

7/19/95

2:00 pm

Meeting with DEA

Participants: Phil Golrick, Kevin Tiernan, John Langer, Ed Bordley, Christopher Smith, Kevin Janet

We requested a meeting to make direct contact with the DEA and to get a better sense of where they stood in compliance with the statute.

1. They told us that all FBN records still in existence are now in the possession and legal control of the National Archives, and to look at them we would have to go through the NARA's appraisal branch. Some 23 cubic feet of FBN records were transferred to NARA in March of 1995. Some of these records are scheduled to be destroyed when they are twenty-five years old. Others have been destroyed already. We brought two series to their attention from DEA 135s, and these were destroyed by NARA since taking legal custody of FBN records (FBN manuals and files labeled Secret Service #1 and Secret Service #2).

2. Langer expressed concern at the breadth of the statute, and the interpretive regulation written by the Review Board staff. Langer was particularly concerned that upon reviewing records reviewed by HSCA staff, we would then ask for every name which was mentioned in these files. Langer referred to the practice as bootstrapping, and suggested that it could go on endlessly. We assured them that our interest was in applying the statute as interpreted by the Review Board and that we planned to do so responsibly, and were not interested in overburdening the agencies.

3. The liaison files between the DEA and congressional committees are destroyed on a schedule of two or five years routinely, and records of contact with the HSCA were destroyed in accordance with this policy. Accordingly, DEA does not have any documentation of its own regarding what DEA records were requested by the HSCA staff.

4. Langer was interested in what information we had about DEA records in our document databases. We told him that we could search for any record in which the reviewer mentioned DEA, or any record that was referred to the DEA. Perhaps that would be a way to get the DEA to search for originals of files referred to them.

5. Smith described the DEA, in its early years, and presumably its predecessor agencies as a "jockstrap agency". By that he apparently meant that an emphasis was placed on operations, and not necessarily on administrative responsibilities such as record keeping.

6. We discussed other likely locations of DEA and FBN records. Field office records are destroyed after twenty-five years, and according to Langer and Smith are never appraised by the National Archives, or accessioned by them. We should contact the Records Center in Texas to determine if they have any Bureau of Narcotics Records from the Dallas Field office and when they

are scheduled for destruction.

7. We discussed the referral process under our statute, and DEA compliance with that aspect of the statute. Janet estimated that approximately 30 documents came through his office for referral under the statute, and all of those have since been processed. He did not indicate that they then searched for the referred records in their own files.

8. As a follow-up, we said we would write a letter to the DEA detailing the requests of the HSCA, and search our database for records which had or have DEA equity in them. Langer said that, even for records dating back to the 1960s, DEA is able to retrieve records on a name search.

9. By the end of the meeting, the DEA representatives appeared to accept that DEA/FBN records reviewed by the HSCA staff were requested by the HSCA staff were assassination records that had to be processed under our statute, regardless of whether the DEA felt they in fact were related to the assassination.