

October 20, 1998

John E. Collingwood  
Office of Public and Congressional Affairs  
Federal Bureau of Investigation  
10th and Pennsylvania Avenue  
Washington, D.C. 20535

Re: Completion of Review of Assassination Records

Dear Mr. Collingwood:

The Assassination Records Review Board ("Review Board") has less than one year to complete its statutory responsibility of ensuring that all Federal records related to the assassination of President Kennedy are made publicly available at the National Archives and Records Administration ("NARA"). Because of the importance to the Review Board of completing its review and release of Federal Bureau of Investigation records, I am taking this opportunity to raise with you some of our concerns and to describe our goals.

Let me first reiterate our deep appreciation for the splendid cooperation that we have received thus far from the Bureau. We are very mindful of the enormous amount of work that has been accomplished thus far. We very much hope to be able to report, at the completion of our work, that the Bureau has fully complied with the letter and spirit of the JFK Act and that the Review Board is confident that all FBI assassination records have been fully processed and transferred to the National Archives. Unfortunately, it is clear at this point that the pace of review of FBI records will need to increase significantly during this final year so that the Review Board and the FBI will be able to complete our responsibilities and issue the type of report that we all ideally envision.

It is our goal to have all FBI assassination records reviewed and transferred to NARA by September 1, 1998. By "all" assassination records, I include the unredacted originals as well as copies containing Board-approved postponements. The Review Board is prepared to take all necessary steps within its statutory authority to ensure that this work is accomplished.

The Review Board has promised Congress that it will complete this work by September 1998. The Review Board also is obligated to keep Congress informed, on a monthly basis, of the steps it has taken to ensure completion of this goal. We now need to keep Congress informed of any difficulties

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that we are facing in the course of completing our work.

As you know, the JFK Act in many ways imposed difficult obligations. For example, it required the FBI (and other agencies) to complete its review and transfer of records to the Archives within 300 days of the time the statute was enacted in 1993. Although this statutory deadline was not met, we would like to make it as clear as we possibly can that we intend to ensure that this goal is accomplished during the lifetime of the Board.

We have raised with you previously our concerns about whether the Bureau has allocated sufficient resources to complete its work on its assassination records by September 1, 1998. We have always understood the FBI to have promised to devote whatever resources are necessary to complete the task.

In order to fulfill our responsibilities under the JFK Act and in order to honor our pledge to Congress, we believe that the following steps are necessary:

*First*, we need to establish a strict schedule for the FBI's review and release of records. The FBI must devote all of the resources necessary to review the records at this schedule. We believe that the only way to ensure that the FBI's work is completed is to adhere to such a schedule.

*Second*, if the FBI has not completed its scheduled review by the proposed deadline, the Board will require all FBI records identified as assassination records under the JFK Act be transferred forthwith to the National Archives regardless of whether they have been reviewed or processed by the FBI pursuant to the Board's authority at 44 U.S.C. § 2107.7(j)(B).

*Third*, the Board will presumptively vote to open in full all records that have not been reviewed in conformity with the schedule.

We can assure you that we have no desire whatsoever to take steps two and three. However, at this point, we see no other method for satisfying our obligation to ensure that our work is complete unless we schedule our review in a timely, consistent, methodical, and enforceable manner. Although you should not hesitate to contact us regarding any ideas you have for streamlining or improving the accomplishment of this task -- there should be no misunderstanding by the Bureau regarding what we believe our goal to be and the steps that we are prepared to take to ensure the fulfillment of our statutory obligations and our promises to Congress. It is our perception that if the Bureau allocates additional resources to the accomplishment of this project, we all will be able to accomplish our goals.

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We therefore strongly urge the Bureau to now allocate whatever resources are necessary to complete your thorough and conscientious review of records in an orderly and systematic manner. To the extent that the Bureau is able to meet the necessary deadlines, there will be no need for us to resort to the extreme -- but potentially necessary -- measures to complete our obligations to Congress and the American people.

Sincerely,

T. Jeremy Gunn  
Executive Director

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