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OLC 77-5614

Select Committee on Assassinations

U.S. House of Representatives

331 HOUSE OFFICE BUILDING, ANNEX 2
WASHINGTON, D.C. 20518

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December 15, 1977

CIA HISTORICAL REVIEW PROGRAM
RELEASE IN FULL 1998

Mr. Douglas T. Cummins
Central Intelligence Agency
Office of Legislative Counsel
Washington, D. C. 20505

Dear Mr. Cummins:

I write this letter only reluctantly. The relationship between the Committee and the Agency has been good. Consequently, it is only reluctantly that I write to draw to your attention formally a matter that we have discussed on several occasions: Delay in processing Committee requests.

You and I have discussed on several occasions (e.g. 12/6/77, 12/7/77) the problem the Committee is experiencing in delay associated with the processing of its requests, the sanitization of its notes, securing access to materials from third agencies, etc.

For the record, it may be helpful to set out several incidents. On November 30, 1977, several members of the Committee staff were at the Agency to review files and to examine the Inspector General's report of 1967. Notes were, of course, made. These notes were supposed to be sanitized and delivered by CIA courier the next day. By December 7, when we discussed the matter, these notes had not yet been delivered to the Committee. It would seem that this kind of delay is unreasonable.

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Another example: On November 3, 1977, several members of the Committee staff were at the Agency to review files. They were told that Appendices B and C of the file to which they were given access had not been sanitized. Consequently, they could not see them at that time. On December 6, 1977, access to Appendices B and C was again requested. The staff members were informed that B and C had not yet been sanitized. A delay of a month in the processing of Appendices B and C is intolerable.

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Another example: On December 5, 1977, members of the Committee staff discussed with you securing access to various

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Mr. Douglas T. Cummins
December 15, 1977
Page 2

classified Warren Commission documents that originated in the CIA but were part of the Archives collection. As you are aware, the Committee has been seeking access to these materials since August. It was suggested that it would be preferable to get access to these documents at Langley rather than through the Archives. You informed members of the staff that these materials would be available by Friday, December 9, 1977. Nevertheless, you indicated to the staff that these materials were not yet available for review on December 14.

This example, too, is inconsistent with the "performance standard" we have discussed of not less than five days between request and access.

As you are aware, I have been experiencing considerable delay in getting access to a Handbook held by the FBI, which apparently originated with the Agency. In an effort to compare material made available to me by the Agency on December 7, 1977, I contacted the Federal Bureau of Investigation on December 8, 1977, and asked if they possessed similar material. It is my understanding that this material was retrieved by the Bureau and forwarded to the Agency by courier within a day.

As of December 13, this material had not been examined by Agency personnel and made available to me for even preliminary review. — Material received by Committee, 12/15/77

Other examples could be multiplied. The King Task Force, for instance, on November 11, 1977, requested any information in the CIA files relating to Dr. Martin Luther King or James Earl Ray. No response has been made to this request.

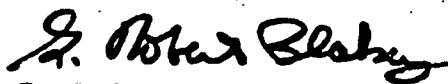
This letter is not written to suggest that those people with whom our staff has had dealings have been individually anything less than cooperative. Indeed, it is only appropriate to note that in particular instances the Agency has performed services for the Committee with alacrity. Letters have been furnished to the Committee in certain situations almost overnight. Photographs have been furnished to the Committee just as quickly. The Agency has processed security reviews generally within 48 hours. The basic Memorandum of Understanding, a delicate matter, was negotiated, drafted, and executed with more than deliberate speed.

Mr. Douglas T. Cummins
December 15, 1977
Page 3

Nevertheless, it would seem that, while the Agency and its personnel are desirous of cooperating with the Committee, insufficient personnel has been allocated to meet the Committee's access to files needs, or to review its notes and make them available to the Committee staff for its necessary work.

I would hope that, as a consequence of this letter, an effort would be made by the Agency to allocate to this important work sufficient personnel, so that delays might not become a factor in the quality of our relationship or our final work product.

Sincerely,



G. Robert Blakey
Chief Counsel and Director

GRB:dm