarify the CIA's obligations under the JFK Act in view of the expiration of the Review Board's term on September 30, 1998. The MOU addresses categories of documents and activities that the Review Board had agreed could be postponed beyond September 1998. We have completed, or are on track to complete, most of these obligations by September 1999; however, we have missed deadlines on a few items. We are working closely with NARA in completing the JFK project, and I keep them apprised of our progress; our relationship with NARA remains excellent. Given the massive job that NARA has in processing the JFK collection, our missed deadlines have not been a problem to NARA, nor have they delayed NARA's release of information to the public. The following is a status report for each item listed in the MOU (numbers and letters reflect references in the MOU):

3. This section addresses assassination records in the CIA's JFK collection to be reviewed, processed and transferred to NARA after September 30, 1998.

a. By October 30, 1998, the balance of non-duplicate documents from the CIA-HSCA Sequestered Collection.

The bulk of these documents were provided within the October/November 1998 timeframe. As part of our duplicate processing, we are finding some "non-duplicate" documents that were missed during the review for the Board or not acted on by the Board. These include a number of "open in full" documents that were originally thought to be duplicates. We are including these documents in our duplicate processing.

b. By September 30, 1999, the duplicate documents within the CIA-HSCA Sequestered Collection.

We are on track to complete by September 30. We have completed approximately 70% of the collection.

c. By December 31, 1998⁸, the duplicate documents within the working files of CIA officer Russ Holmes.

We completed the Russ Holmes files in January 1999. NARA recently opened this collection to the public.

d. By September 30, 1999, 185 audio tapes of CIA surveillance of Soviet and Cuban diplomatic facilities in Mexico City.

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Of the 185 tapes, 98 have been reviewed and transferred to NARA (all released in full); DO has said they will be completed by the deadline, however, we have not received any tapes recently. [Eileen Wukitch] is following-up]

e. By December 31, 1998, DCI area working files.

Completed May 1999.

f. By December 31, 1998, document # 104-10061-10115 (list of names and crypts).

Completed February 1999.

g. By September 30, 1999, CIA's JFK project records (HRG/HRP files, JFK Project working files, DO cables, certifications, etc.).

In progress, the bulk of this work will be done in August/September timeframe. Due to the impact of Nazi project, this is the one item that could miss the September deadline.

h. Non-duplicate assassination-related records created or discovered by the CIA after September 30, 1998.

A small number of additional assassination records have in found in response to a FOIA request and by ADD's 25-year program. Approximately 1 ft hardcopy material plus 44 microfiches related to the HSCA investigation were located in OGC files being retired to Records Center. The new records have been reviewed and incorporated into the collection; the OGC HSCA material is pending a duplicate review.

4. Referrals of assassination records from other Agencies by April 30, 1999.

- a. Church Committee records (10,000 pages). *Completed May 1999.*
- b. JFK Presidential Library's RFK files (2,000 pages). *Completed May 1999*
- c. Rockefeller Commission Records at LC (15 linear ft) *Believed duplicate of Ford Library Collection; no action required.*
- d. Army file on individual (147 pages) *Completed January 1999*

Other referrals: ARRB files at NARA (11,200 pages) *Completed April 1999*

5. This section addresses the JFK Act's requirement that the classified original (or full text copy) of sanitized or postponed documents be transferred to NARA for secure storage until 2017.

a., b. By September 30, 1998, classified originals of Oswald files (Lee and Marina).

Completed September 1998.

c. By September 30, 1998, original microfilm reels for the CIA-HSCA Sequestered Collection.

We "technically" met the deadline in that the reels are at NARA. However, they are stored in a safe in the Agency's 25-year unit's area. A final decision on secure storage until 2017 has to be made.

d. By October 30, 1998, all other assassination records not otherwise addressed in this MOU.

We have taken no action on this item. The DO has concerns with this requirement and there are a few sensitive documents that it would like to hold at the Agency; we need to work the details of secure storage with NARA and resolve any sensitive document issues. In addition, the process is very labor

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intensive, and I have not had the resources to handle the task. This process requires locating each sanitized document in the collection; making a copy of the document and Iden aid; sending either an original or a copy of document to NARA, or, if a sensitive document, microfiche the document and send the fiche to NARA.

e. By October 30, 1998, the printed version of the Oswald 201 file from the CIA-HSCA sequestered Collection microfilm.

Completed in October 1998.

f. By December 31, 1998, the originals of all postponed records from the Russ Holmes working files.

See "5.d." above.

6. This section addresses the handling of the Not Believed Relevant (NBR) records which remain in the Agency's custody. There are three action items required of the agency:

(1) preservation of the Nosenko audio tapes

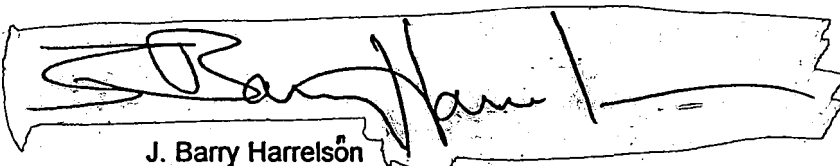
The tapes need to be indexed (low priority); once indexed, we will contact Records Center re proper storage.

(2) by November 30, 1998, provide NARA a list of the hardcopy files being retained until 2017.

No action taken; we plan to use the database to create the listing, however, it may require some programming work on the by SAIC team. We have asked NARA for a delay until September 1999 to complete the updating of the database.

(3) confirm with NARA arrangements for securing this material.

Part of the final decision concerning the disposition of the JFK collection; NARA requires the right of inspection upon request.



J. Barry Harrelson

Attachment: See Reference

CC: Lee Strickland
Jim Oliver