

August 12, 1996

BY FACSIMILE AND FEDERAL EXPRESS

Mr. Bradley S. Gerratt
Director
John Fitzgerald Kennedy Library
Columbia Point
Boston, Massachusetts 02125

Dear Brad:

I would like to thank you for your June 27 letter to the Review Board commenting on the positive outcome of the Review Board staff's visit to the Library. I believe that the visit demonstrated the positive results that came from the joint cooperation of the Library, the Review Board, the CIA, the Department of State, and the Department of Defense. I would like to extend my personal appreciation for the help and support of the JFK Library staff during our visit.

Unfortunately, I am also writing in response to your August 2, 1996 letter regarding the papers of William Manchester, asking that we send (another) written request for access to the papers.

Late last year, when I notified Will Johnson that we would like to examine the Manchester papers and interviews connected with *Death of A President*, he said that I should make the request in writing by filling out a "Research Use of Personal Papers" form. I did so (along with several other requests). (See enclosed letter dated December 4, 1995, and attached form.) We never received a response to this request.

When I visited the Library in June of this year, I reminded Will that we continue to be interested in the Manchester papers. He asked me at that time to write a letter directly to Mr. Manchester, which I did. (See enclosed letter dated June 20, 1996). When I did not hear from Mr. Manchester for two weeks, I called Will and we agreed that I should call directly.

I telephoned Mr. Manchester at his office on July 8. I explained that I am the General Counsel of the Assassination Records Review Board, that I had recently sent him a letter, and that our agency would like to examine his papers, notes, and interviews from *Death of a President*. He responded by saying -- and I wrote down his exact words -- "I have no objection whatsoever." He then told me

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that all of the papers and notes were at the JFK Library and that I should contact the Library directly. He said nothing about sending another request or anything about needing to have attorneys review the request. He was very positive in his comments and I thanked him for his helpfulness. Although there is always room for misunderstanding in conversations, as you say in your letter, Mr. Manchester expressed to me no hesitancy whatsoever in my examining the papers.

I called Will as soon as I hung up with Mr. Manchester. I left a voice-mail message for him recounting the thrust of the conversation and asked him to return my call. (*See* enclosed memo dated 7/8/96). When I did not hear back from Will after a few days I called again, this time reaching him in person. He said that he would try to reach Mr. Manchester and then get back in touch with me. When I did not hear back from Will, I called and left another message -- to which I understand your letter responds.

The Review Board has now made two written requests, numerous telephone calls, and has waited for almost eight months to examine the papers of Mr. Manchester that are related to the assassination of President Kennedy. I personally received confirmation from Mr. Manchester that "he had no objection whatsoever" to my examining the papers. We have attempted to be cooperative, patient, and to follow the procedures that the JFK Library has proposed.

.In order to resolve this issue, I am now enclosing our third request to examine the *Death of a President* records (other than the interviews with Mrs. Jacqueline Kennedy and Mr. Robert F. Kennedy), which you may handle in the manner that you deem most appropriate. However, we do not want the issue to be protracted further. Under the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994), the Review Board is authorized "to direct a Government office¹ to make available to the Review Board . . . information, records, or testimony from individuals, which the Review Board has reason to believe is required to fulfill its functions" Sect. 7(j)(1)(C)(ii).

The Review Board is now officially notifying you that it wishes to obtain access to the Manchester records. I trust that you will be able to resolve this issue by September 16, 1996.

¹A "government office" is defined as including, *inter alia*, the National Archives, "including Presidential archival depositories" Sections 3(5) (D) and 3(7).

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I hope that this matter can be resolved promptly and that we may continue our otherwise excellent relations.

With best wishes,

Dr. T. Jeremy Gunn

General Counsel and

Associate Director for Research & Analysis

Enclosures

cc: Assassination Records Review Board
John W. Carlin, Archivist of the United States
Elizabeth Pugh, General Counsel, NARA
Mr. William Johnson, JFK Library