

April 8, 1998

VIA FACSIMILE AND FIRST-CLASS MAIL

Mr. Leonidas Ralph Mecham
Director
Administrative Office of the
United States Courts
One Columbus Circle, N.E.
Washington, D.C. 20544

Re: Preservation of Court Records Under the President John F. Kennedy
 Assassination Records Collection Act of 1992, 44 U.S.C. § 2107

Dear Mr. Mecham:

I am writing on behalf of the Assassination Records Review Board ("Review Board") to seek your assistance in ensuring that certain federal district court and appellate court records relating to the assassination of President Kennedy are preserved as permanent records.

The Review Board is an independent Federal agency created by Congress under the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 ("the JFK Act"). Since 1994, the Review Board has been working with a number of Federal offices to locate and publicly release records relating to the assassination of President Kennedy. It is our understanding that the Federal Courts are "Government office[s]" within the meaning of Section 3(5) of the JFK Act and that the courts are, accordingly, obligated to comply with the terms of the Act. For your reference, I am enclosing a copy of the JFK Act.

More specifically, we seek your cooperation to ensure that court files for Freedom of Information Act cases involving requests for records on President Kennedy's assassination are declared to have historical value and are preserved as permanent. It is our understanding that, under current document retention schedules, such district court case files are not automatically retained as permanent records and, in fact, might be destroyed within 20 years. Accordingly, we ask that you instruct the clerks for the various federal judicial districts to preserve as permanent records any district court cases, which in most instances will be FOIA cases, that can be identified as relating to President Kennedy's assassination. We ask that the clerks then advise the National Archives and Records

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Administration ("NARA") of any such records. Mr. Steven D. Tilley is the Chief for the JFK Collection and he should be notified regarding the existence of any case files that relate to President Kennedy's assassination (his address is NARA at College Park, 8601 Adelphi Road, College Park, Maryland 20640-6001, and his telephone number is 301-713-6620 (ext. 360)). NARA can then determine whether such records should be included in the JFK Assassination Records Collection ("JFK Collection") at NARA in College Park, Maryland.

We appreciate that there may be a practical difficulty in the ability of the various Clerk's Offices to identify case files that substantively relate to records on the Kennedy assassination. We have, therefore, identified a number of significant FOIA cases wherein the files should be preserved. Because many of these originate in the Federal District Court for the District of Columbia, we are sending a copy of this letter directly to the Clerk of that Court so that she can coordinate with NARA on the possible transmission of those case files to the JFK Collection. The FOIA cases we have identified are:

1. *Weisberg v. Department of Justice*, No. 75-0226 (D.D.C.). This case involved a request for spectrographic and/or neutron activation analyses conducted by the FBI on bullet fragments and other materials at issue in the Kennedy assassination.
2. *Allen v. Department of Defense and CIA*, No. 81-2543 (D.D.C.). This case involved a request for CIA records made available to the House Select Committee on Assassinations ("HSCA") for its investigation of the JFK assassination.
3. *Allen v. Department of Justice*, No. 81-1206 (D.D.C.). This case involved a request for FBI records made available to the HSCA.
4. *Weisberg v. Department of Justice*, Nos. 78-322 and 78-420 (D.D.C.). These cases involved requests for the FBI Dallas and New Orleans field office files relating to the JFK assassination.
5. *Blakey v. Department of Justice*, No. 81-2174 (D.D.C.). This case involved a request for FBI Headquarters records relating to the JFK assassination.
6. *Lesar v. Department of Justice*, Nos. 82-3600 and 86-1547 (D.D.C.). These cases involved issues regarding the destruction of copies of FBI records relating to the JFK assassination.

7. *Allen v. CIA*, No. 78-1743 (D.D.C.). This case involved a request for specific CIA documents relating to the Kennedy assassination.
8. *Hoch v. CIA*, No. 82-0754 (D.D.C.). This case involved a request for CIA records relating to the assassination.
9. *Assassination Archives v. CIA*, No. 88-2600 (D.D.C.). This case involved a request for JFK assassination materials that had been reviewed by George Bush while he was CIA Director and later Vice-President.
10. *Weberman v. National Security Agency*, (S.D.N.Y.). This case involved a request for NSA records regarding a telegram that Jack Ruby had sent to Cuba. NSA had submitted an *in camera* declaration in this case.
11. *Weisberg v. General Services Administration*, Nos. 73-2052 and 75-1448 (D.D.C.). These cases involved requests for Warren Commission materials.
12. *Fensterwald v. CIA*, No. 75-897 (D.D.C.). This case involved a request for records on the JFK assassination.
13. *Shaw v. Department of State*, No. 80-1056 (D.D.C.). This case involved requests to CIA, INS and the State Department for records relating to the theory that French assassins participated in the murder of President Kennedy.
14. *Fensterwald v. Department of Justice*, No. 81-094 (D.D.C.) This case involved requests to FBI and DEA for records relating to the theory that French assassins participated in the murder of President Kennedy.
15. *Shaw v. FBI*, Nos. 82-755 and 756 (D.D.C.). We believe these cases involved requests for JFK assassination records.
16. *Shaw v. FBI*, Nos. 82-1602, -2108, -2109, -2110, -2128, -2130, -2156, -2379, -2522 (D.D.C.). These cases involved a request for Government records relating to the assassination of President Kennedy, including the allegation that French assassins were involved.

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17. *Fitzgibbon v. Secret Service*, No. 86-1886 (D.D.C.). This case involved a request for Government records relating to an alleged plot by Rafael Trujillo to assassinate President Kennedy.
18. *Davis v. Department of Justice*, No. 88-0130 (D.D.C.). We believe this case involved a request for JFK assassination records.
19. *Mangold v. CIA*, No 88-1826 (D.D.C.). This case involved a request for records of CIA official James Angleton.
20. *Assassination Archives v. Department of Justice*, No. 92-2193 (D.D.C.). This case involved a request for FBI records relating to Marita Lorenz and the JFK assassination.
21. *Scott v. CIA*, No. 95-0686 (D.D.C.). This case involved a request for CIA and FBI records on CIA official Win Scott, including a manuscript of Win Scott.

Please do not hesitate to call me if you have any questions or wish to discuss this matter any further. Thank you for your cooperation.

Sincerely,

T. Jeremy Gunn
Executive Director

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

Nancy Mayer-Whittington, Clerk of the Court
U.S. District Court for the District of Columbia

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