MEMORANDUM

To: Assassination Records Review Board

Cc: David G. Marwell

From: T. Jeremy Gunn

Date: October 15, 1996

Subject: ARRB Staff Recommendations for Processing Records in the Segregated Collections and Records that Contain Information Having "No Apparent Relevance" (NAR) to the Assassination of President Kennedy.

Introduction

Federal government records coming within the Review Board's mandate typically fall into one of two categories: (a) groups of Federal agency records readily identifiable as being directly relevant to the assassination of President Kennedy, and (b) the "Segregated Collections" (or "Sequestered Collections") of Federal agencies, which consist of records that had been requested for examination by the HSCA or other government body in conjunction with an investigation of the Kennedy assassination.[1] The first category of records includes the FBI's "Core and Related files" (including, for example, the Oswald, Ruby, and the assassination investigation files) and the CIA's Oswald 201 file. Most of the Board's work has, to date, consisted of reviewing postponements from this first category of records. The Board has reviewed the proposed postponements in these records on a word-by-word basis. With only a few exceptions, these records have been understood to be relevant to the assassination and have been reviewed accordingly.[2] Although the detailed review of these records has

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[1]These other government bodies include the Church Committee, the Pike Committee, the Abzug Committee, and the Rockefeller Commission. A separate category of documents consists of records requested by these government bodies in conjunction with their work that was unrelated to the Kennedy assassination. These non-Kennedy assassination records, as a category, do not come within the Board's mandate. However, if any record in this separate category should include information that would enhance the historical understanding of the Kennedy assassination, the Board could, of course, designate it as an "assassination record."

[2]There were some records in this first category that had no apparent relevance to the assassination. Postponements in these records were nevertheless reviewed on a word-by-word basis and the records were released by the Board.

been time consuming and demanding for both the Review Board and the Federal agencies, the Board has believed that such a detailed review was necessary to fulfill its responsibilities under the The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) (JFK Act).

The Segregated Collections contain many records clearly related to the assassination. Postponements in records that clearly are related to the assassination should continue to be reviewed carefully. However, the Segregated Collections also contain a great deal of information that has no apparent relevance to the assassination.[3] If the Review Board were to attempt the same detailed review of these apparently irrelevant records that it has heretofore afforded to assassination records, it would require vastly more time and resources than the Board now has at its disposal. Such a review would also require a significant expenditure on the part of the agencies to prepare detailed postponements and to supply evidence supporting the proposed postponements. The decisions of the Review Board regarding the disposition of the segregated records will have a significant affect on the use of ARRB Staff resources and on the resources of the agencies whose records are under consideration.

The immediate issue for the Review Board is to decide how to process and review the records in the Segregated Collections. A related issue, albeit one having a lesser impact on resources, is how records should be reviewed when they contain material that is unquestionably related to the assassination, but also contain information that is unrelated but nevertheless sensitive information. Specifically: (a) how should records be reviewed when they contain information with no apparent relevance to the assassination; (b) what should be the disposition of these records; and (c) how should individual records be reviewed that contain some information relevant to the assassination but also contain sensitive information that is not relevant to the assassination?

I. Origin and Description of the "Segregated Collections"

Several government bodies, including the House Select Committee on Assassinations, the Church Committee, the Rockefeller Commission, and others, have investigated the assassination of President Kennedy. In the course of their work, these bodies made requests to examine files of the CIA, FBI, and other government agencies. The requests may have been for records on a particular subject matter or for any information on

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[3]This issue was described in the Board's public hearing on August 6, 1996, by the ARRB Staff and in the sworn testimony of John Pereira and Barry Harrelson of the CIA. The transcript of the public hearing is incorporated herein by reference.

specific names provided to the agencies. In response to the requests, the agencies frequently made their files available for review and copying by the investigators. On occasion, the investigators requested a file, but never actually reviewed it.

At the conclusion of the HSCA's work in the late 1970s, Congress entered into agreements with agencies, including the FBI and CIA, not to destroy the records that had been requested and to keep those records segregated from the remainder of the agencies' other files. The term "segregated" or "sequestered" collections thus describes those records now held by Federal agencies that were originally requested by the investigative bodies in the course of their investigations of the Kennedy assassination, and that have, in most cases, been stored separately from other agency files.

Although many of the segregated records are clearly relevant to the assassination of President Kennedy, there is also a great deal of information in these records that, as has been discussed elsewhere, has no apparent relevance to the assassination. There are four basic reasons that information having no apparent relevance to the assassination is contained in the Segregated Collections (and, in some cases, in the Core and Related files):

First, the mandates of the investigative bodies included not only the Kennedy assassination, but other areas as well. For example, the HSCA also investigated the assassination of Martin Luther King. The Rockefeller Commission investigated a wide range of CIA activities and the Church Committee investigated domestic surveillance activities of the US intelligence community. Although records requested by these investigatory bodies on issues other than the Kennedy assassination might also be relevant to the assassination, it is also possible they would have no relevance whatsoever. Although Segregated Collection records that are unrelated to the assassination are not within the Board's mandate (see footnote 1 above and Part II B below), in many cases the files are intermingled in such a way that it may be initially unclear whether the records are related to the Kennedy assassination.

Second, even in the course of making inquiries relevant to the Kennedy assassination, records were sometimes pulled from the files that in fact have no apparent relation to the assassination. One obvious example, as described in the Public Hearing, was that of a "false hit." In a false hit, the HSCA may have been seeking information on a certain "John Smith," but was provided a file on another person named "John Smith." The wrong "John Smith's" file is now included in the Segregated Collection, although the information contained in the file has no relevance to the assassination.

Third, there are some files, pulled in response to HSCA requests, that contain documents that are clearly relevant to the assassination, but also contain some

documents that have no apparent relevance. For example, the HSCA may have requested the personnel file of a CIA officer who was stationed in Mexico City at the time of Oswald's visit. Although the personnel file contains some information of relevance, it also includes personal information on the career of the officer both before and after the Mexico City assignment. In some instances, this type of information, albeit apparently irrelevant to the assassination, would reveal a great deal about sensitive CIA activities.

