

June 1, 1998

Ms. Carol Keeley
Chief, Historical and Executive Review Unit
Federal Bureau of Investigation
10th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20536

Re: Update on Review Board Progress on FBI Files

Dear Carol:

In our May 7, 1998 letter to John Collingwood, we promised that we would write to you on or before June 1, 1998 and update you on the status of the "Review Board Duties" that you listed and presented to us at our meeting in April. The first page of your list consists of twelve items that the Review Board will need to complete before we terminate our operations. This letter will update you on our progress on each of those twelve items.

Pages two through eight of your memorandum consists of a list of outstanding files that the FBI provided to us in response to our Requests for Additional Information. At your request, the Review Board has completed, by June 1, its review of all of the records you listed. Attached to this letter is a memorandum that will notify you of assassination record determinations that arose out of our review of these files.

Here is the update on each of the twelve items from the first page of your memorandum.

(1) *Core and Related Files*

In your letter, you asked us to create a list of outstanding core and related documents.

The list you requested is enclosed with this letter. The computer-generated list is not, however, as helpful as we had hoped because it contains a number of records that will not require further processing under the JFK Act -- for example, records that the FBI initially designated as "NAR" or as "mandatory review" records. The Review Board and the FBI have agreed to process certain categories of these records according to "NBR" or other non-core and related file standards, and thus the list currently contains more records than actually need to be processed. For the past six weeks, Kevin Tiernan and Debbie Beatty have been working through the drawers of remaining core and related records. Kevin has informed me that he and Debbie will continue to work through the drawers of remaining records rather than work from the computer-generated list.

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(2) *Outstanding HSCA Subject Files*

Approximately 70,000 pages from the HSCA subject files remain to be processed. Now that the Review Board staff is completing its work on its additional requests, the Review Board staff and the FBI will need to focus on completing the processing of the HSCA subjects in a manner that will allow the Review Board sufficient time to review *each page* of the files. We estimate that we will need to complete the review of approximately 24,000 pages per month for June, July, and August in order to finish on time.

(3) *Church Committee Records*

The Review Board staff has completed its review of the majority of the Church Committee files. After conducting a page-by-page review of the 61 volumes from the main file and a number of corresponding EBFs, the Review Board determined that the FBI has already processed the overwhelming majority of assassination-related records in the Church Committee volumes. Therefore, we concluded that we would not continue to conduct a page-by-page review of the remaining EBFs.

With regard to the Church Committee records that existed in the HSCA Subject files, the Review Board staff has completed its negotiation of those records.

Given that we have received the FBI's assurance that it does not plan to destroy its Church Committee records, the Review Board does not intend to take any further action with regard to the Church Committee records.

(4) *Administrative Files for HSCA, Warren Commission, Rockefeller, and Pike Committees for NBR Material*

The Review Board has not yet completed its review of the all of the administrative files concerning the above-referenced commission and committees.

(5) *HSCA Administrative Folders*

The Review Board staff has completed its review of the HSCA administrative folders, but we have not yet made a recommendation to the Review Board of whether and when it would like the FBI to process these records.

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(6) *JFK Task Force Administrative File*

As you know, the Review Board has not yet started its review of the JFK Task Force administrative file. Because this file will continue to grow during the last months of the Review Board's existence, we anticipate that we will not begin our review of the file until later in the summer.

(7) *Mandatory Review Material in FBI's Warren Commission Material Previously Accessioned to National Archives*

The Review Board has not yet made a determination regarding whether and when it would like the FBI to process these records.

(8) *BriLab*

Your memorandum requests that the Review Board advise you of the status of the BriLab seal and identify documents to be processed. As you know, we finished our review of the BriLab material from New Orleans and we have been working with the United States Attorney's Office in New Orleans to obtain an Order to unseal the thirteen conversations that the Review Board believed were assassination records. I am enclosing with this letter a copy of Judge Sear's May 19, 1998, Order to unseal the thirteen conversations and place the conversations in the JFK Collection at NARA.

(9) *Informant*

As you know, the Review Board staff is prepared to present evidence to the Review Board on the informant that is the ninth item on your list. The Review Board staff had hoped to ask the Review Board for a decision on this informant at its May 12, 1998, meeting, but postponed our presentation at the request of the FBI.

(10) *Informant*

The Review Board staff has completed its review of the informant file that is the tenth item on your list. The enclosed list includes a number of assassination records that the Review Board identified in this informant's file. Rather than release the entire file number, the enclosure lists the field office location and serials numbers of those records that the Review Board would like the FBI to process as assassination records under the heading: *Item (10) Informant File*.

(11) *Foreign Government Information in the "HSCA" Files*

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As you know, the Review Board made a decision on foreign government information in the HSCA files at its April 1998 meeting. The Review Board decided that, to the extent foreign government information in the FBI's Segregated Collections is "not believed relevant" and fits into the Board's definition of "NBR," the Review Board will postpone the release of NBR material and the FBI is relieved of its burden to provide any additional evidence in support of the postponements. Review Board and FBI staff have been processing the HSCA records according to the new standard since mid-April.

(12) *Grand Jury Material Information in "HSCA" Files*

As you also know, the Review Board made a decision at its April 1998 meeting on grand jury material in the HSCA files. The Review Board decided that, unless the Review Board staff locates records that it believes would merit a petition to a court to unseal grand jury information, *and identifies those records to the FBI*, the FBI should complete its processing of the files and transfer those records to the JFK Collection with the grand jury information redacted.

As promised, the Review Board has completed its review of assassination records from the outstanding Requests for Additional Information listed in your memorandum. These files, and our staff assessment of the extent to which they contain assassination records, are identified on the enclosed list. If you have questions about any of the staff recommendations, members of our FBI team will be happy to discuss them with you.

If you agree with our staff recommendations that the records identified on the list should be processed as assassination records under the JFK Act, please so advise. If there are any recommendations with which you disagree, please identify the documents in question, so that the Review Board can decide whether to designate them as assassination records. If this step proves necessary, we hope to present such documents to the Review Board at the meeting scheduled for July 7-8, 1998.

As always, thank you for your cooperation.

Sincerely,

T. Jeremy Gunn
Executive Director

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- (1) List of Outstanding Core and Related Documents
- (2) BriLab Order
- (3) List of Assassination Records Designated from Requests for Additional Information