

VIA FACSIMILE & FIRST CLASS MAIL

May 11, 1998

Mr. Steven D. Tilley  
Chief, JFK Assassination Records Collection  
National Archives and Records Administration  
8601 Adelphi Road  
College Park, Maryland 20740-6001

Re: National Archives and Records Administration's Compliance with the JFK Assassination  
Records Collection Act, 44 U.S.C. § 2107

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Dear Steve:

I would like to thank you, Martha Murphy, and Amy Krupsky for meeting with me on April 29 to discuss the Final Declaration of Compliance to be submitted under the JFK Assassination Records Collections Act ("JFK Act") by the main National Archives and Records Administration ("NARA") facility for the Washington, D.C. area ("Main NARA").

We agreed that Main NARA would submit its Final Declaration on or around August 1, 1998. We also discussed the following:

1. Additional Searches. The Review Board considers the searches at Main NARA to have been generally adequate to identify assassination-related records in its holdings. However, at the meeting, we suggested to you an additional avenue of record searches to make certain that any distinct and separate files on the Kennedy assassination are identified from among any classified or closed records of high level Kennedy or Johnson administration officials that might reside at Main NARA.

It is not our intention to require Main NARA to make a wholesale review of all documents from the Kennedy and Johnson eras. Rather, we request that NARA undertake reasonable measures to locate any separately identifiable, classified files on the assassination (if they exist) from among any closed records of the highest officials for those administrations. You

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asked us to provide you with a list of the officials, and you agreed to check the database of Main NARA's classified holdings. Accordingly, we request that you check whether Main NARA has records for any of the following Kennedy or Johnson administration officials and, if so, whether they may include any classified files relating to the assassination:

Director of the White House Communications Agency

Secretary of the Army

Secretary of the Navy

Director of the Office of Naval Intelligence

Commandant of the Marine Corps

Secretary of the Air Force

Secretary of Defense<sup>1</sup>

Secretary of Treasury<sup>2</sup>

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<sup>1</sup> We have independently searched the records of Secretary McNamara using NARA's finding aids and have not located any files on the assassination. No further search by Main NARA would appear warranted.

<sup>2</sup> We have also independently searched records for the Office of the Secretary of the Treasury. Our files disclose that we earlier located some correspondence between Treasury and the Warren Commission and some documents regarding the President's Committee on the Warren Commission (the so-called Dillon Committee), but have been unable to relocate the file source for these documents. If you can locate the file source for these documents and include the relevant documents in the JFK Collection (if they are classified and deemed an assassination record), that would be helpful. I am attaching the documents we previously located and the accompanying Review Board staff memorandum to assist you (*see* Attachment A hereto).

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Secretary of State<sup>3</sup>

Director of the National Security Council

2. Records of the Secret Service and the FBI. At our meeting, you stated that Main NARA does not have any FBI or Secret Service records relevant to the assassination (other than those that are included in the JFK Collection). Please confirm in Main NARA's Final Declaration of Compliance that you have searched NARA's holdings for any relevant FBI or Secret Service records. (You also stated that Main NARA does not maintain any records for the CIA or the National Security Agency--again, aside from those placed in the JFK Collection).
3. Referrals by Main NARA. You confirmed that Main NARA has referred all its assassination records, as appropriate, to the relevant agencies for clearance under the JFK Act. While most of the referrals have been responded to, you are awaiting responses from the FBI and the Criminal Division on certain documents. It is our understanding that IRS officials recently have been reviewing Warren Commission/IRS records.
4. Congressional Records. The only major category of Congressional records that have not been processed under the JFK Act are assassination records of the House Un-American Activities Committee and the House Judiciary's Sub-Committee on Civil and Constitutional Rights (there may be no relevant records for the latter, however, within the custody of the Center for Legislative Archives). The delay in processing any assassination records for these committees is due to the fact that the appropriate authorization has not yet been forwarded from the House Judiciary Committee. In addition, the Senate Intelligence Committee is continuing to forward to the JFK Collection, with the assistance of the Review Board and the Center for Legislative Archives, additional assassination records of the Church Committee.
5. Administrative Records of NARA. You stated that some additional administrative records of NARA official(s) relating to the assassination have been located and will be included with the JFK Collection.

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<sup>3</sup> The records for Secretary of State Dean Rusk have been reviewed by the Department of State, and it is our understanding that they will be forwarded, or have been forwarded, to Main NARA under the new Executive Order relating to declassification. Accordingly, there is no need to search his files unless there are additional files of Secretary Rusk that were previously at Main NARA.

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I hope this accurately summarizes our meeting and the status of Main NARA's work under the JFK Act. If there is anything you consider inaccurate or incomplete, please let me know. We look forward to receiving Main NARA's Final Declaration of Compliance, which should be updated to describe any additional work that has been done since submission of its initial statement. The Final Declaration of Compliance should be executed under penalty of perjury in the form prescribed by 28 U.S.C. § 1746.<sup>4</sup>

Sincerely

Ronald G. Haron  
Associate General Counsel

cc: Christopher M. Runkel, Acting General Counsel  
NARA

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<sup>4</sup> The request that the Final Declaration be submitted under oath is one that we have made of all Federal agencies under the JFK Act. To satisfy the requirement of 28 U.S.C. § 1746, the declarant should state at the end of the Final Declaration that "I declare under penalty of perjury that the foregoing is true and correct. Executed in College Park, Maryland on this \_\_\_ day of \_\_\_\_ 1998."