Fourth, there are some documents -- in both the Segregated Collections and in the FBI's Core and Related files -- that contain both relevant and irrelevant information. One example is the briefing memos (*e.g.*, to President Johnson) that include the assassination as one of several topics. Another example are FBI informants' reports prepared immediately after the assassination that contain a statement about the assassination (typically that the informant had no information) along with reports on other matters that have no apparent relation to the assassination.

II. The Problem: Whether information and records in the Segregated Collections (and in some Core and Related files) that have no apparent relevance (NAR) to the Kennedy assassination should be reviewed in the same manner that the Board has followed for those records that clearly are related to the assassination?

A. Public Comment.

The public was invited to make comments and recommendations to the Board on the procedures for reviewing and processing the Segregated Collections. Several members of the public spoke in the August 6, 1996 Public Hearing, and several others sent written comments to the Board. The comments tended to follow one of two possible approaches. The first suggested that the Board might well differentiate relevant records from those that are less relevant, but urged that the Board proceed prudently and that it prioritize wisely.

The second approach, which we will call the "broad" position, argues that the records in the Segregated Collections should be reviewed in the same manner as the Board has heretofore followed with the core collections, and that all postponements should be reviewed on a word-by-word basis. These commentators made essentially two arguments in favor of the broad approach. The first argument is that all segregated records are assassination records *because* they were requested as a part of an investigation into the assassination. According to this reasoning, all files that were made available as a result of a name search are *necessarily* relevant because they were

retrieved in connection with an investigation of the assassination.

The second argument for the broad position is that no one can know with certainty whether any given record *might possibly* be relevant to the assassination. For example, a record may contain information that would illuminate the assassination only when other information not now known becomes available. Similarly, a researcher in the future might make a connection that is not apparent today.

B. ARRB Staff Response.

The broad position has one undeniable advantage: it would essentially preclude the Review Board and its Staff from engaging in the task of judging what information might be relevant to the assassination. Were this recommendation to be adopted, the Review Board would be less likely to be accused of hiding probative information under the guise of its being irrelevant to the assassination.[4]

Although conceding that the broad position does have this advantage, the ARRB Staff does not support this position for three basic reasons:

First, this broad position is overly inclusive. Although it is clear that, in some instances, records are included within the Segregated Collection that have no relevance to the assassination, the broad position would include them without differentiation. The basis for treating all segregated records as assassination records is not that the records are reasonably likely to enhance the historical understanding of the assassination, but that they might possibly, in some remote or unforeseen way, have information that might explain the assassination. No historian, prosecutor, or social scientist should use such criteria as a basis for understanding a historical event or a crime. In fact, the arguments favoring this broad position could be used with identical force (or lack of force) with respect to tens of thousands of other records in the files of the CIA, FBI, and other agencies. Who today *necessarily* knows that the files of a European desk officer in the State Department or of the Director of Central Intelligence contain no additional information that might one day be argued to be relevant to the assassination? An approach to the segregated records that is premised on the belief that no apparent relevance need be ascertained is one that is obviously over inclusive, and, presumably, would consume the limited resources both of the agencies and the Review

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[4]There will, of course, always be people who will be suspicious of the significance of any withheld information. Ultimately, the Board's credibility will be judged less by these anticipated allegations than by the releases that have been made and by the conscientiousness of the Board's procedures.

Board.

Second, the language of the JFK Act repeatedly and specifically identifies records *related to the Kennedy assassination* as being the relevant body of material. The findings and declarations repeatedly refer to the relevant body of records as being those that are "related to" or "concern" the assassination. *See, e.g.*, § 2(a) (1), (2), (4), (5), (6), and (7). When referring to the Segregated Collections, the JFK Act does not presume that all records contained therein are necessarily related to the assassination or that all segregated records should be declassified. When referring to the Segregated Collection, the Act specifies that an "assassination record" is *"a record that is related to the assassination* of President John F. Kennedy, that was created or made available for use by, obtained by, or otherwise came into the possession of [the HSCA or other investigative body]." JFK Act, § 3(2) (emphasis added). Nowhere does the Act identify any records that must be (or even should be) declassified if they have no relevance to the assassination. The Act thus can reasonably be read to presume that the Segregated Collections contain records related to the assassination as well as records that are not related. In short, the statute is the "JFK Assassination Records Collection Act," not the "Segregated Collections Act."

Third, even if the JFK Act were read to presume that all records in the Segregated Collection are "assassination records," there are common sense reasons for not doing so. It is expected that such a review would consume a vast amount of resources of the Board and agencies while producing little information probative of the assassination. The ARRB Staff believes that if Congress in fact wishes to have all of the segregated records reviewed in the manner that the Board has followed for assassination records, it is fully capable of enacting appropriate legislation to do so.

III. ARRB Staff Proposal for Processing Records Having No Apparent Relevance (NAR) to the Assassination of President Kennedy.

In finding that the broad position described above would be overly inclusive of records, it should nevertheless be recognized that the most significant risk in not adopting the broad position is that any case-by-case selection and identification process might be under inclusive. Although the ARRB Staff fully acknowledges that any selection of records runs such a risk, the proposals below are designed for the purpose of ensuring that the greatest number of true assassination records are properly identified and reviewed. There should be no mistake that the ARRB Staff fully intends, to the best of its ability, to identify all records that plausibly can be identified as being relevant to the assassination and subjecting those records to the full review process.

Developing any system to identify assassination records within the Segregated Collections is inevitably a complicated problem and the Staff has been unable to identify a perfect solution. With these understandable difficulties in mind, the Staff proposes, for the Review Board's decision, the following guidelines for the review of the Segregated Collections and disposition of the records. The recommendations below cover three separate (but necessarily related) issues: (a) the reviewing of the Segregated Collections for the purpose of identifying assassination records as well as records containing information not apparently related to the assassination; (b) disposition of the original segregated records that are not designated "assassination records," and (c) procedures for handling individual records that contain information related to the assassination as well as information unrelated to the assassination.

A. ARRB Staff Proposal for review of Segregated Collection records.

The ARRB Staff will review every record in the Segregated Collections to determine whether they contain information relevant to the assassination, including any information that enhances the historical understanding of the assassination. Whenever the ARRB Staff identifies assassination-related information in a record, the Staff will recommend to the appropriate agencies that the record as a whole be designated an "assassination record" under the JFK Act and that it thereafter be reviewed for postponements on a word-by-word basis. If the agency disagrees with the ARRB Staff designation, the Staff will notify the Review Board and make the disputed record available to the Review Board for its decision whether the record is an "assassination record." During the process of reviewing the Segregated Collections, the Staff will seek continued guidance from the Review Board regarding the scope of records that the Board believes will enhance the historical understanding of the assassination.

