

January 14, 1997

BY FACSIMILE

Mr. James M. Leahy  
Management Analyst  
Records Policy & Analysis Branch  
Office of Files and Forms Management  
Immigration and Naturalization Service  
425 I Street, N.W.  
Washington, D.C. 20536

Re: INS Release of Marina and Lee Harvey Oswald INS Files under the  
JFK Assassination Records Collection Act, 44 U.S.C. § 2107

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Dear Mike:

We continue to be very concerned about the delays of the INS in processing records under the JFK Act. When you and I spoke during the first week of October, you said that you would send the complete Marina and Lee files the following week. *See* Marwell to Rouse, October 7, 1996 (enclosed). When we later spoke on October 17, you said that you would be sending those files "shortly." Although we appreciate the portions of those files that you have sent, we continue to await delivery of the remainder.

I am sure that you can understand our frustration in not having yet received these core files more than *three years* after the law required that they be sent to the National Archives. Please forward the files to us immediately.

In her November 4 letter responding to Mr. Marwell (enclosed), Ms. Rouse assured us that all of the INS files would be processed within three months. This should mean that all INS records will be processed by February 4. We trust that the INS will complete this task as promised.

If there is anything that we can do to assist you in this matter or help clarify the meaning of the JFK Act, please do not hesitate to contact me.

Sincerely,

T. Jeremy Gunn  
General Counsel

Enclosures

cc: Scott O. Hastings, Director,  
Office of Files & Forms Management, INS

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The Assassination Records Review Board ("Review Board") hereby requests that the Immigration & Naturalization Service ("INS") complete, as expeditiously as possible, its review and public release of the balance of the INS file on Lee Harvey Oswald and the INS file on Marina Oswald. The Review Board believes that the public release of these files should be accorded the highest priority by INS in discharging its obligations under the JFK Assassination Records Collection Act (the "JFK Act").

As you know, the first two parts of Lee Harvey Oswald's INS file was transferred to the Review Board, and ultimately to the National Archives, in November 1996. Since then, we have received no assurances that INS has been processing the balance of the Lee Harvey Oswald file, or the Marina Oswald file, for public release.<sup>1</sup> While we appreciate that INS has additional records that must be released under the JFK Act, the Oswald records undoubtedly must be the number one priority.

Accordingly, the Review Board hereby requests that INS complete its review of the Oswald files, including an identification of any material whose release the INS believes should be postponed under the JFK Act, by February 10. This will permit the Review Board, at its February meeting, to independently consider any recommendations of INS to postpone release of any materials within the Oswald files.

Please confirm that INS can meet this timetable. Thank you for your cooperation.

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<sup>1</sup> In accordance with the JFK Act, the INS cannot publicly release the files until it first reviews them to determine whether there is any material whose release can be postponed under the JFK Act (e.g., personal information on the Oswalds' children that should be protected on privacy grounds).