

February 12, 1998

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

Re: Department of Justice Equities in the Records of the Warren Commission and
The House Select Committee on Assassinations (HSCA) Subject to the
to the President John F. Kennedy Assassination Records Collection Act of 1992,
44 U.S.C. § 2107 (Supp. V 1994)

Dear Ms. Pustay:

The staff of the John F. Kennedy Assassination Records Review Board has identified four documents among the records of the Warren Commission and two documents among the files of the House Select Committee on Assassinations (HSCA), in which your agency has equities. These documents are listed below by record identification form (RIF), and are enclosed with this correspondence:

Warren Commission Records

RIF #1793000110093

RIF #1793000110135

RIF #1793000110155

RIF #1793000110161

HSCA Records

RIF #180-10085-10255

RIF #180-10085-10256

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With respect to the Warren Commission records, the Review Board initially referred these documents to Mr. Frank Newett, Associate Director of the U.S. Department of Justice's Office of Enforcement Operations, Criminal Division. In November, 1997, Mr. Newett returned these documents to the Review Board, and requested that we refer them to the Office of Information and Privacy. The HSCA documents are being referred directly to your office.

The Review Board is requesting that you review these documents so that you can decide whether or not your agency wishes to postpone release of information in any of the documents. Please keep in mind the provisions of the JFK Act which anticipate that information will be withheld from public release only in "the rarest cases" and only pursuant to one of the provisions of Section 6 of the Act.

The Review Board will consider these documents at its March 10, 1998 meeting. So that we may adequately prepare our presentation to the Review Board with the benefit of any submission you may wish to make, you must submit evidence or arguments in support of any postponements you choose to assert in writing no later than March 2, 1998. If you do not respond to this letter by the above deadline, we will assume that your agency intends to release in full its equities in the Warren Commission and the HSCA documents at issue, and we will recommend that the Review Board vote to release in full your agency's equities in the record.

Should you have any questions, please feel free to contact me at (202) 724-0088. Thank you in advance for your cooperation.

Sincerely,

Kim A. Herd
Senior Attorney

Enclosure