UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

Address Reply to the
Division Indicated
and Refer to Initials and Number

FOI/CRM 1626
FOI/CRM 1960

2 JAN 1977

Mr. Howard Roffman
1111 SW 16th Avenue, Apt. 156
Gainesville, Florida 32601

Dear Mr. Roffman:

This will acknowledge receipt of your letters dated December 8, 1976 and December 18, 1976, pertaining to the status of your request for records relating to photographs and x-rays of the autopsy of President Kennedy; and your letter to the Attorney General, dated December 15, 1976, requesting 18 specific documents referred to in the report of the Senate Select Committee entitled "The Investigation of the Assassination of President John F. Kennedy: Performance of the Intelligence Agencies."

In accordance with the suggestion in your December 8, 1976 letter, we have had your September 7, 1976 request referred to the Office of Legal Counsel, and to the Office of the Deputy Attorney General (as to documents originating with the Office of the Attorney General).

In our letter dated December 14, 1976, we indicated that your request was number 123 on our list of requests requiring the examination of records. The request to which we referred is your September 7, 1976 request for records relating to photographs and x-rays, to which we have assigned the file number FOI 1626. Although our December 15, 1976 letter did not so indicate, that request has been given number 123 on the project list on the basis of the date in August when we received a request for Kennedy assassination materials from another requester. We intend to process his request and your request at the same time.

In order to prevent any misconception on your part, we wish to expand somewhat on our December 14, 1976 statement that we may have records within the scope of your September 7, 1976 request. The Criminal Division has one large file on the Kennedy assassination. It is composed, in large part, of citizen letters concerning the assassination, and responses thereto. As you must know, the Criminal Division did not conduct either an investigation of, or any prosecutions in connection with, the assassination, since assassination of the President was not, at that time, a federal crime. Furthermore, physical evidence of the type you request (photographs, x-rays) would, characteristically, not be contained in Criminal Division files. It follows that while records which you requested in your September 7, 1976 letter could be contained in the Criminal Division Kennedy assassination file, that is unlikely. Nevertheless, we will examine our file for the records you seek.

Your December 15, 1976 request for specific records cited in the Senate Select Committee report has been assigned file number FOI 1960. We note that almost all of the 18 documents originated with the F.B.I., and that none appears to have originated with the Criminal Division. Moreover, it is unlikely that any of the documents would be contained in the Criminal Division file since, as is noted above, the Criminal Division did not conduct an investigation in connection with the assassination. Nevertheless, we will search for the 18 documents you have specified when we conduct the search, which you have so far indicated you desire, for documents relating to photographs and x-rays of the autopsy.

Your December 18, 1976 request for expedited processing is, however, denied. Notwithstanding the public interest in the Kennedy assassination, you have failed to demonstrate that any particular public interest - sufficient to justify advancing your request ahead of others - would be served by the release of assassination records to you. Nor have you shown that you would suffer any irreparable injury which would justify expedited processing.

Sincerely,

RICHARD L. THORNBURGH
Assistant Attorney General
Criminal Division

by: E. Ross Buckley
E. ROSS BUCKLEY
Attorney in Charge
FOI/Privacy Act Unit