

August 15, 1997

Frederick D. Hess  
Director, Office of Enforcement Operations  
Criminal Division  
United States Department of Justice  
1001 G Street, N.W., Suite 1075  
Washington, D.C. 20530

Re: Department of Justice, Criminal Division, Equities in the Records of the Federal Bureau of Investigation Subject To *The John F. Kennedy Assassination Records Collection Act of 1992*,  
44 U.S.C. § 2107

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Dear Mr. Hess:

The staff of the John F. Kennedy Assassination Records Review Board has identified a number of FBI documents that we intend to present to the Review Board for review of postponements at the Review Board meeting on October 14 and 15, 1997. Among the documents we identified are documents in which your agency has equities. These documents are identified in the enclosed form.

The FBI previously referred these documents to the Criminal Division of the Department of Justice but the Criminal Division did not respond to the FBI's request to process the records.<sup>1</sup> Since you are the individual that the Criminal Division designated as the person responsible for compliance with the JFK Act, we are identifying these documents to you now so that you can decide whether you wish to postpone release of the information in question. Please keep in mind the provisions of the JFK Act which anticipate that information will be withheld from public release only in "the rarest cases" and only pursuant to one of the provisions of Section 6 of the Act. The FBI is sending the documents at

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<sup>1</sup>On May 3 and again on July 20, 1995, the FBI referred the "Sam Giancana" file to the Criminal Division. On June 24, 1996, the FBI referred the "Orlando Bosch Avila," "Angelo Bruno," "Gabriel Mannarino," "Sam Mannarino," and "Carlos Marcello" files to the Criminal Division. On December 9, 1996, the FBI referred the "Edward Browder, Jr." and the "John Roselli" files to the Criminal Division. On March 17, 1997, the FBI referred the "LCN" and "MDC" files to the Criminal Division.

issue directly to Frank Newett of your Division, who has routinely handled the Criminal Division's equities in the FBI's assassination records.

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So that we may adequately prepare our presentation to the Review Board with the benefit of any submission you may wish to make, you must submit evidence or arguments in support of any postponements you choose to assert in writing **no later than October 1, 1997. If you do not respond to this letter by the above deadline, we will assume that your agency intends to release in full its equities in the FBI record at issue, and we will recommend that the Review Board vote to release in full your agency's equities in the record.**

In many of the FBI documents with third agency equities, we believe that the third agencies could, consistent with their current guidelines for JFK assassination-related information, consent to full release of the information at issue.

If you have any questions regarding the documents identified on the enclosed forms, please call Carol Keeley or Debbie Beatty of the JFK Task Force at the FBI at (202) 324-0571 or Laura Denk or Kevin Tiernan of the Review Board staff at (202) 724-0088. Thank you, in advance, for your cooperation.

Sincerely,

David G. Marwell  
Executive Director

Enclosure

cc: Frank R. Newett  
Assistant Director, Office of Enforcement Operations  
Criminal Division  
United States Department of Justice  
1001 G Street, N.W., Suite 1075  
Washington, D.C. 20530

attn: Keith Dyson

Attachment to August 15, 1997, Letter  
to Mr. Frederick D. Hess, Criminal Division, Department of Justice  
Deadline for Evidence Submission Date: October 1, 1997  
Review Board Meeting Date: October 14-15, 1997

The Review Board staff intends to present documents from the following files to the Review Board for its consideration on October 14-15, 1997. Please present evidence on any postponements that you wish to claim to the Review Board staff on or before October 1, 1997.

Orlando Bosch Avila  
Edward Browder, Jr.  
Angelo Bruno  
Sam Giancana  
LCN  
Gabriel Mannarino  
Sam Mannarino  
Carlos Marcello  
MDC  
John Roselli