

March 19, 1997

BY FACSIMILE & FIRST-CLASS MAIL

Ms. Margaret P. Grafeld  
Acting Director,  
Office of Freedom of Information, Privacy,  
and Classification Review  
United States Department of State  
2101 C Street, N.W.  
Washington, D.C. 20520

Re: United States Department of State Compliance with the  
JFK Assassination Records Collection Act, 44 U.S.C. § 2107

Dear Ms. Grafeld:

I would like to thank you, Nina Noring, and John W. Kropf for meeting with Michelle Combs and me on March 12, 1997 to review a number of issues in connection with the efforts of the Department of State to comply with the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) ("JFK Act"). I am writing to memorialize the issues that were raised at our meeting. At the outset, however, we would like to again acknowledge the work and effort that you and Ms. Nina Noring have made in connection with the State Department's record searches and with the preparation of the Compliance Statement. The issues we addressed at the meeting are as follows.

1. The Methodology and Results of the Department of State's Record Searches. At our meeting, we reviewed with you the methodology and results of the State Department's searches for assassination-related records. As explained in further detail in the State Department Compliance Statement, the searches proceeded on two major fronts-- (1) the Assistant Secretary for Administration instructed a number of divisions/bureaus within the Department to search for assassination-related records within their own custody and (2) your office proceeded to search the Central Foreign Policy Records of the Department, including records in storage (the records in storage were referred to as "lot files").

[DO WE WANT TO INSPECT THE FINDING AIDS USED FOR CENTRAL FOREIGN POLICY RECORDS?]

As a result of its search efforts, the following major categories of records were located among the stored files:

in response to the tasking memos:

--LOT FILES/CENTRAL FILES

--Intelligence & Research Bureau

--Office of Security

--Passport Office

2. Additional Offices Within the Department of State that Should Be Instructed to Locate Assassination Records. In reviewing the State Department's initial Statement of Compliance, it appears that certain offices were not specifically instructed to search for assassination records.

First and foremost, it does not appear that the offices for the Secretary of State or Deputy Secretary of State were instructed. While we would not expect those offices to have any active files relating to the assassination, the Review Board would want further assurance that those offices did not inherit, or have maintained in secured storage, any papers relating to the assassination that may have come from former Secretary Rusk, Deputy Secretary George Ball, or Deputy Undersecretary of State Alexis Johnson. [What is the office for Alexis Johnson and was that office tasked?]. Accordingly, please determine whether or not those offices have any papers relating to the assassination of President Kennedy.

Second, the office for the Assistant Secretary for Legislative Affairs was not asked to search for assassination records. When we raised this with you at the meeting, you noted that any stored files from that office would be within the Central Foreign Policy Files and that the Legislative Affairs office would not have any stored files. Nonetheless, we believe it would be prudent to check with this office to determine whether it has maintained any files, including work files, relating to State Department communications or work with certain bodies that have investigated the assassination of President Kennedy, namely the Warren Commission, the House Select Committee on Assassinations (the "HSCA"), or the Senate Select Committee on Intelligence ("the Church Committee"). We note that in the JFK Collection there is some correspondence between the State Department (IDENTIFY THE

ASSISSTANT SECRETARIES) and the HSCA.

3. Stored Files for Certain High Level State Department Officials. It is our understanding that your Office may maintain or have access to papers for certain high-level State Department officials, and that these papers are sometimes left with the Department upon the official's departure from office. It was not readily apparent from the Department of State's initial Statement of Compliance what indices or finding aids were available, or were reviewed, in order to locate assassination materials that may have been among the stored records for these high-level officials. Accordingly, the Review Board would like to inspect the available finding aids or indices for the stored records of certain high-level State Department officials who may have had records relating to the assassination. The officials we are interested in are: Secretary of State Dean Rusk; Deputy Secretary of State George Ball; Deputy Undersecretary of State U. Alexis Johnson; the U.S. Ambassador to the Soviet Union, Lewellyn Thompson; the U.S. Ambassador to Mexico, Thomas Mann; the Ambassador to Nigeria, W. Attwood (who was used by President Kennedy as an informal channel to Cuba and who was in contact with Carlos Lechuga of Cuba); ANYONE ELSE SIGNIFICANT?

