

October 1, 1997

VIA FACSIMILE AND FIRST-CLASS MAIL

David L. Dougherty, Esq.  
Attorney  
Office of the General Counsel  
Department of the Treasury  
1500 Pennsylvania Ave., N.W.  
Washington, D.C. 20220

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

Dear Mr. Dougherty:

Thank you for making Mr. Robert McBrien available for a telephone interview on September 29 with the staff of the Assassination Records Review Board ("Review Board"). As you know, Mr. McBrien was the Department of Treasury's liaison to the Church Committee, and he also worked for Treasury on issues in connection with the House Select Committee on Assassinations ("the HSCA").

In light of our interview with Mr. McBrien, we wish to raise several issues in connection with Treasury Department records under the JFK Act:

1. Mr. McBrien's Records. We would like to confirm that all of Mr. McBrien's files have been reviewed under the JFK Act. To date, the Department of the Treasury will be forwarding two files of Mr. McBrien, and part of a third file, to the JFK Collection. One pertains to the HSCA and the other two pertain to the Church Committee. *See* March 25, 1997 Letter from R. Haron to Steve Milline. This is the result of our identification of six boxes of Treasury records that contained what appeared to be files of Mr. McBrien. Mr. McBrien said it was his practice, albeit with some exceptions, to retain copies of records that were sent to Congress. Mr. McBrien also said that he had recognized the historical value of his files, many of which were kept in a vault, and he had them organized for storage before he went on sabbatical leave in the Fall of 1986. Mr. McBrien was not personally knowledgeable as to the ultimate disposition of his files, although his intent was to have them preserved.

Given the role Mr. McBrien had in connection with the HSCA and the Church Committee and the importance of his files, we ask that you verify that there are no other McBrien files that have escaped review under the JFK Act.<sup>1</sup>

2. Records of the General Counsel. We have previously asked that you locate the relevant files of the General Counsel for the Department of Treasury in connection with Church Committee and HSCA matters. See August 1, 1997 Letter from R. Haron to D. Dougherty. Mr. McBrien identified the General Counsel with whom he worked on these matters as Richard Albrecht. Please locate and review his files to determine whether they contain any assassination-related records, including records on the HSCA or the Church Committee.

3. Records of Former Treasury Secretary C. Douglas Dillon. The Department of the Treasury has not designated any records of Secretary Dillon as assassination records. We recognize that this may be the result of his records having been transferred to the National Archives or the JFK Presidential Library. Nonetheless, please confirm whether or not Treasury has retained custody of any of Secretary Dillon's files from the Kennedy or Johnson administrations and, if so, whether they have been reviewed for assassination-related documents (we note that Mr. McBrien remembered recalling files of Secretary Dillon from storage and reviewing them). In the event that Treasury no longer has custody of Secretary Dillon's files, please provide the Review Board with any available documentation, including indices, that would describe the identity, disposition and current location of Secretary Dillon's files.

Pursuant to our discussion, we agreed that Treasury could have until October 17th to submit its Final Compliance Statement to the Review Board. Let us know if you need additional time.

Thank you again for your cooperation, and please call me if you want to discuss these matters further.

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<sup>1</sup> The McBrien records we identified as assassination records were contained in Treasury accession nos. 56-87-52 and 56-87-34. The files that we reviewed, which appeared to be files of Mr. McBrien, consisted of the three boxes stored under accession no. 56-87-34 and boxes 28 through 30 of accession no. 56-87-52. These latter three boxes contained files relating to the Senate Select Committee on Intelligence, but most of those files did not relate to the Committee's investigation of President Kennedy's assassination. Apart from these materials, please confirm that there are no other files of Mr. McBrien that might relate to his work with the HSCA or the Church Committee.

David L. Dougherty, Esq.  
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Sincerely,

Ronald G. Haron  
Associate General Counsel

cc: Steve Milline, JFK Act Compliance Official  
for the Department of the Treasury