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**BlindCopyTo:** CN=R ecord/O=ARRB  
**From:** CN=Jeremy Gunn/O=ARRB  
**DisplayFromDomain:**  
**DisplayDate:** 03/04/1998  
**DisplayDate\_Time:** 7:41:04 AM  
**ComposedDate:** 03/04/1998  
**ComposedDate\_Time:** 7:26:01 AM  
**Subject:** Re: Manchester's Unpublished Documents

Dear Ivix, THANKS FOR YOUR MESSAGE ABOUT THE JFKL. I assure you that we are fully aware of this issue. I would like to offer some background information that may be of help to you. First, the JFKL has been consistent on this issue. It has been its position that donors must approve access to donor-restricted material. The Review Board "requested" the donors to grant access to RFK papers and the Manchester papers. The RFK committee "granted" the Review Board access to his papers. Manchester refused. Second, Section 11(a) of the JFK Act provides, in part, that "When this Act requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law . . . with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government. Third, many of the most interesting Manchester papers were turned over to the HSCA and are now available at NARA. For purposes of this message, you should not assume (one way or the other) that: (a) NARA agrees with the JFKL's interpretation; (b) that the Board agrees with the JFKL; (c) that the Board assumes that Manchester's or RFK's papers fall within Section 11(a); or (d) that the Board is not doing anything about this. Manchester has told me that he does not want his papers to be opened up because he believes that the Warren Commission was correct and that people would look through the papers just to attack the WC. You might wish to write to him and tell him (as I have done) that historians, more than others, should want archival records to be opened and should not be trying to control the historical record by hiding documents. Best, Jeremy  
 To: Jeremy\_gunn @ jfk-arrb.govcc: [bcc: Jeremy Gunn/ARRB] From: mxh @ juno.com @ INTERNET @ INTERLIANT Date: 03/03/98 07:23:03 PM Subject: Re: Manchester's Unpublished Documents  
 Jeremy, I hope this address works. I'm guessing based on Tom's address. I'm up at the JFKL, and inquired about the documents listed in Manchester's book, sources which I gather from Tom you undoubtedly know about. This afternoon I asked Megan Desnoyers about the status of these documents and she told me the following. Bundy's memo re the first few days after the assassination is not retrievable from Manchester's papers because they are deeded to the Library but not owned by it. This argument sounds suspiciously similar to the one made by the JFKL just after the P.L. establishing the ARRB passed. I was, at the point, intensely interested in the application of the PL to Robert Kennedy's papers, and once Bush signed it into law inquired of the JFKL what the application to RFK's papers of the law would mean. They told me RFK's papers were exempt because they were deeded to the Library, but not owned. I made it clear I was going to write an article about this egregious interpretation of the law, and the National Archives a letter, and simultaneously informed the committee staffs responsible for the PL that Robert Kennedy's papers were being interpreted as exempt. I am not now in DC so I can't send you a Record

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