

OVERVIEW OF CIA COMPLIANCE ISSUES [June 12, 1998]

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7. The Compliance Statement Should Represent What CIA Commits to Do after September 1998

A. Issues Regarding Completion of CIA Work Under the JFK Act

1. Processing CIA Assassination Records for the JFK Collection

- **CIA/HSCA "Sequestered Collection" [Hardcopy] (63 boxes)** -- Complete processing. Disks must be submitted to NARA (Martha Murphy, NARA, reports that NARA has no disks for the sequestered collection).
- **Sequestered Collection [Microfilm] (72 reels)** -- Complete processing of non-duplicates (Duplicates to be processed after Sept. 1998). Would CIA include for JFK Collection its detailed index of the microfilm sequestered collection since index identifies all sequestered files and those files processed as relevant to the JFK assassination?
- **Lee Harvey Oswald's 201 File (16 boxes)** -- RIFs are not attached to the first 12 boxes, according to Martha Murphy, NARA. Ask CIA to attach the RIFs to these documents.
- **Request CIA to place certain original records in NARA's Protected JFK Collection** -- Request CIA to place the originals of all postponed documents from Lee Harvey Oswald's 201 file and Office of Security file into the Protected Collection. Ask CIA to place the microfilm set of the Oswald 201 file into NARA's Protected Collection. [Spot check needed for microfilm version of Oswald 201 file]. Full hardcopy and microfilm set of the sequestered collection should also presumptively be placed in NARA's Protected JFK Collection.
- **Mexico City Station Folders** -- Confirm CIA representation in its Compliance Statement that separate folders were located and whether placed in the JFK Collection (Martha Murphy, NARA, reports that the only Mexico city station material is from the sequestered collection [boxes 41-43]).
- **Oswald-related documents from Defector File (CIA-IR-24)** -- High priority should be assigned to placing these documents in the JFK Collection [We need to place the Oswald Office of Security file in the JFK Collection].
- **JFK/Russ Holmes Working Files (19 boxes)** -- Review with Jeremy the arrangements for

processing these files by September 1998.

- **Mexico City Post-Assassination Tapes** -- Status of processing tapes from November 22-23. Balance of tapes (through December 1963) may be designated assassination records.
- **Tapes of Nosenko interrogation** -- Confirm that these will be placed in the JFK Collection in 2017. Do we want CIA to place these in the Protected Collection before then?
- **Ann Goodpasture Interview/History**-- Review and declassification required.
- **Other Assassination Records for the JFK Collection:**

--Latin America Division (material from 7 boxes)

--CIA organizational materials (CIA-1)

--Win Scott Files Identified in R. Holmes Collection (CIA-15) -- [Doublecheck with Irene as to whether any records designated AR]

--C. Capehart Security File (CIA-IR-07)

--Excerpts of "Family Jewels" Memorandum (CIA-IR-08)

--Excerpts of Personnel File re Organized Crime/Cuba (CIA-IR-13)

--DRE Operational Reports (CIA-IR-21)

--"A" Files on Clay Shaw and Jim Garrison (CIA-IR-22)

--Watch Committee Reports (CIA-IR-23)

--McCone Records (CIA-IR-28)

--Security Files material for Novel, Ruby, Nagel, Weisberg, Sheridan (CIA-IR-27)

--Dulles Calendar excerpts (CIA-IR-31)

2. Potential CIA Assassination Records -- ARRB Review Continuing:

- CIA Cables and Dispatches (CIA-6) -- Need to evaluate CIA response
- CIA Officials -- Cabell, Carter, Bissell, Helms, Barnes, Houston, Harvey (CIA-IR-34) -- ARRB review of files is continuing
- CIA Histories (CIA-7) -- ARRB review is continuing
- Intelligence Community Reports on Cuba/USSR (CIA-9) -- ARRB review is continuing
- JMWAVE Files (CIA-12) -- ARRB review is continuing. Also awaiting additional files.
- U-2 Files (CIA-IR-16) -- ARRB review is continuing.

3. Substantive Responses and/or Files Due from CIA

- Intelligence Community Staff Records (CIA-8) -- Awaiting CIA response
- Interagency Source Register (CIA-10) -- Awaiting final response, as well as certain files, from CIA.
- Mexico City Station Annual Reports (CIA-14) -- Awaiting CIA response.
- Computer Search for HTLINGUAL Documents (CIA-IR--03) -- Awaiting CIA response.
- Accounting of James Angleton Files (CIA-IR-04) -- Awaiting for an accounting by CIA (**High Priority**)
- Possible Foreign Source for Oswald Records (CIA-IR-05) -- Awaiting CIA response (**High Priority**)
- QKENCHANT (CIA-IR-06) -- Awaiting CIA response

