

June 29, 1998

BY FACSIMILE & FIRST CLASS MAIL

Mr. Taylor W. Lawrence
Staff Director
Senate Select Committee
on Intelligence
211 Hart Senate Office Building
Washington, D.C. 20510-6475

Re: Public Release of Church Committee Records Pursuant to the
JFK Assassination Records Collection Act, 44 U.S.C. § 2107

Dear Mr. Lawrence:

Under the authority of the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 ("JFK Act"), I am writing to formally request that the Assassination Records Review Board ("Review Board") be permitted to inspect original Church Committee files that are in the physical custody of the Senate Select Committee on Intelligence ("SSCI") or in secured storage at the National Archives. We have made this request previously. *See, e.g.*, Sept. 19, 1997 Letter from J. Gunn to T. Lawrence.

Allow me to explain the reasons for the Review Board's request, which we consider to be of paramount importance in discharging the Board's responsibilities under the JFK Act. We appreciate that the staff of the SSCI surveyed hundreds of boxes of its records after passage of the JFK Act and identified approximately 40 boxes that were ultimately placed in the JFK Assassination Records Collection ("JFK Collection") at the National Archives and thereby made available to the public. Nonetheless, we believe that independent verification of the review and selection of Church Committee records must be done by the Review Board through inspection of the originals. The Church Committee records, along with records of the Warren Commission and the House Select Committee on Assassinations ("HSCA"), are among the most important records to be publicly released under the JFK Act. The Review Board has had access to, and has been able to inspect, original records from all relevant Federal Government entities, including the Warren Commission, the HSCA, and the intelligence and military agencies. Yet, original records of the Church Committee, although ranking among the highest in public importance, have remained completely inaccessible to

Mr. Taylor Lawrence
June 29, 1998
Page 2

the staffs of the Review Board and the National Archives.¹ Furthermore, we have always been concerned that originals of many key transcripts cited in the Church Committee's report on the JFK assassination have never been located (although microfilm copies exist for many of them). *See* February 10, 1998 Letter from J. Gunn to T. Lawrence. That a large body of the underlying materials for the JFK assassination report have not been located as part of the original, hard copy files also underscores the need for an independent review.

In view of the expiration of the Review Board's mandate in September 1998, the Review Board believes that, in the remaining time, it has an obligation to ensure that all relevant records from the important Church Committee files have been identified for public release under the JFK Act. Our legal authority to inspect original records is clear -- the JFK Act states that the "Review Board shall have the authority to . . . direct a Government office to make available to the Review Board . . . additional information, records, or testimony . . . which the Review Board has reason to believe is required to fulfill its functions and responsibilities under" the JFK Act. 44 U.S.C. § 2107(7)(j)(C). The JFK Act specifically defined "Government office" to include the SSCI. *See* 44 U.S.C. § 2107(3)(5)(B).

Accordingly, we request that all original Church Committee files be identified and made available for our inspection as soon as possible (we include any Church Committee materials, including those that may be in the physical possession of the SSCI or held at the National Archives). We would like to make arrangements to have three or four Review Board staff members inspect the originals over the course of several days. As part of this inspection, we also request access to the original SSCI logbook for the 1975-76 period, as well as any executive session transcripts of the Church Committee deliberations.

On a separate matter, I want to thank you and your staff, particularly Jim Wolfe, for forwarding the testimony of various individuals before the Church Committee so that we could secure the public release of that testimony. We are still in the process of obtaining appropriate declassification of various transcripts and forwarding those transcripts to the JFK Collection at the National Archives. Some transcripts have not been located or cannot be accounted for by SSCI, and we understand that SSCI will submit a final report regarding the status of obtaining those transcripts we had identified (*see* Sept. 19., 1997 Letter from J. Gunn to T. Lawrence).

¹ For the first time since the JFK Act was passed, a member of the Review Board staff was, on June 26, 1998, permitted to make a short, preliminary inspection of some original Church Committee files with Jim Wolfe of your staff. However, we believe a more extensive inspection by the Review Board is warranted.

Mr. Taylor Lawrence

June 29, 1998

Page 3

Since time is running out, please let me know as soon as possible whether the SSCI will make arrangements to permit the Review Board to inspect the original Church Committee records. Thank you for your cooperation.

Sincerely,

T. Jeremy Gunn
Executive Director