4. Personnel Files for Certain State Department Officials. As we discussed, we wish to inspect the personnel files for certain State Department employees that may have had some involvement in the investigation of the assassination or who may have had dealings with Marina or Lee Harvey Oswald prior to the assassination. We can inspect these files at your offices and we would not anticipate designating these files as assassination records. However, we do wish to inspect these records to identify any materials that may relate to the assassination. The officials whose personnel records we request to inspect are:

#### LIST THE OFFICIALS

5. Records Relating to Cuba. At the meeting, we broached with you in a general way the issue of locating other records on Cuba that may relate to the assassination, although in a less obvious manner. For example, in the early 1960's the Kennedy Administration maintained the Special Group (Augmented), which was a high-level, inter-departmental working group on Cuba policy. The State Department, through U. Alexis Johnson, participated in this Group. One of the operations that it reviewed was Operation Mongoose, which was aimed at destabilizing Cuba under the Castro regime. There is some debate as to whether Operation

Mongoose encompassed in any manner any plans or discussions relating to assassination of President Castro. The Review Board seeks to locate any records that the State Department may have on the Special Group (Augmented) or Operation Mongoose, including particularly post-assassination records that may relate to any discussion or analysis of potential Cuban complicity in the assassination.

In connection with locating additional Cuba-related records, you have agreed to make available for our inspection a box of records for the Inter-Coordinating Committee ("ICC") [IS THIS THE CORRECT NAME?], which was another inter-department group on Cuba policy. In addition, we asked that you locate any Cuba-related records of William Attwood, U.S. Ambassador to Nigeria, who was used by President Kennedy as a communication channel to Cuba.

["WATCH COMMITTEE"]

6. Rusk Telephone Records. The State Department papers in the JFK Collection include summaries of certain Rusk telephone calls relating to the assassination. These were selected by Ms. Noring, and Ms. Noring believed that these records may have been selected from among a set of summaries in or around November 1963 but that similar records for 1964 were not reviewed. The Review Board would consider this to be too limited a review, given that the Warren Commission's investigation continued in 1964 and that Secretary Rusk testified before the Warren Commission that year. Therefore, we would like to be apprised as to the full scope of these records and inspect them for additional conversations that may relate to the assassination.

7. Ceremonial Records. In its Compliance Statement, the State Department has noted that there are voluminous records that relate to foreign countries' condolences (so-called ceremonial records). Given that these records do not bear upon the investigation of the assassination, and given the volume of such records, the State Department has decided not to designate them as assassination records under the JFK Act. The Review Board tentatively agrees that such records, as represented, need not be designated as assassination records. However, we would ask that the State Department identify and make available for inspection the files within which these ceremonial records are contained so that we have some level of assurance that these files do not have other documents that may be relevant to the investigation of the assassination.

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8. Compliance Official. You indicated that you may be changing jobs at the Department and, if so, you would no longer head the Office of Freedom of Information, Privacy, & Classification Review and no longer be the compliance official for the Department of State. If this comes to pass, please notify the Review Board and apprise us as to the new compliance official.

9. Final Declaration of Compliance. As you know, the Department of State will need to submit a Final Declaration of Compliance later this year; this Final Declaration will need to reflect any additional follow-up work or other matters bearing upon the Department's compliance with the JFK Act. Please also note that the Final Declaration of Compliance will need to be executed under oath in the form prescribed by 28 U.S.C. § 1746.

Should you or Nina Noring have any questions, or wish to discuss any of these matters further, please do not hesitate to call me or Michelle Combs. Thank you for your continuing cooperation with our work.

Sincerely,

Ronald G. Haron  
Senior Attorney

cc: John W. Kropf, Attorney - Advisor,  
Office of the Legal Advisor  
Nina J. Noring, JFK Act Liaison