

August 11, 1997

The Honorable Dan Burton
Chairman
Government Reform and Oversight Committee
2185 Rayburn House Office Building
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

On behalf of the Assassination Records Review Board, I would like to take this opportunity to thank you for your leadership in ensuring that the Board received the one year extension that we requested to complete our work and submit a comprehensive final report to the Congress and the President. We are confident that this additional time will prove to be worthwhile and critical to our efforts to ensure that the historical record of the assassination of President John F. Kennedy is as complete as possible and available to the American public.

As I know you are aware, the Committee on Government Reform and Oversight report on H.R. 1553 (now P.L. 105-25) that extended the authorization of the Review Board until September 30, 1998, directed the Board to report, by letter, to the Committee on the status of its progress. The report further stated that the information from the Board should be provided to the Committee on a monthly basis following the enactment of H.R. 1553. Please consider this letter the Review Board's first monthly progress report.

At a July x closed meeting, the Review Board voted on approximately 1,000 CIA records that contain issues relating to the names of CIA personnel. This has proven to be one of the most difficult and sensitive areas for the Board and the Agency. The challenge for the Board has been, and will continue to be, balancing the presumption of disclosure under the JFK Act and the public's right to know with the obligation not to jeopardize the lives of current or retired CIA personnel. After several CIA briefings and careful consideration, the Board made determinations on records that involve the names of several CIA employees (current and retired).

The Board members believe that with these decisions it has met its obligations under the Act. The Board will continue an ongoing dialogue with the CIA relative to several names, the disclosure or non-disclosure of which remains unresolved pending the Agency providing additional information to the Board.

During the last week of July, the Review Board staff hosted an unprecedented meeting of several federal agencies (State Department, CIA, National Security Council, Joint Staff Secretariat, Department of the Army, Office of the Secretary of Defense and in future meetings, the US Information Agency) to declassify thousands of classified military records in which there are potential interests of all of these agencies. The Board determined that these joint meetings would be the most efficient and effective manner in which to declassify these important records. The week-long meeting hosted by the Board proved to be a success and an important precedent for the Board, as well other agencies faced with classified records scheduled for declassification and containing multiple agency equities. The stage is now set for the declassification of these records which will enhance the historical record of the assassination.

The Board recently received the preliminary response to our compliance program request from the National Archives and Records Administration (NARA). As you will recall, under the Review Board's compliance program, all federal agencies must demonstrate that they have complied with the mandates of the JFK Act. The results of the compliance program will be part of the Board's final report. NARA compliance is obviously of particular importance because of the inherent nature of their mandate and their record holdings, but also because the three presidential libraries (John F. Kennedy Library, Lyndon Baines Johnson Library and the Gerald R. Ford Library) that are part of NARA and are in possession of assassination records. The Board has been briefed on the preliminary response and is under careful review by Board staff members. This document will serve as the basis for future discussions with NARA and the presidential libraries as the Board seeks to ensure that all assassination records are identified, located and made available to the public.

Final processing of the first group of National Security Agency (NSA) documents was completed during the first week of August. These 85 documents will be delivered to NARA for inclusion in the JFK Collection and will be available to the public by mid-July. Processing on the second group of NSA documents is ongoing by the Board staff and these documents will be made publicly available in the fall.

NARA Archivists have completed the processing of the Clay Shaw papers, the acquisition of which was announced by Board Chairman John Tunheim at the Subcommittee on National Security, International Affairs and Criminal Justice hearing that was held on June 4, 1997. These materials will be made part of the JFK Collection and available to the public by the end of August.

Board staff review of the so-called Sequestered Collections of the CIA and the FBI have continued during the summer months, setting the stage for the Board to make determinations on large blocks of these records during meetings scheduled for the fall. Staff recommendations will be the basis for Board determinations that in turn will set precedents for the later review of other documents in the respective Sequestered Collections.

The Review Board appreciates the Committee's interest in its work and the opportunity to report regularly on our progress. Please do not hesitate to have a member of your staff contact me if you have any comments or questions. I can be reached at 724-0088, ext, 232.

Again, thank you for your leadership and support that ensured the Board will have sufficient time to complete our work.

Sincerely,

David G. Marwell
Executive Director