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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

27 February 1976

MEMORANDUM FOR: Executive Branch Departments and Agencies

SUBJECT: Classified Documents Returned from the
House Select Committee on Intelligence

Chairman Pike has designated the CIA as the interim custodian of the Executive Branch materials heretofore held by the House Select Committee pending final determination by the House of Representatives regarding these materials. Attached for your information and possible future reference is a copy of a letter dated February 25, 1976, from the Director of Central Intelligence to Representative Otis Pike, Chairman of the House Select Committee on Intelligence, regarding the disposition and safe-keeping of classified materials furnished to or generated by the Select Committee. Also attached for your information are copies of Chairman Pike's letters of February 20, 1976, to Director Bush and to the Archivist of the United States.

Those addressees whose classified materials are now stored at CIA Headquarters should advise Captain John Matheny, Office of the Assistant to the President for National Security Affairs, whether any of their documents are missing. Captain Matheny will prepare and maintain a consolidated list of Executive Branch documents which are listed as missing should this be needed for a future investigation.

[Redacted Signature Box] JFK(1)(G)
Assistant to the Director
Review Staff

Attachments: As Stated

Distribution:

William Hyland/NSC
John Marsh/White House
Thomas Latimer/DOD
Antonin Scalia/DOJ
Peter Bensinger/DEA
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Gerald Nensel/Treasury

Donald Alexander/IRS
Harold Saunders/State-INR
Donald Ogilvie/OMB
Robert Hampton/CSC
Benjamin Bailar/U.S. Postal Service
James Rhoads/National Archives
and Records



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ENCLOSURE

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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

25 February 1976

The Honorable Otis Pike, Chairman
Select Committee on Intelligence
House of Representatives
Washington, D. C. 20515

Dear Chairman Pike:

I hereby acknowledge and accept the terms set forth in your letter of February 20 for safekeeping of the three categories of sensitive classified documents furnished to or generated by the House Select Committee on Intelligence.

As to the first category, pursuant to your letter, the "on loan" material which was loaned to the Select Committee by the Executive branch has been received by the CIA and such material has been returned to the originating departments and agencies.

With regard to the second category of materials, the transcripts of testimony taken from current and former Federal officials in executive sessions of the Select Committee, it is my understanding that these documents will be placed in the National Archives building for safekeeping in the custody of the Archivist of the United States, and that no one is to be given access to these materials pending further instructions from the House of Representatives or Speaker of the House. As you indicated in your letter of February 20 to the Archivist, highly sensitive classified information is contained in these transcripts, and they should be treated accordingly by the Archivist. I am also concerned about any future plans for the disposition of these transcripts. This material includes information involving sensitive sources and methods which I am charged by law to protect from unauthorized disclosure. I would, therefore, appreciate it if you would bring this concern to the attention of the Speaker of the House and request that I be involved in any decision regarding the future disposition of this material.

Finally, with respect to the third category of materials received by the CIA from the Select Committee for storage at CIA Headquarters, we have attempted to reconcile our records of documents

62-116464-316

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delivered to the Select Committee with the inventory of documents received for storage at CIA Headquarters, and we find that a number of CIA documents are missing. The materials transferred to CIA Headquarters for storage were initially inventoried and sealed in cartons by Executive branch representatives on the premises of the Select Committee in the presence of Committee staff members during the period of February 18-20. Because a number of documents were unaccounted for, it was agreed with your staff representative that certain cartons should be inventoried again to determine whether the missing documents might be in those cartons. Thus, a thorough second inventory of certain sealed cartons was conducted at CIA on February 21 with your concurrence and in the presence of Ms. Jacqueline Hess of the Select Committee staff. While a few of the missing documents were found in the second inventory, a number of documents are still missing.

As soon as a complete list of the missing materials is prepared, my representatives will seek an early meeting with you to determine what measures can be taken to account for or locate the missing documents. Other Federal agencies are also checking their records and inventories to determine whether any of their documents are missing.

The foregoing pertains only to the missing materials as we have no way of accounting for the multiple copies of classified documents reproduced by the Select Committee staff from originals made available by the CIA and other Executive departments and agencies. To the extent that the multiple copies have not been included in the materials to be stored at CIA or the National Archives, I trust that those documents have been destroyed in accordance with procedures appropriate for classified materials.

The following is a summary of the third category of material now held in sealed cartons at CIA Headquarters pending further instructions from the House of Representatives or the Speaker of the House:


Rockefeller Commission Files	:	13 Cartons
CIA Files	:	11 Cartons
Dept. of Defense Files	:	7 Cartons
(1 carton of DoD files labeled : "pending resolution of on loan material")		

IC Files (Carton 2 has partial materials from: Treasury, Civil Service, CMB, and Post Office)	:	3 Cartons
DEA Files	:	2 Cartons
Dept. of State Files	:	1 Carton
Dept. of Justice/Atty. General:	:	1 Carton
FBI Files (Carton 7 has partial files from State, DEA, Civil Service, CMB, Treasury/IRS and IC)	:	7 Cartons
HSC Transmittal Books	:	<u>1 Carton</u>
TOTAL:		46 Cartons

Unless advised by you to the contrary, we will assume that this breakdown of cartons accords with your records and that the Speaker of the House has been so advised. The contents of each carton have been individually inventoried and Ms. Hess has receipted for the contents of each carton. Copies of these inventories have been supplied to Ms. Hess for transmittal to the office of the Speaker of the House.

I wish to express my personal appreciation for your cooperation in making possible, in the short time available, the transfer of the materials to be held for safekeeping at the CIA Headquarters.

Sincerely,


George Bush
Director

cc: Honorable Carl Albert,
Speaker of the House
of Representatives