- IG Reports Re Oswald (CIA-IR-10) -- Awaiting CIA response **(High Priority)**
- Files on Warren Commission Critics (CIA-IR-11) -- Awaiting CIA response **(High Priority)**
- Contacts with Journalists (CIA-IR-12) -- Awaiting CIA response
- S. Breckenridge Files (CIA-IR-14) -- Awaiting any files from CIA **(High Priority)**
- Electronic "Take" from Mexico City (CIA-IR-15) -- Awaiting complete response from CIA **(High Priority)**
- DO Office Information (CIA-IR-18) -- Awaiting CIA response
- Computer Name searches (CIA-IR-19) -- Awaiting CIA response
- Zapruder Film (CIA-IR-25) -- Awaiting CIA response
- AMWORLD (CIA-IR-32) -- Awaiting further information from CIA.
- Zhuravlev 201 File (CIA-IR-35) -- Awaiting file from CIA
- William Pawley Files (CIA-IR-37) -- Awaiting any files from CIA.

4. Declassification of Church Committee Records

--Church Committee transcripts

--Previously redacted Church Committee records ("Church Committee Binders")

5. Declassification of Rockefeller Commission Records at the Library of Congress

Discuss processing of Rockefeller Commission records at the Library of Congress. Review Board should make initial inspection.

6. Outstanding Review of CIA Equities in Other Agency Records

B. Issues Regarding CIA's Final Declaration of Compliance

1. General Purpose

The CIA's Final Declaration of Compliance should constitute the CIA's public statement, under penalty of perjury, that it has located and disclosed all records relating to the assassination of President Kennedy and relating to Lee Harvey Oswald; that no relevant files are being withheld; and that there are certain categories of records that, in fact, do not exist.

2. Describing 1993 Search for Kennedy/Oswald Records

The initial compliance statement reports that, in 1993, the Historical Review Group ("HRG") requested CIA directorates to conduct a "name search on Lee Harvey Oswald, the JFK assassination, and any documents related to the assassination." Compl. Stmt, at 1. Ask CIA to attach the 1993 request from HRG, as well as the individual responses from the Directorates. Ask CIA to explain in more detail the database searches that were done to identify relevant files.

3. The CIA Must Confirm that All Records Relating to the Assassination and to Lee Harvey Oswald Have Been Identified.

The CIA must include a substantive representation that all files on Lee Harvey Oswald have been identified. I recommend that the substance of CIA's December 22, 1997 Memorandum for the Record (re Oswald pre-assassination files [CIA-16]) be restated (verbatim or as an attachment) to the Final Declaration since the issue of what records the CIA had on Oswald is critical.

The CIA must include a substantive representation that any and all main files on President Kennedy or on the assassination, to the extent they exist, have been identified. We need a more detailed explanation for how the CIA went about determining whether any such files exist. [If Oswald's 201 file essentially was the CIA's main repository for records relating to the assassination, then perhaps that should be stated in the Final Declaration].

4. The Compliance Statement Must Be Under Penalty of Perjury

A CIA official (perhaps the Executive Director or the Director for the Office of Information Management) must attest to the CIA's representations in the Final Declaration under penalty of perjury. (Possibly raise, as an option, the execution of separate affidavits from the IRO's for DCI and the individual directorates).

5. The Compliance Statement Must Incorporate, By Reference, Each of the CIA's Responses to Review Board Requests for Additional Information

The CIA's Compliance Statement should list all the written responses to Review Board requests. The Final Declaration should then state that all the identified responses are incorporated into the Final Declaration by reference [Is that sufficient to render the responses as having been made under penalty of perjury?].

6. The Compliance Statement Should Identify the Destruction of Any Major Categories of Assassination Records and Explain the Circumstances Thereof

It is essential that we have the CIA identify in its Final Declaration any discrete record groups relating to the assassination that have been destroyed. We know certain records that were destroyed, and we should ask the CIA to explain, as best as possible, the circumstances of that destruction: (a) the Mexico City tapes containing Oswald's voice [this should be explained particularly in light of the fact that CIA has the raw tapes post-dating the assassination; in fact, I would have the CIA incorporate or attach its full statement regarding electronic "take" from Mexico City (CIA-IR-15)]; (b) accounting for the file of John McCone on the assassination; and (c) accounting for the files of James Angleton, who worked on assassination matters for the Warren Commission (CIA-IR-04, which should be incorporated or attached in full).

7. The Compliance Statement Should Represent What CIA Commits To Do after September 1998

- All postponed records from the CIA/HSCA sequestered collection and the Oswald 201 and Office of Security Files will be opened by 2017
- Clarify treatment of Nosenko interrogation tapes in 2017
- All duplicate records from the sequestered (microfilm) collection will be processed after September 1998

CIA Compliance Outline

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- Any processing of Russ Holmes Collection after Septemebr 1998?
- Rockefeller Commission records at the Library of Congress will be opened
- Any other records for which we want the CIA's commitment to open by 2017?