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ROUTING AND RECORD SHEET

ER 77-3436

SUBJECT: (Optional)

FROM: Legislative Counsel
6C19 HQ

EXTENSION

NO.

DATE

2 JUN 1977

STAT

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

DDCI for [unclear] (for see note)

1. Director

2.

3.

4.

5.

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9.

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12.

13.

14.

15.

Attached for your signature are revised letters on the impact of the FOIA on CIA, along with a one page summary (with statistics, etc) which you directed us to prepare.

[Signature Box]

Acting Legislative Counsel

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Washington, D.C. 20505

OLC RECORD COPY

77-3463/S

Honorable Daniel K. Inouye, Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

A significant effort of the Central Intelligence Agency, particularly of senior management, has been devoted to the administration of the Freedom of Information Act, while very little information of interest to the public has, in fact, been released through the mechanism of the Act.

I request that you give consideration to the enclosed statement which describes the problems faced by CIA resulting from the FOIA and the desirability of obtaining legislative relief.

Yours sincerely,

STANSFIELD TURNER

Enclosure

Distribution:

- Orig - Addressee, w/encl
 - 1 - DCI, w/encl
 - 1 - DDCI, w/encl
 - 1 - ER, w/encl
 - 1 - OGC, w/encl
 - 1 - DDA, w/encl
 - ✓ 1 - OLC Subject, w/encl
 - 1 - OLC Chrono, w/encl
- OLC:WPB:sm (retyped 27 May 77)

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Washington, D.C. 20505

Honorable Melvin Price, Chairman
Subcommittee on Intelligence and Military
Application of Nuclear Energy
Committee on Armed Services
House of Representatives
Washington, D.C. 20515

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3 June 1977

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MEMORANDUM FOR:

The DDCI agrees that the summary needs a little more "punch". It seems to me that a quick rewrite might correct the present emphasis on purely technical difficulties. The following is rather hasty and clumsy language but may be helpful in illustrating the above suggestion:

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I am sure you can do better but I hope you will agree that this is a point worth making strongly in the summary.

Andrew T. Falkiewicz
SA/DDCI

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CENTRAL INTELLIGENCE AGENCY

OFFICE OF THE DEPUTY DIRECTOR

6 April 1977

NOTE FOR: Mr. Knoche



Attached are letters for DCI signature to Inouye and Price on our FOIA problems with Executive-Legislative communications.

In response to your earlier (23 Feb) ^(attached) note to George Cary about needing a more elaborate letter outlining our need for relief, he states in his memo that efforts are underway to develop these additional arguments. However, he recommends that the attached letters go forward at this time.



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95TH CONGRESS
1ST SESSION

S. 1721

IN THE SENATE OF THE UNITED STATES

JUNE 20 (legislative day, MAY 18), 1977

Mr. ABOUTREZK introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 5, subchapter II, of title 5, United States Code, to provide for improved administrative procedures.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 551 (4) of title 5, United States Code, is
4 amended to read as follows:

5 “(4) ‘rule’ means the whole or a part of an agency
6 statement of general applicability and future effect de-
7 signed to implement, interpret, or prescribe law or policy
8 or to describe the organization, procedure, or practice
9 requirements of an agency;”.

1 (b) In section 551 (13) of title 5, United States Code
2 strike the word "and" at the end of the sentence; in section
3 551 (14) strike the period at the end of the sentence and
4 insert in lieu thereof "; and"; and at the end of section 551
5 add a new subsection fifteen as follows:

6 " (15) 'ratemaking and cognate proceedings' means
7 agency process for the approval or prescription for the
8 future of rates, wages, corporate or financial structure
9 or reorganizations thereof, prices, facilities, appliances,
10 services, or allowances therefor or of valuations, costs,
11 or accounting, or practices bearing on any of the
12 foregoing."

13 (c) Section 556 (d) is amended to insert before the
14 words "rule making" in the sentence thereof the words "rate-
15 making and cognate proceedings,".

