

MEMORANDUM

August 23, 1995

Joan Zimmerman

Re: Talking Points for State Department Meeting on our Brief of August 11, 1995

The Current Status of Foreign Government Contacts is Untenable and Should be Refashioned

The FBI has approached the State Department to point out that its need for confidentiality and nondisclosure of foreign government liaisons should limit the Review Board's power to recommend release of documents.

Whether this outcome is intentional or not, the FBI is undermining the authority of the Review Board. By using foreign government ties to accomplish what it failed to do when Congress was writing our statute, the FBI is seeking to resist disclosure of documents.

The FBI has taken the lead in contacting foreign governments and eliciting their reaction to disclosure. Thus far, foreign governments have just said no to release of their documents. The State Department has simply acquiesced in this procedure.

The State Department has produced a one-size-fits-all memo which states that no foreign government will be expected to disclose information relating to the assassination of President Kennedy.

The current situation with the FBI and the State Department joining together as adversaries of the Review Board is untenable and should be refashioned.

The Review Board Should Outline Steps for State Department Contacts with Foreign Governments

The FBI should be marginalized in the process of contacting foreign governments. If possible, their participation should be limited to being told what the State Department has negotiated with other governments.

The State Department should be reminded of its obligation to assist the Review Board. In Section 10(b)(2) Congress instructed the Secretary of State to "contact any other foreign government that may hold information relevant to the assassination of President Kennedy and seek disclosure of such information."

Just as Section 10(b)(1) of the JFK Act designates to the Attorney General the role of helper and assistant to the Review Board, so Section 10(b)(2) designates the Secretary of State as the Board's

partner in seeking to disclose assassination records.

The State Department Should Emphasize the Positive Aspects of Disclosure

The State Department should tell our allies that failure to disclose these important documents will add some tension to our relations, not the other way around.

Even our enemy from the Cold War has released documents. Our allies should at least do as well.

State should tell foreign governments that American people are grateful for their assistance in the investigation of the Kennedy assassination. In the same spirit of cooperation, the US is now asking our allies to document and disclose the full dimensions of our mutual cooperation in the early 1960s.

State should tell our allies that this only pertains to Kennedy related documents; it does not imply that we still have the same contacts, nor does it reveal any current, ongoing relations with these governments.

State should tell each government that many others will also be contacted. They are not alone in disclosing this information.