When the Staff identifies records containing information that has "no apparent relevance" to the assassination, it will designate such information as "NAR" and document that finding in a writing that reasonably describes the records at issue. These writings shall be made available to the Review Board for its independent review and the Review Board shall have the ultimate authority to determine whether the records are assassination records or "NARs." Those records found to be NARs shall not be further reviewed by the Review Board. Upon the termination of the Review Board's activities, the ARRB Staff writings describing the NAR records shall be made available to the public in the JFK Collection at NARA.

B. ARRB Staff Recommendations for the disposition of records Designated as "NARs."

If the Review Board adopts the above proposal for the identification of assassination records and NARs, the Board must then decide who shall have custody of the original NAR records and whether those records must be opened at some future date.

a. Custody of NARs. There are three plausible options for the disposition of the original NAR records: *first*, the Review Board could permit the original NAR records to be left in the custody of the agencies and permit the agencies to dispose of the records in accordance with the disposition schedules established in conjunction with NARA. *Second*, the Review Board could permit the agencies to retain custody of the records (presumably in conjunction with NARA oversight), provided that the agencies agree to preserve the records in perpetuity. *Third*, the Review Board could instruct the agencies to send the original NAR records to NARA and order them to be placed in a security classified facility that is not open to the public.[5]

The Staff believes that the first option should be rejected if for no other reason than that it is important to ensure that the valuable historical records, even if not clearly related to the assassination, be preserved. Additionally, the records should be preserved in such a way as to preserve their archival integrity.

As between the second and third options, the ARRB Staff is undecided. On the one hand, the records are more likely to be properly archived if they are housed at NARA. On the other hand, the records – particularly the personnel records of clandestine CIA employees – are very sensitive and the agencies are best able to ensure that legitimate security measures to safeguard the records would be taken. The ARRB Staff does recommend, however, that when any assassination record is separated from a file containing NAR records and sent to the JFK Collection, that a complete copy of the entire file be maintained either at the originating agency or at NARA.

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[5]One might raise the question whether the Review Board has the power to instruct an agency on the handling of records that are not considered to be "assassination records" within the meaning of the JFK Act. This question seemingly is answered by reference to the general supervisory power of the Review Board, as stated in the JFK Act, to "direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records or testimony from individuals, which the Review Board has reason to believe is required to fulfill its functions and responsibilities under this Act . . . ." § 7(j)(1)(C)(ii). Given that the Review Board could designate all segregated records as "assassination records," it would thus seem well within its powers, and in the interest of the agencies, to make this lesser decision. In any case, the Review Board could enter into a binding agreement with the agencies regarding the disposition of the records.

b. Opening of NARs. Regardless of who maintains custody of NARs, the Review Board should decide whether NARs, like assassination records, should be opened at some future date. There are two obvious options in this regard, although there are many other possibilities as well. The first would be to allow the agencies to make the decision whether the records will be opened in the future. The second option would be for the Review Board to order that all NAR records be opened in the year 2017, consistent with the opening of assassination records. The ARRB Staff does not make a recommendation on how this issue should be resolved.

C. ARRB Staff Proposal for the review of records that contain information clearly related to the assassination as well as information with no apparent relation to the assassination.

The Review Board and Staff have heretofore preferred that documents containing information related to the assassination be reviewed as integral wholes, even if the document contains some information that is unrelated to the assassination. All documents reviewed to date have been reviewed, as a whole, under the postponement standards of Section 6 of the JFK Act. The ARRB Staff believes this practice should continue to the greatest reasonable extent.

There are, however, some assassination records that will be reviewed by the Board that contain some relevant information, but also contain information that is not apparently relevant to the assassination (NAR) and that is sensitive. The question for the agencies, and for the Review Board, is whether NAR information in individual documents may be withheld on the grounds that it is not apparently relevant to the assassination. The Review Board has already addressed this issue, to some extent, in its regulations.

> "An assassination record shall be released in its entirety except for portions specifically postponed pursuant to the grounds for postponement of public disclosure of records established in . . . the JFK Act, and ***no portion of any assassination record shall be withheld from public disclosure solely on grounds of non-relevance unless, in the Review Board's sole discretion, release of part of a record is sufficient to comply with the intent and purposes of the JFK Act.***"

36 CFR 1400.5 (emphasis added). Reading this regulation in conjunction with specific postponement criteria described in Section 6 of the JFK Act, the ARRB Staff recommends as follows: whenever an agency identifies an assassination record that also contains some information that it believes to be NAR, the ARRB Staff will review the proposed NAR material to determine: (a) whether it is in fact NAR, and (b) whether the type of information appears, on its face, to fall within one of the specific grounds for postponements. If the ARRB Staff believes that both (a) and (b) apply, it shall

recommend to the Review Board that the NAR material be postponed and that the agency need not provide any additional evidence in support of the postponement. The record and the ARRB Staff recommendation shall then be made available to the Review Board for its final determination. The final determination form shall reflect that such postponements have been sustained on both (a) the specific grounds enumerated in Section 6, and (b) its NAR status.[6] The Staff further recommends that material postponed on both NAR and Section 6 grounds be opened in 2017, unless there is a specific reason made for some other opening date. Under no circumstance shall information that is relevant to the assassination be postponed on the joint NAR-Section 6 grounds.[7]

The Staff requests that the Review Board provide guidance with respect to these recommendations at its Public Meeting on October 16, 1996. Once the Review Board has decided whether to accept the ARRB Staff recommendations (including any amendments or clarifications), the ARRB Staff will begin to process the records according to the Review Board's decisions. The Staff also will draft proposed regulations incorporating the Review Board's decisions (and modifying any previous regulations) and present them to the Board for its final decision.

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[6]The Staff anticipates that once the NAR status has been recognized for a document or a file, the Section 6 criteria will be applied to a file or to a document as a whole.

[7]In other words, the agencies must provide specific evidence in support of postponements in assassination-related material.

