

BY FACSIMILE AND FIRST-CLASS MAIL

October 30, 1997

Lt. Col. Gregory Rath
Assistant Chief of Staff
White House Military Office
Washington, D.C. 20502

Re: White House Communications Agency Records and the
JFK Assassination Records Collection Act, 44 U.S.C. § 2107

Dear Lt. Col. Rath:

Thank you for submitting to the Assassination Records Review Board ("Review Board") the affidavit of the White House Communications Agency ("WHCA") regarding its compliance with the President John F. Kennedy Records Collection Act of 1992. *See* Sept. 10, 1997 Letter from Lt. Col. G. Rath to R. Haron with enclosed Affidavit of Col. Joseph J. Simmons.

The Review Board had asked WHCA to locate any records it may have relating to the assassination of President Kennedy. *See* February 28 and March 19, 1997 Letters from R. Haron to Lt. Col. G. Rath. Aside from one historical file, we were advised that WHCA had no records from the 1963-64 period. *See* April 1, 1997 Letter from Lt. Col. G. Rath to R. Haron and April 21, 1997 Letter from R. Haron to Lt. Col. Rath. Accordingly, as we have requested of other agencies, we asked WHCA to prepare a Final Declaration of Compliance to demonstrate that a thorough search was made, including a description of "what was done to confirm that there are no 1963-64 records whatsoever in the custody or control of WHCA (or the White House Military Office)." *See* April 21, 1997 R. Haron Letter.

The Declaration provided no information regarding the existence or identity of WHCA records, or White House Military Office records, from 1963-64, stating only that "there are no documents that indicate or relate to the disposition of WHCA records from 1963-64." Simmons Decl. ¶ 6. The Review Board believes that it is necessary to obtain whatever information is available as to the existence, identity or disposition of WHCA or White House Military Office records from 1963-64, including whether such records might be in secured storage. Therefore, the Review Board hereby requests that WHCA make available for an informal interview the official or officials most knowledgeable about the recordkeeping practices of WHCA. To the extent there is recordkeeping

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information that is classified, please be assured that our staff have the highest security clearances.

Finally, the WHCA Final Declaration of Compliance was not executed under oath, as we had requested (*see* April 21, 1997 R. Haron Letter). Other Federal agencies have made their Declarations of Compliance under penalty of perjury. Accordingly, the Review Board requests that the affidavit be re-executed under oath in conformity with 28 U.S.C. § 1746. We believe, however, that it may be advisable to await our further discussions before re-executing the Final Declaration.

Please contact me at your earliest convenience to provide the name and title of the designated person knowledgeable about WHCA records and to arrange a mutually convenient time for us to interview him or her.

Sincerely,

Ronald G. Haron
Associate General Counsel

cc: Terry W. Good, Director,
Records Management,
Executive Office of the President

Steven D. Tilley, Chief,
JFK Assassination Records Collection, NARA