

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

Office of General Counsel

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APPROVED FOR RELEASE  DATE:  
10-25-2011

28 September 2004

Dr. Michael J. Kurtz  
Assistant Archives for Record Services - Washington, D.C.  
National Archives and Records Administration  
8601 Adelphia Road  
College Park, Maryland 20740-6001

Dear Dr. Kurtz:

Enclosed you will find a set of classified records control schedules that have been forwarded by the Central Intelligence Agency (CIA) for approval by the National Archives and Records Administration (NARA). Besides being classified, these record schedules, unlike our past submissions, represent a comprehensive revision of all of our records control schedules. Accordingly, we believe that the publication of a detailed notice of CIA's records control schedules in the Federal Register, or the provision of copies of any actual records control schedule items to any requester, would be inappropriate.

We have looked at this issue and we believe that the publication of a detailed notice in the Federal Register or the provision of any of CIA's new records control schedule items to requesters would violate the prohibition, contained in section 6 of the CIA Act of 1949, as amended, against publishing CIA organizational or functional information. However, we believe that both the CIA Act and 44 U.S.C. 3303a can be given legal effect by the publication of a notice that contains a mutually agreed upon generic description of CIA's new records control schedules. The Agency would like to work with the NARA personnel that you designate to create such a mutually satisfactory description.

Dr. Michael J. Kurtz

We look forward to hearing from you or your designee to further discuss this matter. You can contact me on [redacted] or [redacted] of my staff on [redacted]

[redacted]  
X R. Bruce Burke  
Associate Deputy General Counsel  
for Information