It is also important to recall the category of records, described in footnote 1 above. Records requested by agencies (such as the Church Committee) that were requested as a part of their investigations on matters unrelated to the assassination are not, *per se*, "assassination records" and do not need to be processed under the JFK Act.

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT

MEMORANDUM

October 8, 1997

To: Jeremy Gunn
Executive Director

cc: Tom Samoluk
Deputy Director

From: Michelle Combs MC
Special Assistant for Research and Review

Subject: Documents Concerning Collins Radio in the CIA Sequestered Collection which are Not Believed Relevant to the JFK Assassination

On September 24, 1997, I reviewed eight documents in JFK Box 38, Folder 24, of the CIA's Sequestered Collection which relate to an American company named Collins Radio. Although this folder was prepared for review by members of the HSCA Staff, they did not review it. Of the nine documents, five have been released either in full or in a redacted form. The remaining four documents have been denied in full by the CIA during reviews in 1993 and 1994. Based upon my review of the four denied in full documents, I recommend that they should be considered "NBR" and not subject to review under the JFK Act.

Document one is an exchange of six letters between Collins Radio and others, dated between December 1970 and March 1971, which discuss a Federal tax issue flowing from a business relationship with the CIA. The document contains no information relevant to the Kennedy assassination.

Document two, which is two pages long and dated April 1977, outlines a proposed business relationship involving Collins Radio. The document contains no information of relevance to the Kennedy assassination.

Document three is a one-page memorandum, dated January 1977, which discusses funding matters relating to a potential business relationship. The document contains no information of relevance to the Kennedy assassination.

Document four, a five-page memorandum dated September 1977, discusses the collection and use of technical information. The document contains no information relevant to the Kennedy assassination.

Lastly, not only do each of the four documents contain no information relevant to the Kennedy assassination, each document is dated in the 1970's.

Combs e:\collins.wpd
File 4.20.5 and 2.4

MEMORANDUM

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF CIA INFORMATION IN THIS DOCUMENT

October 9, 1997

To: Jeremy Gunn
Executive Director

cc: Tom Samoluk
Deputy Director

From: Michelle Combs MC

Subject: Files on Yuriy Ivanovich Nosenko in the CIA Sequestered Collection Microfilm Containing Information of No Believed Relevance to the Assassination of President John F. Kennedy

The information on Yuriy Ivanovich Nosenko contained in the CIA Sequestered Collection microfilm consists of approximately 3600 pages of interviews, transcripts, memos, and reports. Of the total, approximately 1200 pages have been released to the public as open in full or with redactions. Of the 1200 released pages, roughly 800 contain information directly relevant to Lee Harvey Oswald and the assassination of President John F. Kennedy. Although all of these 800 pages have been released in redacted form, we have asked the Agency to re-review them under the standards of the JFK Act before we submit them to the Board.

After my review of the Nosenko records and our discussion of the issues, it is my judgment that the remaining approximately 2400 pages are unrelated to the assassination of President Kennedy and should be processed as "NBR." These NBR records, which are described on the attached list, consist of such items as general family and professional contact information, Soviet intelligence methodology, personalities, and specific operations, and Soviet Navy information dating to Nosenko's early career in Soviet Naval Intelligence. Much of the information consists of various attempts by the Agency in the 1960's to establish Nosenko's bona fides. The October 1968 Solie Report, which has been released in redacted form and will be re-reviewed under the JFK Act, establishes Nosenko's bona fides. The conclusions of the Solie report were reaffirmed in a 1976 report by John Hart. A brief summary of the conclusions of the Hart Report will also be processed for release. NB

The approximately 2400 pages of proposed Nosenko NBR records have been reviewed carefully to confirm that they contain no material helpful to a deeper understanding of the assassination. During the review some additional material, not previously released, which may add to an understanding of the Nosenko story, was marked relevant and identified for processing and review.

NBR Folder Summaries

Each folder also contains an HSCA signature sheet. At least one member of the HSCA reviewed all but the last of the folders listed below.

Reel 45, Folder 3

During July and August 1965, Peter Deryabin, a Soviet defector, conducted a series of interrogations of Nosenko in conjunction with CIA efforts to establish Nosenko's bona fides. This folder contains one 66 page verbatim transcript of two interrogation sessions which cover Nosenko's family, background, early career, and Komsomol experiences.

Reel 45, Folder 4

This folder contains a 76 page verbatim transcript of two interrogation sessions by Peter Deryabin which cover Nosenko's career, Party membership, Komsomol personalities and procedures, military personalities and procedures, and his (then current) incarceration by the CIA.

Reel 45, Folder 5

This folder contains one 59 page verbatim transcript of two interrogation sessions by Peter Deryabin which cover Nosenko's military career, KGB buildings, personalities and procedures, and other Soviet intelligence people, roles, and titles.

Reel 45, Folder 6

All the documents in this folder, but one, have been released to the public. The NBR document is a five page February 1964 memo from the Director of the Soviet Division (C/SR) David Murphy to the Deputy Director for Plans (DD/P) Richard Helms on plans to debrief Nosenko based on C/SR's belief that Nosenko is a Soviet plant.

-This Doc was RIF'd in 93
104-10150-10133
(NFK62, F9)

Reel 45, Folder 8B

This folder contains a 135 page report on Nosenko prepared in April 1969 by N. Scott Miler of the Counterintelligence Staff (DC/CI/SIG) based on the comments and questions of Anatoliy Golitsyn. The report contains Golitsyn's comments on inconsistencies he believes exist in Nosenko's testimony and his recommendations for further questioning. Golitsyn believed Nosenko was a dispatched agent.

Reel 45, Folder 13

This folder contains one document. The document is a ten page extract from the 835 page study "The Case of Yuriy Ivanovich Nosenko" written by Peter Bagley of the Soviet Branch (DC/SB) in 1967. The document records Peter Deryabin's conclusions on Nosenko's bona fides. Deryabin does not believe Nosenko.

Reel 45, Folder 17

This folder contains an 89 page verbatim transcript of an interrogation session by Peter Deryabin which covers Nosenko's career as a KGB officer, his marriage, and KGB buildings, personalities, and procedures. A two page key to the abbreviations in the transcript is also included in this folder.

