

September 1, 1998

BY FACSIMILE & FIRST-CLASS MAIL

Mr. Scott O. Hastings  
Director  
Office of Files and Forms Management  
Immigration and Naturalization Service  
111 Massachusetts Ave., N.W.  
Washington, D.C. 20536

Re: INS Compliance with the JFK Assassination Records Collection Act,  
44 U.S.C. § 2107

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Dear Mr. Hastings:

Thank you for submitting the Final Declaration of Compliance for the Immigration & Naturalization Service ("INS") (dated August 26, 1998), which sets forth INS's final statement regarding its compliance with the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 ("JFK Act").

I am writing to inform you that INS must re-submit its Final Declaration under penalty of perjury in the form prescribed by 28 U.S.C. § 1746.<sup>1</sup> We have asked all agencies to submit their Final Declarations under oath, and all agencies have cooperated. I regret any inconvenience this may cause, but the re-submitted Final Declaration need not be revised other than to be submitted under oath.

As INS acknowledged in its Final Declaration, there are additional INS files that have yet to be submitted to the JFK Collection. We request that INS endeavor to transmit those files to the JFK Collection as soon as possible. The obligations imposed by the JFK Act continue in full force even

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<sup>1</sup> Under 28 U.S.C. § 1746, a declaration under penalty of perjury should contain the following language at the end: "I declare under penalty of perjury that the foregoing is true and correct. Executed in Washington, D.C. on this \_\_\_ day of September, 1998."

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after the Review Board's term expires and until the Archivist certifies that all assassination records have been released in accordance with the Act. *See* JFK Act § 12. INS therefore should advise Steve Tilley, Chief for the JFK Collection, when INS has completed transmission of its remaining assassination records to the National Archives.

Thank you for your continued cooperation.

Sincerely,

Ronald G. Haron  
General Counsel

cc: James M. Leahy, INS