

May 21, 1997

Michael J. Kurtz  
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National Archives at College Park  
8601 Adelphi Road  
College Park, MD 20740-6001

Dear Mr. Kurtz :

Thank you for your letter of May 16, 1997 in which you indicate that the National Archives and Records Administration (NARA) would not “engage in or sponsor any testing” that would result in the altering of evidence in the JFK Collection.

First, let me say that the Assassination Records Review Board has never requested such testing, and that we agree that it is not within the mandate of NARA to sponsor or conduct such testing. The Review Board became involved in this issue after we learned that the Criminal Division of the Department of Justice had requested that the FBI “initiate an inquiry into specific aspects” of an “assassination theory” offered by a Department of Justice employee (operating in a private capacity). The objects of the requested FBI inquiry were “collected bullet fragments and residue now in the possession of the Federal Government.” Upon learning of the request, the Review Board immediately contacted the FBI and the Criminal Division to ensure that any testing of the evidence be carefully considered and appropriately documented.

Although the Review Board did not initiate the whole question of the testing of the ballistic evidence, we did become aware of one important fact in the course of reviewing the materials submitted by the Department of Justice. It appears as though a recommendation made by the Firearms Panel of the HSCA in their formal report to the Committee that a specific forensic examination be conducted on a bullet fragment (CE 567) was deleted from the published version of the Firearm Panel Report that was contained in the HSCA final report. We contacted all relevant individuals who were involved with the Firearms Panel, as well as relevant HSCA staffers, and could not determine why the recommendation was deleted. The recommendation concerns an unidentified fiber that appears to be adhered to the bullet fragment. The HSCA consultants recommended that it be analyzed to determine its chemical composition.

As you know, the Assassination Records Review Board has not been charged with investigating or reinvestigating the assassination of President Kennedy. We have, however, interpreted our mandate to include clarifying existing evidence when possible by taking prudent steps to eliminate ambiguities and answer open questions. In this spirit, the Review

Board believes that a reexamination of CE 567 should be undertaken for the following reasons:

First, the Firearm Examination Panel of the House Select Committee on Assassinations recommended the analysis nearly 19 years ago and for unknown reasons the recommendation of the Firearm Examination Panel was deleted from the Committee's Final Report;

Second, the analysis that is being discussed is limited and defined in scope. The bullet fragment and adhering fiber will be altered, but only a small part of the fiber may have to be destroyed in testing. Comprehensive microphotography of C.E. 567, prior to testing, will ensure that its present condition is documented. Documentation of the testing procedures would also become an important part of the historical record; and

Third, according to the FBI, the artifact is deteriorating. The opportunity to clarify what the substance is adhering to C.E. 567 could be lost forever if it is not undertaken now.

The Review Board is seeking to fulfill its mandate to make the record of the assassination of President Kennedy as complete as possible for the American public. Given the history of C.E. 567 with regard to the HSCA Firearm Examination Panel recommendation and its subsequent deletion from the Final Report, the failure to take this limited step to clarify this open question will, once it is made public, serve to erode the efforts that have thus far been made to ensure that the record of the assassination is accessible and complete. In addition, given that significant attention has been devoted to the issue by four Federal agencies (NARA, DOJ, FBI, and ARRB), a failure to undertake the limited testing of C.E. 567 will further cast doubt on the Federal government's willingness to clarify the historical record.

Sincerely,

DGM