

November 13, 1997

Mr. Lew Bellardo
Deputy Director
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Mr. Bellardo:

Thank you for taking the time out of your schedule on Friday, November 7, 1997, to discuss the Assassination Records Review Board's request that limited testing of Commission Exhibit 567 (CE 567) be allowed by the National Archives and Records Administration (NARA). The meeting with you and members of your staff was very useful and I am confident that it will prove to be an important step toward achieving the Board's goal of completing and clarifying the record of the assassination of President Kennedy relative to this matter.

Please allow me to restate the position of the Review Board on why the additional limited testing of CE 567 is desirable and necessary.

First, the Firearms Examination Panel of the House Select Committee on Assassinations recommended the analysis more than 19 years ago. The recommendation of the Firearms Examination Panel was omitted (apparently inadvertently) when reformatted and printed as an appendix to the Final Report. I have attached an excerpt from the original Firearms Examination Panel's report to the HSCA in which the recommendation for additional testing is made, along with the worksheets on CE 567 from two of the Panel members in which reference is made to the fiber adhering to CE 567. In addition, I have attached the excerpt from Volume VII of the HSCA's published Final Report in which the recommendation relative to additional testing on CE 567 is omitted.

Second, the analysis that is being discussed is limited and defined in scope. The bullet fragment itself will not be altered, except to the extent of removing the fiber. Comprehensive microphotography of CE 567, prior to testing, will ensure that its present condition is documented. Documentation of

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the testing procedures would also become an important part of the historical record.

Third, according to the FBI, the artifact is deteriorating. The opportunity to analyze the substance adhering to CE 567 might be lost forever if it is not undertaken now.

Please be assured that the Review Board appreciates the mission of NARA and the concerns raised at our meeting. However, the limited testing being proposed on CE 567 is not unprecedented and, in fact, is less intrusive than what NARA allowed the HSCA to do in its testing of the ballistic evidence in the late 1970's, testing that included CE 567. As you can see from the attached excerpt from the report of Dr. Vincent P. Guinn, who conducted the neutron activation analysis for the HSCA, NARA permitted samples to be taken from various bullet fragments in order to conduct the tests. (NARA's role in the testing is described on page 512.) In a chart that describes the samples taken for analysis on page 517, Dr. Guinn notes that there was a "piece cut from large fragment" of CE 567. In addition, with regard to CE 399, the so-called "single bullet" that allegedly struck both President Kennedy and Governor Connally and is perhaps the most important evidence in the case, the chart notes "drillings from bullet." In addition, there are several other relevant references to specimens being "cut off" or "drilled out" in order to subject a sample to neutron activation analysis, as recorded on pages 516 and 517 of Dr. Guinn's report.

Unlike the previous testing done on CE 567 by the HSCA's experts, the type of limited testing that the Review Board is requesting requires no alteration whatsoever of the bullet fragment itself. According to the information that we have been provided by the FBI, the first step of the testing would require the fiber adhering to the fragment to be removed for microscopic examination. If the fiber were determined to be biological matter, no further testing would be undertaken. If the determination were that the fiber is cotton, silk, or some other type of cloth, then a small portion of the fiber would be snipped off for further testing. As was stated at the meeting, through microphotography and the presence of an independent expert observer, the current condition of CE 567 and every step of the testing would be carefully documented and fully available to the public.

At the conclusion of our November 7 meeting, it was my understanding that we agreed to have our respective agencies move on this matter expeditiously and consult on the following issues:

First, whether or not there is an entity other the FBI that is capable of conducting the type of testing on CE 567 that the Review Board is requesting;

Second, whether or not there is a less intrusive type of testing of CE 567 that would not require

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removal of the fiber from the bullet fragment;

Third, whether NARA is prepared to permit the proposed testing by the FBI if no other reasonable method is available; and

Fourth, who would be capable of acting as an independent observer of the testing.

* * * *

We fully understand the need to consult with the Archivist on this entire matter. We also appreciate that there are internal decisions for the NARA to make with regard to Congressional and public notification, should it be determined that the testing will be conducted. I hope that Governor Carlin will not hesitate to contact us, if he would like to discuss this matter.

Again, I thank you and the members of your staff for taking the time to meet on the proposed limited testing of CE 567. The members of the Review Board look forward to working with you on this important matter and are confident that we can achieve our desired goals.

Sincerely,

T. Jeremy Gunn
Executive Director

cc: Michael J. Kurtz, Assistant Archivist
Elizabeth A. Pugh, General Counsel
Steven D. Tilley, JFK Liaison

Enclosures