

January 19, 1996

Mr. John W. Magaw  
Director  
Bureau of Alcohol, Tobacco, and Firearms  
660 Massachusetts Avenue, N.W.  
Washington, D.C. 20226

Dear Director Magaw:

The JFK Assassination Records Review Board (ARRB) has the statutory responsibility of ensuring that Federal agencies, including the ATF, comply with the JFK Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (the JFK Act). We are now concerned that no ATF official is accepting responsibility for ATF's compliance with the JFK Act. We have also had difficulty in obtaining requested information about ATF's search for assassination records.

We understand that, on July 13, 1995, you designated Robert L. Pritchett as the ATF official responsible for "coordinating the identification of records" responsive to the JFK Act (copy of designation enclosed). With this understanding in mind, we addressed several requests to Mr. Pritchett. He now informs us, however, that he has no responsibility for responding to our inquiries about ATF's "initial searches" for assassination records responsive to the JFK Act, and suggests that we direct such inquiries to "the Department of Treasury." (*See* enclosed copy of Mr. Pritchett's letter of January 2, 1996.)<sup>1</sup> Mr. Pritchett's response appears to us to contradict the spirit of both your letter of July 13 and what Department of Treasury officials have advised us to do: "deal directly with the records and/or Privacy Act officers of the Bureau of Alcohol, Tobacco, and Firearms . . . with respect to the collection of President Kennedy assassination records." *See* July 14, 1995 letter of Jane L. Sullivan, Director, Office of Information Resources Management, U.S. Department of Treasury (copy enclosed).

The ATF is obligated by Federal law to search its files for records related to the assassination of President Kennedy and to send such records to the National Archives -- not merely to respond to referrals of records already in the possession of the National Archives or other agencies. To date,

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<sup>1</sup>Mr. Pritchett's letter also characterizes certain contacts between him and ARRB staff members. While I have no doubt about the quality of the reports I have received from my staff, I believe it is more important to move forward than to discuss any past misunderstandings.

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the ATF has transferred no records to the National Archives under the JFK Act. After six months of phone calls and letters to Mr. Pritchett, your designated representative, we have received no information regarding the ATF's search for assassination records, beyond the two-sentence memorandum of Mr. Robert Hogarth dated November 2, 1995 (copy enclosed). Our latest request for such information is my letter to Mr. Pritchett of November 29, 1995 (copy enclosed).

Under the circumstances, we request that you clarify, for all concerned, which official at ATF is responsible for responding to our inquiries.

Your July 13, 1995 letter contained the assurance "that ATF intends to fully cooperate with your endeavors." The ARRB remains hopeful that we may begin to work together to ensure full compliance with the JFK Act.

Sincerely yours,

David G. Marwell  
Executive Director

Enclosures

cc (w/enclosures):

Mr. Robert L. Pritchett (ATF)  
Mr. Robert Hogarth (ATF)  
Mr. Marvin J. Dessler (ATF)  
Ms. Connie Drew (Treasury Department)