Reel 45, Folder 19

This folder contains pages 349-602, part IV, of the 835 page study "The Case of Yuriy Ivanovich Nosenko" prepared by Peter Bagley in 1967. The study analyzes Nosenko's biography, case work, and responsibilities as a Soviet intelligence officer. The conclusion of the report is that Nosenko is a dispatched agent under the control of the KGB.

Reel 45, Folder 20

This folder contains an 89 page verbatim transcript of an interrogation session by Peter Deryabin which covers Nosenko's career as a KGB officer and KGB buildings, personalities, and procedures.

Reel 45, Folder 21

This folder contains an 85 page verbatim transcript of an interrogation session by Peter Deryabin which covers Nosenko's experiences in and knowledge of Komsomol and Communist Party personalities, buildings, and procedures.

Reel 45, Folder 24

This folder contains pages 1-84, parts I, II, III, and IV, of the 835 page study "The Case of Yuriy Ivanovich Nosenko" prepared by Peter Bagley.

Reel 45, Folder 25

This folder contains pages 85-348, part V, of the 835 page study "The Case of Yuriy Ivanovich Nosenko" prepared by Peter Bagley.

Reel 46, Folder 2A

This folder contains pages 603-835, parts VII, VIII, and IX of the 835 page study "The Case of Yuriy Ivanovich Nosenko" prepared by Peter Bagley.

Reel 46, Folder 2B

This folder contains a variety of documents, some of which have already been released to the public. The NBR documents include: 14 reports of interrogation sessions with Peter Deryabin in July and August 1965; an unsigned May 1965 memo for Chief SR/CI on the 3-13 May interrogation sessions with a psychologist, an unsigned May 1965 paper analyzing Nosenko's sessions with the psychologist which refutes the reported conclusions of the psychologist, and a November 1968 Memorandum of Transmittal to SB/CI/K on the 15 Deryabin-Nosenko July-August 1965 transcripts.

Reel 46, Folder 3

This folder contains most of the 186 page report by John Hart commissioned by the CIA in June 1976. Chapter X, pages 159-176 inclusive are missing. The report is a reinvestigation of the Nosenko case in the context of reviewing the techniques of handling Soviet agents and defectors. It is highly critical of the handling of the Nosenko case by the Clandestine Service. The Hart Report endorses the conclusions reached in October 1968 by the Office of Security (the Solie Report) that Nosenko is a bona fide defector.

Reel 46, Folder 5

This folder contains documents pertaining principally to personalities in the Minsk area during Lee Harvey Oswald's residence there. Some documents in this folder have been released to the public. The two NBR documents include: a nine page 1964 "homework assignment" prepared by Nosenko on KGB leadership in the provinces and a four page memorandum on KGB personalities in the Minsk area in the mid 1970's.

Reel 62, Folder 2

This folder contains an 82 page verbatim transcript of an interrogation session by Peter Deryabin which covers Nosenko's background, marriage, and divorce.

Reel 62, Folder 3

This folder contains a 74 page verbatim transcript of two interrogation sessions by Peter Deryabin which detail Nosenko's career progress and a disciplinary problem and its resulting impact on his promotion schedule.

Reel 62, Folder 5

This folder contains two verbatim transcripts (33 and 46 pages) of interrogation sessions by Peter Deryabin which cover specific KGB operations and a particular KGB operation targeted against an American tourist.

Reel 62, Folder 6

This folder contains one 22 page verbatim transcript of two interrogation sessions by Perter Deryabin which cover a particular KGB operation targeted against an American tourist.

Reel 62, Folder 7

This folder contains one 84 page verbatim transcript of two interrogation sessions by Peter Deryabin which cover Nosenko's education, Navy career, and a particular KGB operation targeted against an American tourist.

Reel 62, Folder 8

This folder contains an eight page verbatim transcript of an interrogation session by Peter Deryabin in which Deryabin encourages Nosenko to confess that he was sent under KGB control and to think about becoming a double agent. Nosenko responds that he has been telling Deryabin the truth all along.

Reel 62, Folder 9

The folder contains 51 pages of 12 Deryabin reports on his interrogation sessions with Nosenko in July and August 1965. The information in these reports summarizes information detailed in the actual interrogation transcripts.

Reel 62, Folder 10

This folder contains a mix of intra and inter-Agency memoranda pertaining to the handling of Nosenko and is labeled "TS Material from Deryabin Safe." This folder was not examined by the HSCA staff. Thirty-seven pages of documents have been released

to the public. The 97 pages of NBR documents include: correspondence with various US Government agencies and the Attorney General, memoranda on Nosenko's day to day handling, emergency procedures for Office of Security guards assigned to Nosenko, a report to the CIA Inspector General on the Nosenko case, Nosenko's request for political asylum, copies of his subsequent contracts with the CIA as an independent contractor, and additional reports, memos, and briefings concerning the Nosenko case and his handling.

Combs e:\nosenko4.wpd
File 4.20.5, 4.0.2, and 2.4

MEMORANDUM

November 12, 1997

To: Jeremy Gunn
Executive Director

cc: Tom Samoluk
Deputy Director

Bob Skwirot
CIA Coordinator

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT

From: Michelle Combs
Special Assistant for Research and Review

Subject: NBR Information in the Ramparts Damage Assessment Document

In March and April 1967, Ramparts magazine ran a multi-part story that presented allegations that the CIA had used a wide variety and number of non-governmental organizations for the support and funding of worldwide anti-Communist operations. In November 1968, CIA produced a 48-page memorandum on the scope and possible damage stemming from the Ramparts allegations (104-10059-10026). This memorandum discusses the truth or fallacy of the Ramparts allegations. A redacted copy of the memorandum was released in 1993.

Of the one hundred plus organizations mentioned in the Ramparts article, the ARRB staff has been able to identify only one as of relevance to the assassination of President John F. Kennedy. The staff believes the information on this organization should be processed as an assassination record. The processing of the remainder of the memorandum would expend vast amounts of time and resources on issues and organizations not believed relevant to the assassination. I recommend that the remainder of the CIA Ramparts Memorandum be declared "NBR" and that the paragraphs on the one relevant organization be processed as an assassination record to be included in the JFK Collection at NARA.

A copy of the entire document is available for Board review.

