

ASSASSINATION RECORDS REVIEW BOARD

PUBLIC BOARD MEETING

JOHN R. TUNHEIM, CHAIRMAN

Tuesday, August 6, 1996

1:00 p.m.

600 E Street, N.W.  
Room 206  
Washington, D.C.

## PRESENT:

DAVID G. MARWELL, ARRB Executive Director

T. JEREMY GUNN, ESQ., ARRB General Counsel

JOHN R. TUNHEIM, ARRB Chairman

HENRY R. GRAFF, ARRB Member

KERMIT L. HALL, ARRB Member

WILLIAM L. JOYCE, ARRB Member

ANNA K. NELSON, ARRB Member

## PRESENTERS:

STEVEN TILLEY, U.S. National Archives

JOHN PEREIRA, Central Intelligence Agency

BARRY HARRELSON, Central Intelligence Agency

T. JEREMY GUNN, ARRB Research and Analysis

## PUBLIC COMMENTATORS:

JOHN NEWMAN, Coalition Political Assassinations

JAMES LESAR, Coalition Political Assassinations

HARRISON LIVINGSTONE

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## P R O C E E D I N G S

CHAIRMAN TUNHEIM: I'll call to order this public meeting of the Assassination Records Review Board, and extend on behalf of the board a welcome to all of you who are here today.

It's nice for the board to have this opportunity to meet in public. Unfortunately, we find ourselves spending probably too much of our time meeting in private because of the nature of the records that we're reviewing.

But we're happy to be here in public today, and pleased that you're interested in attending and assisting us with the primary purpose of today's hearing, which is to gather input and advice as to how to approach the whole of the CIA sequestered collection of files dealing with the assassination of President Kennedy.

We're going to begin. We have minutes that we have to review from the last open board meeting, which was June 4th of 1996. Those minutes have been presented. Is there a motion from the board to accept?

MR. HALL: So move.

MR. MARWELL: Second.

CHAIRMAN TUNHEIM: Discussions?

[No response.]

CHAIRMAN TUNHEIM: All in favor say aye.

[Chorus of ayes.]

CHAIRMAN TUNHEIM: Opposed?

[No response.]

CHAIRMAN TUNHEIM: The minutes are adopted.

Next, I would like to call upon Steve Tilley from the National Archives to present an update as to the recent acquisitions. It's been a little over a year, I believe, since we have formally heard from Steve as the representative of the National Archives and the liaison to the Review Board from the National Archives.

So, Steve, for purposes of the court reporter, if you could spell your name first, we'd appreciate it.

MR. TILLEY: Okay. It's Steven with a V, and then T-i-l-l-e-y.

And as the chairman indicated, I am the head of the collection at the National Archives, and also the liaison to

the board for the National Archives and Records Administration.

And once again, Mr. Chairman, it's my pleasure to appear before the board and provide this update. The status of the collection is as follows. Additions to the collection since my last appearance before the board as follows.

First of all, releases by the board. There have been a series of openings of records released by the board since the last time I appeared, approximately one per month. And, of course, these openings are described in the Federal Register as they occur.

We received the documents opened by the board about two months after they are voted on and released by the board.

And this two-month gap has been somewhat confusing to some of the research community.

So, I just thought I would say that the two-month lag time, if you will, is caused, first of all, by the 30-day appeal period which the statute allows; and then, secondly, by the time necessary to process the documents, and update the database, and produce new record identification forms. So, we have about a two-month period in there between the time the

board opens the records and they actually physically come into our custody.

Secondly, Secret Service records. The Service has recently transferred approximately one cubic foot or about 2500 pages of material.

And these records include documents from the files of Chief James Rowley, plus documents relating to the organization of the Service in the period of 1961 to '62, and the legislative penalties for the assassination of a President.

And it's my understanding that the Service is reviewing additional documents at this time.

CIA records. In my last statement, I discussed the transfer of the last major block of CIA records which required processing by the staff of the National Archives.