16 (d) Section 557 (b) is amended to insert before the
17 words "rule making" in the fourth sentence thereof the
18 words "ratemaking and cognate proceedings,".

19 SEC. 2 (a) Section 553 (a) (1) of title 5, United States
20 Code, is amended to read as follows:

21 " (1) a matter pertaining to a military or foreign
22 affairs function of the United States that is (A) specifi-
23 cally authorized under criteria established by Executive
24 order to be kept secret in the interest of the national

1 defense or foreign policy and (B) is in fact properly
2 classified pursuant to such Executive order; or”.

3 (b) Section 553 (a) (2) of title 5, United States Code,
4 is amended by inserting a period after “personnel” to read as
5 follows:

6 “(2) a matter relating to agency management or
7 personnel.”.

8 (c) Section 553 (b) (B) of title 5, United States Code,
9 is amended to read as follows:

10 “(B) when the agency for good cause finds that
11 notice and public procedure thereon would be impracti-
12 cable, unnecessary, or contrary to the public interest
13 (including the interest of national defense or foreign
14 policy in a matter pertaining to a military or foreign
15 affairs function). The agency shall publish in the docu-
16 ment promulgating each rule issued in reliance upon this
17 provision either (i) the finding and a brief statement of
18 reasons therefor, or (ii) a statement that the rule is
19 within a category of rules established by a specified rule
20 which has been previously published and for which the
21 finding and statement of reasons have been made.”.

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26 APR 1977

Mr. Ernest F. Rethschulte

Dear Mr. Rethschulte:

This is in response to the request you submitted via the office of Congressman Clarence D. Long. It was originally mistakenly assumed that you were referring only to the documents pertaining to the substance of the first paragraph of the news clipping forwarded by Congressman Long's office. We wish to apologize for the delay this error has caused.

Please be advised that the Agency, in its continuing overall review of all documents pertaining to the assassination of President Kennedy, has made several periodic releases of such documents in the past year. Thus far, Batches A through F, some 936 documents, have been released. These total 3,747 pages of copy at a total price of \$374.70, which is the cost of reproducing copies. Included in this price is an Index of 310 pages which lists all of the documents, released or denied, which have been reviewed thus far. Should you wish only the Index, its price is \$31.

We anticipate that there will be at least one other release in the next couple of months.

Should you wish this material please make your check or money order payable to the Treasurer of the United States.

Gene F. Wilson
Information and Privacy Coordinator

IPS/EK/CT/cb/25 Apr 77

Orig. - Adse.

- 1 - IPS Chrono
- 1 - IPS E-77-246
- ① - OLC
- 1 - OGC

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CIA Weighed Using JFK's Assassin

9/30/76
10/1/76

WASHINGTON — (AP) — Contrary to sworn testimony, the CIA once considered using presidential assassin Lee Harvey Oswald as a source of intelligence information about the Soviet Union, according to a newly released CIA document.

In sworn testimony before the Warren Commission, former CIA Director Richard Helms said the agency never had "or even contemplated" any contacts with Oswald.

The newly released document, written by an unidentified CIA officer three days after President John F. Kennedy was killed in Dallas on Nov. 22, 1963, says that "we showed intelligence interest" in Oswald and "discussed . . . the laying on of interviews."

The unidentified officer added that "I do not know what action developed thereafter."

The memo was among hundreds of pages of documents from the CIA's file on Lee Harvey Oswald. The material was released to The Associated Press Thursday under the Freedom of Information Act.

A second document reveals that former CIA Director Allen Dulles, while serving as a member of the Warren Commission, privately counseled CIA officials on the best way to answer questions from the commission about allegations that Oswald was a CIA agent.

Dulles "thought language which made it clear that Lee Harvey Oswald

was never an employe or agent of CIA would suffice," an unidentified CIA officer wrote Helms in April 1964.

