

Memorandum

TO: Peggy Grafeld

FROM: David G. Marwell

DATE: January 26, 1996

SUBJECT: Proposed Cable to AMEMBASSY Moscow

The following is the proposed text for a response to the September Moscow cable that the Board received this week.

PROPOSED TEXT:

REF: (A) 95 MOSCOW 30705 (B) 95 STATE 184649

Delay in Responding

1. Unfortunately, the Assassination Records Review Board was not forwarded a copy of Ref A until January 23, 1996 causing an unfortunate delay in this response to the questions raised by MFA Chief Archivist Igor Lebedev.

Background: USSR Cooperation with Warren Commission and House Select Committee on Assassinations (HSCA)

2. The USSR provided a total of 140 pages of material to the Warren Commission. Many of those documents were published, either in facsimile or in translation, by the Warren Commission (Vol. 18, pp. 399-539). All of those documents are, as far as we are aware, available to the public at the National Archives and none contains any redactions or restricted information.

The 140 pages were provided to the USG in two separate deliveries. The first delivery, by

Ambassador Dobrynin in November, 1963, consisted of information from the Soviet Consulate in Washington and pertained to contacts between the Soviet Consulate and the Oswalds during the 1962-63 period.

Because of the absence of any information related to Oswald's stay in the Soviet Union (1959-62), the Warren Commission requested Secretary of State Rusk to request additional information from the USSR. In response to the request by the USG, the USSR provided a second set of papers in mid-1964 consisting of approximately 15 documents. The documents consist largely of official forms, applications, and reports.

In addition, it should be noted that the House Select Committee on Assassinations made a concerted and ultimately unsuccessful effort in 1978 to gain the cooperation of the Soviets in providing records related to the assassination.

Lebedev's Questions

3. Lebedev Question 1: Why has the USG again raised the question of documents?
There are two basic reasons. First, under the JFK Assassination Records Collection Act, the USG is compiling all records related to the assassination and is making similar efforts in the US to collect all records related to the assassination. The statute was enacted in response to a widespread public interest in having all of the records related to the JFK assassination being made available to the public. Second, in the wake of the publication of Norman Mailer's book, *Oswald's Tale*, it is now very clear that the KGB had extensive records on Oswald that were never made available to the USG. (AMEMBASSY should note that the government of Belarus has now agreed to make the Belarus files available for the Review Board's inspection.)
4. Lebedev Question 2: Why is there renewed interest in the JFK Assassination?
Since the 1960s, a substantial portion of the American public has not been satisfied that it knows the truth about events related to the assassination. The JFK Act is an effort by the USG to respond to the long-continuing doubts. The goal is to make as many records as possible available to the public so that the people may make up their own minds.
5. Lebedev Question 3: Background on JFK Act and Board
The Assassination Records Review Board is an independent federal agency created to oversee the identification and release of records related to the assassination of President John F. Kennedy.

The Review Board was established by The President John F. Kennedy Assassination Records Collection Act of 1992 (PL 102-526, the "Act"), which received broad bipartisan support and was signed into law by President Bush. The five members of the Board were appointed by President Clinton, confirmed by the United States Senate, and sworn in on April 11, 1994. A

copy of this legislation is being sent to post under Registry _____.

The act gives the Assassination Records Review Board the mandate and the authority to identify, secure, and make available all records related to the assassination of President Kennedy.

The Board has until October 1, 1996 to fulfill its mandate, with an additional year at the Board's discretion to complete its responsibilities.

The Assassination Records Review Board is composed of five members:

-- The Honorable John R. Tunheim, Chair; United States District Court Judge for the District of Minnesota

-- Dr. Henry F. Graff; Professor Emeritus of History at Columbia University

-- Dr. Kermit L. Hall; Dean, College of Humanities, and Professor of History and Law at The Ohio State University

-- Dr. William L. Joyce; Associate University Librarian for Rare Books and Special Collections at Princeton University

-- Dr. Anna K. Nelson; Adjunct Professor of History at The American University.

6. Lebedev Question 4: Status of Warren Commission documents.

The vast majority of Warren Commission documents have been declassified and are now available to the public. The best estimate is that 98 percent are now available. The Review Board is in the process of reviewing these records and expects that virtually all Warren Commission documents will be made available within the next year.

Additional Records

7. The Assassination Records Review Board believes that there is sufficient evidence to suggest the existence of records of the former USSR in addition to those supplied to the Warren Commission. The records provided to the Warren Commission contain no information regarding the issues listed in Paragraph 4 of REF B, and no indication that any source other than the MFA had been searched.

Action

8. Post is requested to revisit this issue with Lebedev and to apologize for the long delay in

responding to his questions. It is particularly important to ensure that the record repositories listed in Paragraph 5 of REF B be queried.