As you may recall, the CIA provided recommendations on the release of these documents, but the documents which have been created by the staff of the HSCA had to be reviewed by NARA staff for non-national security issues before release. In addition, we were also responsible for the data entry on those documents.

These records, totaling 36 boxes, were released on November the 8th, 1995, and are currently searchable in our database.

FBI records pertaining to organized crime figures and Cuban exiles were released on November the 8th, 1995. In addition, the FBI transferred more than 16,000 pages of documents pertaining to a variety of other individuals in early May. And these were released for research on May the 14th of this year.

These releases included both main files and "see" references relating to such figures as Carlos Marcello, Orlando Bosch, E. Howard Hunt, Angelo Bruno, and Gabriel and Sam Mannarino.

Fifthly, the Garrison and Wegmann Papers. On April the 9th of this year, we released for research the papers of Jim Garrison and Edward Wegmann, which have been donated to the collection by their families.

Sixth, Ford Library records. In early April, we received approximately one cubic foot of documents from the Ford Library, consisting of records of both the Rockefeller

Commission and the staff of the Ford White House. These documents had been initially withheld by the staff of the library for review by various agencies.

A team of CIA reviewers visited the library, I believe, last fall to begin the review process. That effort resulted in the release of certain documents, with others being sent for further review by other agencies or additional review by CIA staff.

The documents received in April had been cleared by the review team for release, and were processed by the library staff. Additional documents opened by the review team are being processed by the library, and will be forwarded in the near future.

Congressional records. We have made a rather significant discovery of records in the records of the Senate.

Among the records of the Senate Internal Security Subcommittee of the Senate Judiciary Committee, we have located at least 10 executive session transcripts concerning the assassination, including an interview of Ruth Paine conducted by a committee staff member on December the 6th -- December

the 5th, 1963 in Irving, Texas. Other individuals interviewed by the committee staff include Carlos Bringiuer and Edward S. Butler.

The subcommittee files also include information on the Fair Play for Cuba Committee for the period 1961-62, including material related to General Edwin Walker, also three boxes of newspaper clips relating to Lee Harvey Oswald.

We met with the deputy staff director of the Judiciary Committee on July the 12th to discuss these records, and she indicated she would discuss this matter with the chairman. We are awaiting her reply.

We have also located the records of the Senate Select Committee on Improper Activities in the Labor or Management Field -- I believe, commonly known as the McClellan Committee.

Senator John F. Kennedy was a member of this committee, and the chief counsel was Robert F. Kennedy.

The committee was particularly interested, of course, in the matter of organized crime. NARA holds over 400 cubic feet of committee records, which are under the authority of the Senate Committee on Governmental Operations. There is a

card index to these records, which is in the custody of the committee.

I have discussed this index with a staff member, who provided me with a sample of the cards on Carlos Marcello and Santo Trafficante. And I have provided the staff of the board with a copy of these cards. We hope to meet with the staff of the committee soon to discuss these records.

Also, we are continuing our discussions with the staff of the Senate Intelligence Committee to locate additional records of the Church Committee that are cited in the committee's report on the assassination.

Finally, on July the 26th, the archivist signed the Deed of Gift for the 16 millimeter films donated by Janet Veazey and Helen Struges-Anderson. This footage should be available for research soon, if it is not already.

We have received many inquiries concerning these films. And just for the purposes of explanation, those inquiries have been referred to our motion picture, sound, and video branch, which has custody of all film and sound recordings in the collection.

Now, on the matter of the JFK database, I'm happy to report that the database was made available on the Internet early this year. The database includes changes, making the database more user friendly, including simpler screens, easier search methods, better printing choices, and other improvements.

Work continues on our efforts to make changes in the master system, particularly to allow for updates and other necessary changes in the database. A draft plan is currently under review by our office of policy and information resources management services.

Mr. Chairman, that concludes my report. I'm open to any questions from the members of the board.

CHAIRMAN TUNHEIM: Are there questions from board members for Mr. Tilley?