Combs e:\ramparts.wpd

MEMORANDUM

November 13, 1997

To: Jeremy Gunn
Executive Director

cc: Michelle Combs
Special Assistant for Research and Review

Bob Skwirot
CIA Coordinator

From: Manuel E. Legaspi
Analyst, CIA Team

Subject: NBR Information in CRC Financial Records in the Sequestered Collection Microfilm

Located within the CIA's Sequestered Collection are approximately 6,000 pages of financial records of the Cuban Revolutionary Council. The CRC, an umbrella group of anti-Castro organizations, was a U.S.-sponsored Cuban government-in-exile. Because its operations were largely financed by the CIA, CRC was required to provide accounting reports to the Agency. Over the past few months I have been reviewing these records to determine the extent to which this collection contains information that can be declared to have "no believed relevance (NBR)" to the assassination of President John F. Kennedy.

After my review of the records and a discussion of the issues, it is my recommendation that the majority of the CRC financial records are unrelated to the assassination and should be processed as "NBR." In order to give members of the public a sense of the types of information contained in these records, however, I recommend that the "General Statement for Month" records -- one or two page summary reports which contain deposit, balance, and general itemized expense figures for each month -- be processed for the time period January 1960 to January 1965. In addition, we should process representative samples of the types of accounting documents found in the files to give the public an idea of the types of records included.

Additional Background on Records

These CRC financial records, better known as the "Paula and Sosa Reports" and the "Garcia and Paula Reports" after the accountants who wrote them, are the accounting records of the CRC primarily for the period 1960-1965. These financial documents make

up most of reel No. 64 and all of reels No. 65 and No. 66 of the Microfilm Collection, and have never been released to the public in any form. The House Select Committee on Assassinations requested access to these files while investigating possible Cuban exile connections to the JFK assassination. Despite the request, HSCA investigators did not actually examine any of these records.

The files can generally be characterized as highly detailed monthly financial records, covering virtually all of the CRC's financial transactions. Included among these accounting records are receipts and entries for payments for miscellaneous supplies, travel reimbursements, budgets for "clandestineness," support for other anti-Castro groups operating under the CRC umbrella, and payments to the surviving family members of Bay of Pigs casualties ("payments to Heroes and Martyrs"). The majority of pages within this collection contain names of individuals who were in some way involved in CRC financial transactions.

The files are organized in the following manner: general statements which outline the total amounts expended for certain types of activities, followed by annexes which break down specific expenses (*i.e.*, checks and disbursements issued for certain activities). Typically, the general summaries consist of 3-4 pages per monthly report, with the annexes making up the remainder. A complete monthly report averages 50-60 pages.

Examples of these records can easily be made available for Board inspection.

Combs e:\nbr\crc.wpd
File 4.20.5 and 2.4

MEMORANDUM

January 13, 1998

To: Jeremy Gunn
Executive Director

cc: Tom Samoluk
Deputy Director

Bob Skwirot
CIA Coordinator

From: Michelle Combs
Special Assistant for Research and Review

Subject: CIA Office of Personnel Files in the Sequestered Collection Microfilm Which Are Not Believed Relevant to the JFK Assassination

The complete Office of Personnel files of 60 individuals, totaling approximately 11,000 pages, are contained in the JFK Sequestered Collection Microfilm. Office of Personnel files are maintained for CIA staff officers, contractors, career agents, and military officers temporarily detailed to the Agency. These files cover entire Agency careers and contain personal background information, career posting information, salary schedules, promotion data, notification of personnel action forms, insurance information, retirement data, and supervisor evaluations.

After the House Select Committee on Assassinations closed in 1978, the CIA microfilmed the entire personnel files of all Agency personnel of who had been of interest to the HSCA in any way. For example, the entire personnel file of William K. Harvey, who headed the ZRRIFLE program, and the entire personnel file of Frederick C. Randall who, as the Directorate of Operations Information and Privacy Coordinator, processed the Agency's first Freedom of Information Act request on the Kennedy assassination, are both included in the Sequestered Collection Microfilm.

The 60 personnel files each have been carefully reviewed by at least two members of the ARRB staff. In some cases, portions of individual files containing material relevant to a knowledge of the individual and his/her career at the time when they intersect the assassination story are found in the CIA Sequestered Collection. For example, the Performance Appraisal Reports (PARs) for Ann Goodpasture during her time in Mexico City are already contained in the Sequestered Collection. Where portions of a microfilmed file were found to be significantly relevant to an understanding of the assassination, but not found in the Sequestered Collection, those documents were

marked for review. The ARRB staff recognizes that many of the individuals whose files are found in the Microfilm Collection are significant to an understanding of the assassination. However, the material in these files not marked by the ARRB staff and not already found in the Sequestered Collection was found to consist of basic standard personnel information and to have no believed relevance to the assassination.

The attached list contains the names of the 60 individuals and a total of 68 folders which contain their personnel files. (Due to the length and variety of some careers, a few individuals have more than one file folder worth of personnel material.) Where possible, true names are listed. In those cases where the name of an individual is still protected, either cryptonyms or an "N" number indexed to the ARRB name list have been substituted so that the list can remain unclassified. The number of pages listed for each file is an approximate number based on a review conducted by the CIA.

The files of the following five individuals are being pulled as examples for Board examination at the January 1998 meeting: Ann L. Goodpasture, David Atlee Phillips, Bernard Barker, Viola June Cobb, and David E. Murphy. If the files of any other individuals are of interest to members of the Board, they will also be brought for examination upon request.

I recommend that those documents found by the ARRB staff to have NBR status be duly designated "NBR" by the Board.