"I agree with him that a carefully phrased denial of the charges of involvement with Oswald seemed most appropriate," the unidentified officer added.

When he appeared before the commission in May 1964, Helms, then head of the agency's clandestine services, testified under oath that "There's no material in the Central Intelligence Agency, either in the records or in the mind of any of the individuals that there was any contact had or even contemplated with" Oswald.

The Nov. 25, 1963, memo explains that the agency's interest in Oswald as a potential intelligence source was due to his "unusual behavior in the U.S.S.R.," to which he had defected in 1959.

"We were particularly interested in the (deleted) Oswald might provide on the Minsk factory in which he had been employed, on certain sections of the city itself, and of course we thought the usual (deleted) that might help develop (deleted) personality dossiers," the memo states.

The allegations that Oswald was a CIA agent were first made by his mother, Marguerite, and attorney Mark Lane. Another document released by the agency shows that the CIA believed such allegations were "elements of a world-wide, Soviet-sponsored propaganda and misinformation program."

Critics of Warren Report Objects of CIA Campaign

2/5/77

Associated Press

The Central Intelligence Agency directed its offices around the world in 1967 "to employ propaganda assets" to counter doubts raised by critics of the Warren Commission's investigation into the assassination of President Kennedy.

The propaganda campaign was to be waged in part by passing unclassified information about the assassination to CIA "assets" who could use the material in writing "book reviews and feature articles" that would "answer and refute the attacks of the critics," according to a newly released CIA document.

The document said the aim was "to provide material for countering and discrediting the claims of the conspiracy theorists, so as to inhibit the circulation of such claims in other countries."

The document was among some 850 pages of material released yesterday by the CIA under the Freedom of Information Act.

The documents show that the CIA examined copies of almost all books about the November, 1963, assassination, including one by then-Congressman Gerald R. Ford. A CIA officer called Ford's book "a re-hash of the Oswald case" and criticized its "loose" writing.

Ford was a member of the Warren Commission which concluded that Lee Harvey Oswald was solely responsible for the assassination. Ford quoted extensively from secret sessions of the commission in his book, "Portrait of an Assassin," which agreed with the commission's finding.

The 1967 dispatch to "chiefs, certain stations and bases" says that the rash

of books and articles criticizing the Warren Commission's finding "is a matter of concern to the U.S. government, including our organization."

"Efforts to impugn [the] rectitude and wisdom [of commission members and staff] tend to cast doubt on the whole leadership of American society," the memo said.

"Moreover, there seems to be an increasing tendency to hint that President Johnson, himself, as the one person who might be said to have benefited, was in some way responsible for the assassination.

"Innuendo of such seriousness affects not only the individual concerned, but also the whole reputation of the American government."

In using propaganda assets to refute these charges, the dispatch said, "our play should point out, as applicable, that the critics are (1) wedded to theories adopted before the evidence was in; (2) politically interested, (3) financially interested, (4) hasty and inaccurate in their research, or (5) infatuated with their own theories."

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Nov. 9, 1976

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The Central Intelligence Agency

Washington, D. C.

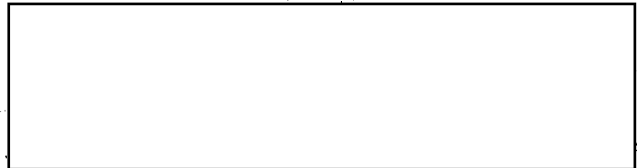
Dear Sir:

Inclosed find a written request for the Information from the Kennedy-Oswald File under the Freedom of Information Act. I am doing Research on the J.F.K. Assassination and can use any Information from the Kennedy-Oswald File you would like to sent to me. I can not specify the type of Information I require because I do not know the type of Information there is in the File. I can use all the Information you have. Hope you will help me to get this Information.

Yours truly;

Mr. Ernest F. Rethschulte

Mr. Ernest F. Rethschulte



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