

DRAFT

June __, 1998

The Honorable William M. Thomas
Chairman
Committee on House Oversight
House of Representatives
1309 Longworth House Office Building
Washington, D.C. 20515-6230

Dear Mr. Chairman:

I am pleased to report that the Assassination Records Review Board has essentially completed its review of records generated by the House Select Committee on Assassinations (HSCA). Through your helpful intervention in October 1995, we were able to review the original HSCA records in our secure facilities. Having had access to these records was of significant benefit as we completed our work.

Because our review is complete, we now need to make arrangements for the return of the original HSCA records to the National Archives and Records Administration (NARA). (*Copies* of the open HSCA records have already been transferred to JFK Collection at NARA.) Although NARA's Center for Legislative Archives (CLA) customarily segregates Congressional records from all other records at NARA, we believe that it would be particularly appropriate to have the original HSCA records be transferred directly to the JFK Collection at NARA instead.

In addition to the obvious and understandable policy reason for putting the HSCA originals in the JFK Collection, we believe that the JFK Act would seem to have created the obligation for Congress to transfer the HSCA records to the JFK Collection rather than returning them to the CLA. The JFK Act provides that "*each Government office shall identify and organize its records* relating to the assassination of President John F. Kennedy *and prepare them for transmission to the Archivist for inclusion in [the JFK] Collection.*" President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107.5(a)(5)(1). Each relevant entity within Congress is a "Government office" within the meaning of the JFK Act. In fact, the JFK Act itself identified by name the "House Administration Committee" as a "Government office" within the definitional section of the statute. *See* JFK Act § 2107.3(5)(A).

Although the statute does not state explicitly that "originals" should be transferred to the JFK Collection, the Review Board has interpreted the statute to mean exactly that. We believe that

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“Government offices” should transfer their records -- not copies of their records. Heretofore, all government agencies have recognized their obligation to transfer original records to NARA, and we sincerely hope that Congress will be willing to comply with the same standards.

We would be pleased to discuss this issue with you or your designee. I very much look forward to receiving your response.

Sincerely,

T. Jeremy Gunn
Executive Director and
General Counsel

cc: Chairman Dan Burton
Government Reform and Oversight Committee

The Honorable Sam Gejdenson
Ranking Minority Member
House Oversight Committee

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