Combs e:\nbr\opfiles.wpd
File 4.20.5, 4.02, and 2.4

Office of Personnel Files in the CIA's JFK Sequestered Collection Microfilm

	Box	Folder	Name	# of Pages	HSCA Review
1.	28	19	William P. Burke	96	Yes
2.	28	20	AMMUG/1	6	Yes
3.	28	21	N243	70	Yes
	29	18		206	
	30	2		192	
4.	28	22	Ann L. Goodpasture	333	Yes
5.	28	23	William K. Harvey	113	Yes
6.	28	24	Calvin Hicks	149	Yes
7.	29	2	B.N. Hidalgo	150	Yes
8.	29	3	E. Howard Hunt	230	Yes
	29	4		35	
9.	29	5	Samuel G. Kail	12	Yes
10.	29	6	David Atlee Phillips	390	Yes
11.	29	7	James Walton Moore	340	No
12.	29	8	James O'Connell	232	Yes
13.	29	9	Harold F. Swenson	75	Yes
14.	29	10	Anna Tarasoff	80	Yes
	29	11		82	
15.	29	12	Boris D. Tarasoff	148	Yes
16.	29	13	Bernard Barker	25	Yes
17.	29	14	Guy Vitale	70	Yes
18.	29	15	Manuel Artime Bueza	2	Yes
19.	29	16	Bradley Earl Ayers	18	Yes

	Box	Folder	Name	# of Pages	HSCA Review
20.	29	17	Ross Crozier	165	Yes
21.	30	3	James B. Wilcott	129	Yes
22.	30	4	Richard E. Snyder	50	Yes
23.	57 57	2 3	Thomas J. Keenan	324 15	No
24.	57	4	Frederick C. Randall	339	No
25.	57	5	Robert Taylor Shaw	171	No
26.	57	6	Lucien E. Conein	151	No
27.	57	7	Charlotte Bustos-Videla	201	No
28.	57	8	N183	102	No
29.	57	9	Floryan R. Karty	18	No
30.	57	10	N280	6	Yes
31.	57	11	David S. Morales	61	No
32.	57	12	Viola June Cobb	14	No
33.	57	13	N141	51	No
34.	57	14	N195	40	No
35.	57	15	Tennent H. Bagley	259	No
36.	57	16	William V. Broe	314	No
37.	57	17	Leo Cherne	5	No
38.	57	18	David L. Christ	76	No
39.	58	2	Jerome Fox	281	No
40.	58	3	Joseph B. Smith	299	No
41.	58	4	Robert P. Wheeler	273	No

	Box	Folder	Name	# of Pages	HSCA Review
42.	58	5	WIROGUE	13	No
43.	58	6	James S. Woods	323	No
44.	58	17	Yuriy Ivanovich Nosenko	67	No
45.	58	18	N403	255	No
46.	58	19	Birch D. O'Neal	222	No
47.	58 58 59	20 21 2	William Kent	63 279 56	No
48.	59	3	James W. McCord	267	No
49.	59	4	Newton S. Miler	382	No
50.	59	5	N217	241	No
51.	59 59	6 7	David E. Murphy	264 33	No
52.	59	8	Herman E. Kimsey	128	No
53.	59	9	Grayston L. Lynch	375	No
54.	59	10	Myroslaw A. Maksymiec	178	No
55.	59	11	Lee H. Wigren	308	No
56.	59	12	NG44	3	No
57.	60	2	Joseph S. Piccolo	412	No
58.	60	3.	Daniel Flores	315	No
59.	60	4	N011	233	No
60.	68	12	Wendell Johnson	62	No

Descriptive Name: Office of Personnel Files NBR Memo

Descriptive Type: Memorandum for the record

Subject: Office of Personnel Files Contained in the CIA Sequestered Collection Microfilm

Attachments: Yes: [redacted] list of names and box/folder numbers

Blind Copy: DiFrisco, Legaspi, Marr, Rockwell, Voth

Carbon Copy: Gunn, Samoluk, Combs, Skwirot. Legaspi, Marr, Voth, DiFrisco, Rockwell

Reference: Combs e:\nbr\opfiles.wpd

Document Number: 4.20.5, 4.02 and 2.4

Author: MCOMBS

Typist: MCOMBS

MEMORANDUM

January 15, 1998

To: Jeremy Gunn
Executive Director

cc: Tom Samoluk
Deputy Director

Bob Skwirot
CIA Coordinator

From: Michelle Combs Michelle Combs .
Special Assistant for Research and Review

Subject: Files in the Sequestered Collection Microfilm Which Are Not Believed Relevant to the JFK Assassination-- (The Monster NBR)

The CIA Team has been working for some time to review files throughout the CIA Sequestered Collection Microfilm which are not believed relevant to the assassination of President John F. Kennedy. After the House Select Committee on Assassinations closed in 1978, the CIA microfilmed the entire files on all subjects, operations, procedures, organizations, and individuals who had been of interest to the HSCA in any way. It is important to remember that the Microfilm Collection is far larger than the Hard Copy Collection. While the Hard Copy Collection represents the scope of HSCA requests, the Microfilm represents the entire universe of files--even if the HSCA only examined a small portion of the file in question.

The CIA Team has reviewed each file in the Microfilm Collection which the CIA reviewers had marked as non-relevant in 1993-94. If the ARRB staff disagreed with the CIA's designation, the file was marked for review and processing. If the ARRB staff agreed that the file contained non-relevant material, we wrote a brief description of the file contents and placed the file in a hold status pending the Board's decision. In some cases, portions of a file of possible relevance were designated for review and other portions were marked NBR. I would estimate 25-30,000 pages were marked NBR by the ARRB staff. These files range from World War II Office of Strategic Services files to files clearly related to the Martin Luther King investigation. **A classified list of these files will be available for Board examination at the January 1998 meeting.** An unclassified version of this list is in process.

I recommend that those documents found by the ARRB staff to have NBR status be duly designated "NBR" by the Board.

Combs e:\nbr\monster.wpd
File 4.20.5, 4.0.2, and 2.4

Descriptive Name: Monster NBR Memorandum

Descriptive Type: NBR Memorandum for the Record

Subject: NBR Files in CIA Sequestered Collection Microfilm

Attachments: List of Files

Blind Copy: DiFrisco, Legaspi, Marr, Rockwell, Voth

Carbon Copy: Gunn, Samoluk, Combs, Skwirot

Reference:

Document Number: 4.20.5, 4.04, and 2.4

Address:

Typist: MCOMBS

Author: MCOMBS

Authorization: Gunn

~~SECRET~~

MEMORANDUM

February 11, 1998

To: Jeremy Gunn
Executive Director

cc: Tom Samoluk
Deputy Director

Bob Skwirot
CIA Coordinator

From: Michelle Combs *Michelle Combs*
Special Assistant for Research and Review

Subject: Board Request to Examine Files in the Sequestered Collection Microfilm Which Are Not Believed Relevant to the JFK Assassination -- (Son of Monster Memo)

At the January 1998 meeting, the Board requested to review several files which had been identified in the NBR Monster Memo presented to the Board at that meeting. The attached classified list provides a further description of each of the files. In addition, the files are now available for the Board to examine during the February 1998 meeting.

