

MEMORANDUM

August 22, 1995

ROUGH, ROUGH DRAFT

From: Joan Zimmerman

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

1. The FBI has approached the State Department to point out that its need for confidentiality and nondisclosure of foreign government liaisons should control the limits of the Review Board's power to recommend release of documents. The State Department has apparently deferred to the FBI's wishes without exploring the sense of Congress stated in the JFK Act. The State Department allowed the FBI to consult law enforcement agencies outside the US and report the answer back to the State Department. This was the wrong channel and the wrong approach. Our statute requires the State Department to do more than ask. (The State Department has not even asked; it allowed the FBI to do the asking.) 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.*" The State Department should take on a more active role in approaching foreign governments through its own channels. The JFK Act emphasizes disclosure, not continued secrecy.

2. The State Department should plan to contact several foreign governments through its own contacts and at the appropriate levels to inform them of the importance of disclosure of materials relating to the assassination of President Kennedy. Let all of them know that they are not alone in disclosing information. In some ways the shared effort to discover information in 1995 echoes a positive aspect of the assassination: in 1963 our government asked for help from many foreign governments and they responded in a common effort. That international cooperation should have salutary, not negative consequences.

3. Irony: Our allies are less forthcoming than our former enemy. The JFK Act requires State Department representatives to approach former Soviet Union Archives officials, including KGB officials, and seek to obtain secret records. In fact, Soviet Archives have been opened and scholars have been able to view secret documents. Yet our allies, who have already been approached by the FBI, say they will not allow disclosure of secret records. Shame on them.

4. Not only should the State Department take on a more active role. It should speak positively about the benefits of releasing information about the Kennedy assassination. Until now, foreign governments have resisted disclosure in no small part because they have been approached by the FBI.

Let these governments know that the negative consequences the FBI has imaged will not come true. In fact, there are several good reasons for disclosing the requested information:

American people are grateful to foreign governments for assisting our law enforcement in the investigation. That cooperation should be known.

FBI seems to be saying that cooperation documented thirty years ago speaks to our current relations. Nothing about the release of documents says anything about our current expectations of foreign law enforcement nor does it imply that these governments are heavily involved with FBI investigations. The JFK assassination was a shocking event. We reached out to our allies for assistance in obtaining as much information as possible. They complied with specific information about leads. We even received help from an unexpected quarter: the Soviet Union released Oswald's file--perhaps for cynical reasons since they were afraid of being accused--but a unique disclosure for the Soviets nonetheless.

Past is past; we seek to know more about a stunning event. FBI says past lives in the present and shapes the future. Another irony: FBI lacks institutional competence to judge historical significance of specific documents yet insists that history is a vivid presence in the present and future. History as a seamless web with no beginning and no end. The FBI never contemplates any future release of this material. The

FBI denigrates Americans' right to know their own history yet insists that disclosure of information from a unique event 30 years ago will somehow reveal the full range of contemporary relations. FBI's own argument speaks to the power of history. Congress has determined that disclosure of information--all information relevant to the assassination of President Kennedy--will show that the US government is not hiding anything from the American people. The FBI's approach simply rejects this.

The material contains historically significant information. Some of it has never been publicly known. The information is substantive, relevant, and suggestive. It should not remain buried forever.