

October 9, 1997

VIA FACSIMILE & FIRST-CLASS MAIL

Ms. Melanie Ann Pustay
Senior Counsel
Office of Information and Privacy
United States Department of Justice
Flag Building--Suite 750
1310 G Street, N.W.
Washington, D.C. 20530

Re: Attorney General Records for Edward Levi and Griffin Bell Reviewed
Under the JFK Assassination Records Collection Act, 44 U.S.C. § 2107

Dear Ms. Pustay:

Thank you for making available for review at the Federal Records Center ("FRC") in Suitland, Maryland certain files from the offices of Attorneys General Edward Levi and Griffin Bell pursuant to our earlier requests (*see* R. Haron Oct. 3, 1997 Letter to R. Plavchan and Dec. 10, 1996 Letter to M. Pustay). Set forth is a summary of what we reviewed at the FRC on October 7, 1997, including a preliminary determination that certain records are related to the Kennedy assassination and should be processed under the JFK Act.

A. Accession No. 60-82-20 (Attorney General Levi)

Box 2 -- Within the file entitled, "EHL/House and Senate Correspondence," we recommend that the following documents be designated as assassination records: (1) an undated draft letter from Attorney General Levi to Senator Church regarding the Church Committee and (2) a December 4, 1975 Letter from Doug Marvinto to Attorney General Levi regarding access of the Edwards House Committee to FBI records.

Box 3 -- We identified no assassination records from this box.

Box 4 -- Two files from this box contain assassination records. The files are "Church and Pike Select Committees" and "House Select Committee Letters."

Box 5 -- The file entitled "Senate Select Committee Letters (1) and (2)" contains assassination records.

Box 6 -- We identified no assassination records from this box.

Box 13 -- We identified no assassination records from this box.

Box 14 -- We identified no assassination records from this box. However, we request that the Department provide to the Review Board, as additional background information, copies of the following files: (1) "FBI/Church Committee," (2) "FBI/Destruction of Files," (3) "FBI/Documents on FBI Files," (4) "FBI/Filing System," and (5) "FBI/Hoover Files."

Box 15 -- We identified no assassination records from this box. However, The file entitled "FBI/JFK Assassination Investigation" was missing from the box (an out card dated August 25, 1983 indicates that this file was the subject of a request for permanent withdrawal by a Robert Yahn of the Department of Justice). Please confirm whether or not this file has been located for processing as an assassination record under the JFK Act. In addition, we request a copy of a November 5, 1975 memorandum from the FBI Director to the Attorney General describing the history of the FBI's Administrative Index (this document is located in the file entitled "FBI/Responses to February Memo to Director").

Box 16 -- We identified no assassination records from this box.

Box 18 -- We identified no assassination records from this box.

Box 21 -- We identified no assassination records from this box. However, two of the folders we sought to inspect were missing from the box. They were entitled "Senate Select Committee Testimony" and "Church Committee Request 6/27/75." Please see if you can reasonably locate these files.

Box 24 -- We identified no assassination records from this box. However, we request that the Review Board be provided with a copy of the file entitled "MW/FBI/Don Edwards Subcommittee (2-11-76)" as additional background information.

Box 25 -- We identified no assassination records from this box.

Box 28 -- We identified no assassination records from this box.

Box 33 -- The file entitled "Yuri Ivanovich Nosenko" appears to be an assassination record. This is a small file that contains a November 1975 request by Mr. Colby of the CIA that certain INS records of Mr. Nosenko be sealed to protect his identity. The file contains Mr. Levi's response, as

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well as some internal DOJ papers.

Box 34 -- We identified no assassination records from this box.

Box 35 -- We identified no assassination records from this box.

Box 36 -- We identified no assassination records from this box.

B. Accession No. 60-82-41 (Attorney General Levi)

Box 1 of 1 -- We identified two documents as potential assassination records from the file entitled "FBI Memorandum File No. 5." The two documents are a November 26, 1976 letter from the FBI Director to the Attorney General regarding the House Select Committee on Assassinations ("HSCA") and a December 21, 1976 letter from the Attorney General to the FBI Director regarding the Church Committee.

C. Accession No. 60-82-199 (Attorney General Bell)

Box 5 -- We identified one file as containing potential assassination records. The file is entitled "CIA Secret Army."

Box 6 -- We identified no assassination records from this box.

Box 10 -- We identified no assassination records from this box. However, we do request a copy of the file entitled "FBI/File Destruction" as additional background information for the Review Board. In addition, this file needs to be reviewed more carefully for potential assassination records.

Box 11 -- We identified the file entitled "House Assassination Committee" as an assassination record.

Box 14 -- We identified no assassination records from this box.

Box 16 -- We identified no assassination records from this box.

Box 23 -- We identified no assassination records from this box.

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D. Accession No. 60-81-164 (Deputy Attorney General Civiletti)

Box 7 -- We did not have an opportunity to review this box. We ask that you make it available for review. As for boxes 9 to 22, which contain Mr. Civiletti's "numbered files," we reviewed a sample of these files and they appear to be a chron set of his documents. There appear to be no subject files, and further review is not contemplated at this time.

E. Follow-Up Matters for Completing the Work of the DOJ Leadership Offices under the JFK Act

Please process, as assassination records under the JFK Act, the additional documents from the Levi and Bell files that we have preliminarily identified as being related to the assassination. If you have any questions regarding the designation of these documents as assassination records, or if any further review is required, please do not hesitate to call me.

The review of these Attorney General files cannot be considered complete until we have received an adequate accounting for the classified portion of these records. Therefore, pursuant to my October 6, 1997 letter to Mr. Plavchan, please make available for review the classified portion of these files. Although there were some classified documents among the files that we reviewed, Mr. Plavchan has advised us that classified documents are supposed to be stored separately. It is essential that any other classified records from these files be identified and inspected for assassination-related material.

We agreed that the Department of Justice--Office of Information and Privacy ("OIP") will submit its Final Compliance Report by December 5, 1997. In addition, please advise us when the Leadership Office documents are assembled and ready to be transmitted to the JFK Collection Assassination Records Collection ("JFK Collection") at the National Archives. We would like to see all of the Department's remaining assassination records deposited in the JFK Collection as soon as possible. If there are agencies that have not yet cleared certain DOJ records, and this is holding up the deposit of DOJ files into the JFK Collection, please let me know so that we can perhaps be of some assistance in expediting the process of obtaining clearance from these other agencies.

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Thank you again for your cooperation.

Sincerely,

Ronald G. Haron
Associate General Counsel

cc: Ronald Plavchan, Archivist
Department of Justice (via facsimile and mail)