In response to Dr. Kermit Hall's request to examine the photographic surveillance files for the Cuban Embassy in Mexico City for 1963, I have included an additional file which contains material on photographic surveillance of the Cuban Embassy and Consulate during January and February 1963. The Cuban Embassy and Consulate photgraphic surveillance records for September-December 1963 are already open in full.

In some of the files, documents previously had been marked as relevant. These documents are identified by a yellow band. In these cases, it is the remainder of the file which has been identified by the staff as not believed to be relevant. For those files where documents had already been identified by the staff as relevant and marked for review, a notation has been made in the file description.

File 4.0.2 and 2.4

The Board requested to examine the following files during the January 1998 meeting.

Reel 9, Folder 4

This is a Domestic Contacts Division file on E. Howard Hunt from 1974 -1978. Included in the folder are a synopsis of Haiti missions in 1974, a 1975 document regarding an individual who interviewed Hunt's associates for a book on CIA in Miami, and a synopsis of a *New York Post* article from 1974. Documents in this file have been identified as relevant and marked for processing. The remainder of the documents are NBR.

NBR

Reel 9, Folder 16

This folder contains the 201 file on Martin Luther King Jr. with documents related to his assassination, surveillance, and foreign travel. The files includes newspaper articles and cable reports on Latin American and Carribbean reactions to King's activities and his death and a set of FBI material from FBI surveillance of King in Miami in 1966. The file covers the period 1964-1968.

NBR

Reel 9, Folder 22

This folder contains two dispatches, dated 1953 and 1954, on the activities of the daughter and a friend of John Howard Lawson and a routing sheet for the second dispatch. Both dispatchs appear to be in response to FBI queries.

NBR

Reel 9, Folder 23

This folder contains 14 pages of cross reference citations of John Howard Lawson and his friends, family, and associates. The cross referenced documents themselves are not included in this file.

NBR

Reel 9, Folder 24

These folders contain information on John Howard Lawson, who the HSCA report (Volume 12) names as one of the "defectors who were similar to Oswald." The HSCA report is quoted again as saying that there was a "lack of substantive information" on the individual. Most of the documents are third agency cross reference citations or a small number of queries from the FBI on Lawson's travel and residence overseas. According to documents, Lawson was a leader of the Communist Party in Hollywood especially during its 1930's and 1940's heyday. Documents in this file have been identified as relevant and marked for processing. The remainder of the documents are NBR.

NBR

Reel 17, Folder 15
This folder contains documents on Sergey Uzlov, a defector who provided secondhand information on Lee Harvey Oswald. Many of the documents in this file and all of the documents on Lee Harvey Oswald previously have been released in full. The remainder of the file includes memos dated 1977 concerning Ministry of Internal Affairs, information obtained from Uzlov from 1972-1976 and other memos from the same period on Civilian Militia Patrols, KGB recruitment practices, keeping large sums of money in USSR, and KGB personalities. The ARRB staff could not identify any information believed relevant to the assassination in this material.

NBR

Reel 24, Folder 2
This folder contains information on the photo surveillance of the Cuban Embassy in Mexico City. Included are logs and photographs of individuals entering the Cuban Embassy in August 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

Reel 24, Folder 7
This folder contains logs and photographs of individuals entering the Soviet Embassy in Mexico City. The logs and photographs for September-December 1963 previously have been released in full. The remainer of the file contains the logs and photographs for July and August 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

Reel 71, Folder 6
This folder contains information on the photo surveillance of the Cuban Embassy in Mexico City. Included are logs and photos of the entrance to the Cuban Embassy and Consulate for December 1962 and January 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

Reel 71, Folder 7
This folder contains information on the photo surveillance of the Cuban Embassy in Mexico City. Included are logs and photos of the entrance to the Cuban Embassy and Consulate for February 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

Reel 71, Folder 8
This folder contains information on the photo surveillance of the Cuban Embassy in Mexico City. Included are logs and photos of the entrance to the Cuban Embassy and Consulate for March 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

Reel 71, Folder 9

This folder contains information on the photo surveillance of the Cuban Embassy in Mexico City. Included are logs and photos of the entrance to the Cuban Embassy and Consulate for April 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

Reel 71, Folder 10

This folder contains information on the photo surveillance of the Cuban Embassy in Mexico City. Included are logs and photos of the entrance to the Cuban Embassy and Consulate from May to July 1963. The ARRB staff could not identify any information believed relevant to the assassination in this material.

MEMORANDUM

May 13, 1998

To: Jeremy Gunn
Executive Director

cc: Laura Denk
FBI Team Leader

Bob Skwirot
CIA Team Leader

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF CIA INFORMATION IN THIS DOCUMENT

From: Michelle Combs *Michelle Combs*
Associate Director for Research and Review

Subject: Post-1964 FBI and CIA Records on Richard Thomas Gibson Which are Not Believed Relevant to the JFK Assassination

In 1960-63, Richard Thomas Gibson was the director of the New York chapter of the Fair Play for Cuba Committee (FPCC). Gibson's support of both Fidel Castro and Patrice Lumumba brought him to the interest and attention of the FBI and the CIA.

The 1960-September 1964 records on Gibson held by the FBI and the CIA reflect an operational interest in him but provide no evidence that Gibson was a recruited asset or source of either the Bureau or the Agency. The 1960-64 records include the investigation of Gibson by the Warren Commission. These records are in the review process. The approximately 15-20 records on Gibson in the Oswald 201 have already been processed and released to the public.

The post-September 1964 records have been examined on a document by document basis. Approximately 11 documents, dated post-September 1964, but which refer to Gibson's activities prior to September 1964, have been marked for processing as assassination records. The remaining records do not contain information believed relevant to the assassination of President John F. Kennedy. The staff recommends that those documents found by the staff to have NBR status be duly designated NBR and forwarded to NARA.

Combs e:\nbr\gibson.wpd
File 4.02, 4.20.5 and 2.4