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January 6, 2023

The Honorable Joseph R. Biden  
President of the United States  
The White House  
Washington, D.C. 20500

Dear President Biden:

On behalf of the Public Interest Declassification Board (the Board), I am writing to express our support for the public release of records on December 15, 2022, by the National Archives and Records Administration (NARA), pursuant to your “Memorandum on Certifications Regarding Disclosure of Information in Certain Records Related to the Assassination of President John F. Kennedy.” This action is consistent with the Board’s letter of September 27, 2021, recommending that you limit any further certifications for the postponement of public disclosures under the John F. Kennedy Assassination Records Collection Act (JFK Act) to the absolute minimum.

The Board applauds your stipulation in that memorandum that the continued postponement of any release of JFK Act records beyond June 30, 2023 “shall be limited to the absolute minimum under the statutory standard.” Although NARA reports that the most recent release of JFK Act records amounts to 13,173 documents, 515 documents remain withheld in full and another 2,545 withheld in part. To the extent it appears that there will continue to be classified records consistent with the statutory standard, in the coming months, the PIDB will conduct a review of a sample of the remaining classified records to better understand why they remain classified, pursuant to the criteria you established in your memorandum. We support your deadlines for the review of these documents.

The Board is encouraged that Section 7 of your memorandum further requires agencies reviewing the remaining JFK Act records certified for postponed release to prepare “Transparency Plans” for the National Declassification Center (NDC) at NARA “to ensure that information would continue to be disclosed over time as the identified harm associated with release of the information dissipates.” The requirement that these transparency plans will detail “event-based or circumstance-based conditions that will trigger the public disclosure of currently postponed information” by the NDC at NARA represents an important step forward for the release of JFK Act records.

These requirements also set an example of standards that should be consistently applied to promote transparency across the federal government. As you consider reforms to the classification system, transparency plans should become institutionalized for all newly created categories of classified information, to lessen future resource-intensive difficulties that have materialized with the JFK Act records. The Board continues to be concerned that the expansion of the national security community has not been adequately matched with concurrent resourcing of the records management system. This growing imbalance threatens a unique strength of the American system: the assumption that all acts of the government will ultimately be subject to public scrutiny.

As authorized to promote the fullest possible public access to historically significant government records under the Public Interest Declassification Act of 2000, and consistent with the letter and spirit of the JFK Act, the Board continues to support your initiatives to facilitate the public disclosure of the JFK Act records that remain withheld in full or in part. Your deadlines, procedures, and standards for reviewing these records must be implemented to, at long last, advance government transparency by providing the fullest public access to government information about this tragic chapter in our nation's history.

Very respectfully,

A handwritten signature in black ink, appearing to read 'Ezra Cohen', written in a cursive style.

Ezra Cohen  
Chair