

August 3, 1998

BY FACSIMILE AND FIRST-CLASS MAIL

Mr. 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: United States Department of Justice Criminal Division's Compliance with the JFK
Assassination Records Collection Act, 44 U.S.C. § 2107

Dear Mr. Hess:

I want to express the Review Board's appreciation for the work undertaken by your staff to ensure the Criminal Division's compliance with the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 ("JFK Act"). Your staff, including Jeff Fogel, Les Rowe, Frank Newett, and Keith Dyson, have been highly cooperative and professional. As we approach the termination of the Review Board's operations on September 30, 1998, however, I wish to raise with you some outstanding issues that should be resolved.

First, the Criminal Division identified a file relating to Jim Garrison (DOJ File No. 82-32-90), but has been unable to physically locate the file. See May 11, 1998 Review Board Letter to the Criminal Division. We ask that the Criminal Division endeavor to locate the file and provide the Review Board with any information it has regarding the contents and disposition of the file.

Second, the Review Board has identified, as assassination records under the JFK Act, numerous records from various organized crime and internal security files that the Criminal Division made available for our review. The designated assassination records were identified in our prior letters to the Criminal Division. See Nov. 27, 1997, Dec. 22, 1997, and May 11, 1998 Review Board Letters

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to the Criminal Division. It is essential that we have the Division's commitment to place those into the JFK Collection at the National Archives by September 30, 1998.

Third, the Criminal Division previously stated that it had made the determination that certain records were not subject to the JFK Act, including documents post-dating the Act and personal or working records of individual attorneys (on the assumption that any assassination-related information in working materials would be replicated in official files). *See* Criminal Division Initial Statement of Compliance (dated Jan. 29, 1997). To make certain that no relevant records are overlooked, we request that any assassination records post-dating the JFK Act and any working files relating to the Kennedy assassination be made available for inspection by the Review Board.

Thank you again for your continued cooperation, particularly as we attempt to complete our work in the next two months.

Sincerely,

Ronald G. Haron
General Counsel

cc: Jeffrey I. Fogel, Attorney, Criminal Division
(by facsimile)

Les Rowe, Attorney Advisor,
Criminal Division (by facsimile)

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