

MEMORANDUM

November 13, 1997

To: T. Jeremy Gunn
Executive Director

From: Laura Denk, Kevin Tiernan, Joseph Freeman

Subject: FBI/Church Committee Records

Introduction

The FBI has a large group of records relating to its liaison with the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities ("Church Committee.") Although some of the records relate to the JFK assassination, thousands of the records involve subjects other than the JFK assassination that fell within the scope of the Church Committee's inquiries. The Review Board staff carefully reviewed 62 volumes of unrelated records and concluded that the records truly are not assassination records. In 1993, before the President had even appointed the Review Board members, the FBI processed and assigned RIF numbers to *all* of its Church Committee records -- assassination-related records and records relating to Church Committee topics other than the assassination. The Review Board staff believes that the FBI should never have made RIFs for the unrelated records.

To avoid cluttering the JFK Collection with thousands of totally unrelated records, the Review Board staff would like to acknowledge that the FBI mistakenly assigned RIF numbers to the records and instruct the FBI to cease its processing of these records under the JFK Act.

Description of Records that the FBI Produced for the Church Committee's Review

The FBI created an administrative file to document its liaison activities with the Church Committee. As you know, the Church Committee investigated a wide range of issues, including but certainly not limited to the JFK assassination. The FBI produced documents to the Church Committee on many of the issues that it studied.

Of course, some of the FBI/Church Committee records do relate to the JFK assassination. After Congress passed the JFK Act in late 1992, the FBI compiled *all* of its Church Committee materials for processing under the JFK Act, and separated the Church Committee assassination records from those records that related to other targets of the Church Committee's inquiry. The Bureau processed the

assassination records using the postponement standards set forth by Section 6 of the JFK Act, and processed the remainder of the records under the JFK Act, but noted that the records were “not assassination-related.” The FBI assigned RIF numbers to both categories of records.

In September and October 1997, Joseph Freeman and Kevin Tiernan reviewed the 62 volumes that comprise the Church Committee administrative main file and found that the FBI’s review of this material was thorough and fully consistent with the Bureau’s responsibilities under the JFK Act. In an October 15, 1997, memorandum documenting their review of the records, Joe and Kevin wrote that they reviewed several thousand pages of documents, but found only sixteen records which the Bureau may have incorrectly designated as not assassination-related. (These few records have now been marked for processing.) The October 15 memorandum states that the Bureau seems to have interpreted the JFK Act quite liberally when it reviewed this group of records and that the Bureau’s omissions were minimal given the volume of records reviewed. Finally, the October 15 memorandum notes that the vast majority of the records are truly unrelated to the assassination, consisting mainly of correspondence relating to the Church Committee’s document requests to the FBI, as well as substantive records regarding unrelated subjects that the Committee studied such as FBI surveillance of Dr. Martin Luther King, Jr., and the development of the Huston Plan.

Electronic Identification Aids Created in Error

The problem, of course, is that even though the FBI separated the FBI/Church Committee assassination records from all other FBI/Church Committee records, it assigned RIF numbers to both categories of documents.

The Review Board could designate the unrelated records as “NBR,” and require the FBI to complete its processing of the records and transfer them to NARA, where they would be opened in full in 2017. But, because the volume of the unrelated FBI/Church Committee records is so great and because the records involve Church Committee inquiries that were completely separate from the Committee’s inquiry into the JFK assassination, the Review Board staff believes that the unrelated records should *not* become part of the JFK Collection at NARA. Instead, the Review Board staff would like to acknowledge that the FBI mistakenly assigned RIF numbers to the records and instruct the FBI to cease its processing of these records under the JFK Act.

As a practical matter, Carol Keeley of the FBI has stated that the FBI has no plans to destroy the Church Committee records. She has agreed to provide us with a memorandum that will affirm the Bureau’s commitment to maintain the records.

Finally, Steve Tilley of the National Archives and Records Administration told the Review Board staff that he would prefer that the RIF numbers that the FBI created remain in the JFK records system,

but with a note in the comments field of each record that will indicate that the RIF was created unnecessarily and that the record should not have been processed under the JFK Act. Kevin Tiernan and Chet Rhodes are currently working to devise a macro that will add the descriptive text to the comments fields.

Denk e:\wp-docs\fbi\church.rif
File 4.16.7