

September 15, 1998

BY FACSIMILE AND FIRST-CLASS MAIL

The Honorable Henry J. Hyde
Chairman
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, D.C. 20515-6216

Re: Inspection and Release, under the President John F. Kennedy Assassination Records
Collection Act of 1992, 44 U.S.C. § 2107, of Certain Records of the House Committee on
Un-American Activities

Dear Chairman Hyde:

I was very disappointed to learn that the Judiciary Committee, in consultation with the House Parliamentarian and the Clerk of the House, will not be releasing records of the House Un-American Activities Committee ("HUAC") that relate to the assassination of President Kennedy, including important files on Lee Harvey Oswald and Marina Oswald. As the Review Board has advised you previously (*see* July 15, 1998 Review Board Letter), release of HUAC records relating to President Kennedy's assassination is clearly mandated by the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 ("JFK Act"). The JFK Act expressly gives provisions of the Act the status of House Rules and overrules more general rules, including House Rule XXXVI, which I understand prohibits release of material "detrimental to the public interest." *See* JFK Act § 11 (e) (1).

It is also difficult for us to discern why, after 35-40 years, it would be detrimental to the public interest to release limited, identifiable records on the Oswalds and the Fair Play for Cuba Committee. In our Final Report to be submitted to the President and Congress this month, we will review Executive and Congressional compliance with the JFK Act, and we will have to note in our report that the Judiciary Committee would not release to the public certain HUAC files that we had reason to believe would be related to the Kennedy assassination. After four years of work and a collection that now includes over four million pages, these are the only remaining relevant files that have been

withheld in their entirety. I urge you to reconsider.

Thank you for your consideration.

Sincerely,

John R. Tunheim
Chair

cc: The Honorable Dan Burton, Chairman
House Government Reform & Oversight Committee

Robin H. Carle, Clerk
U.S. House of Representatives