MS. NELSON: Steve, how have you discovered some of these Senate records? Have some of your staff simply gone through, looking?

MR. TILLEY: Well, we've been sensitive to trying to look and see things; but, actually, both of these items came

from rather interesting sources.

The Senate Internal Security Subcommittee records were actually located by one of our researchers, who stumbled upon them and then made us aware of the fact there could possibly be some records there. And that's when we went and started looking at the files.

The McClellan Committee records came to our attention from a notation on one of the documents from the FBI. I noticed, when we received the most recent FBI files, that there was a handwritten note on one of the documents indicating that information concerning an organized crime figure had been provided by Chief Counsel Kennedy and his executive assistant, Kenneth O'Donnell. And it was that notation that led us to the McClellan Committee records.

So, it's interesting the way these things have come to our attention.

CHAIRMAN TUNHEIM: Dr. Graff?

DR. GRAFF: Mr. Tilley, would you get oral inquiries over the phone? Do you keep track of those?

MR. TILLEY: Oh, yes.

DR. GRAFF: Do you know how extensively the collection is being used?

MR. TILLEY: Sure. I mean, we don't track all of the oral inquiries we get, unless it -- If a person calls and makes a request for information, we then add that to our reference log. All reference inquiries are logged in. We have a log which we maintain.

And as of right now, it appears that we are going to top last year's numbers for inquiries, which were higher than the year before. So, we definitely are seeing a --

DR. GRAFF: What were they?

MR. TILLEY: We had approximately 650 actual written inquiries last year where we provided a written response. And we're going to top that number this year, it looks like to me. We don't track just all phone inquiries which we --

DR. GRAFF: Right.

MR. TILLEY: -- which often result in not a definite question or answer, but may lead to a written inquiry down the road.

DR. GRAFF: And you keep a count, of course, of people

who come in?

MR. TILLEY: Yes. Yeah, our reference rooms take care of counting walk-in traffic. And, of course, we document the number of records we pull for researchers.

I might add that the Internet has made a significant difference. We are now seeing the results of that, where people are able to do their own research on their own home computer, sift through the record identification forms that they don't want, and provide us only with the information on the actual documents that are of interest to them.

And, of course, this has eliminated a major step, where we had to do that before. That's what we had hoped would happen; and it's literally happening, as people are able to look at the database and provide us with precise information on documents that they're interested in.

DR. GRAFF: That's wonderful. Thank you.

MR. MARWELL: I have some quick follow-up questions. Do you have any statistics on the number of visits to the Internet site of people who have inquired or --

MR. TILLEY: I don't with me, no. But I'm pretty

sure that the people who monitor the Internet site could provide that, and give me some figures on it. I'll try to find out.

DR. JOYCE: As a matter of clarification, Steve, the information that's on the Internet consists of RIF identification -- the Record Identification Form?

MR. TILLEY: Yeah, it is. It's the public-use version of the database -- the information provided by the agencies that's put into the master system.

And then, because the master system does contain some information which is restricted at this time, we then run it through a program which produces a public-use version. And then it's that public-use version which is up on the Internet. And that is the record identification forms.

DR. JOYCE: Are these forms related in any way to more -- to broader descriptions of the records in question?

MR. TILLEY: No. It's strictly the information that was created when the -- captured when the agencies did the database entry on each document. It's strictly the record identification form.

They can see the whole form. So, they can see all

23 fields, and they can get all the subjects. And they can see any comments that are made. They can see them on the screen, and they can print that out. But there's no additional information beyond what was originally captured.

DR. JOYCE: And there's no text of any of the documents?

MR. TILLEY: No. No, we have not done any text entry. There's been no scanning of documents at this time.

CHAIRMAN TUNHEIM: Anything further? Dr. Hall, anything?

DR. HALL: Nothing. Thank you, Mr. Chairman.

MS. NELSON: Have you got an estimate of the number of people who have come in, say, for a month or a year, since --

MR. TILLEY: No, I don't. I'm sorry.

MS. NELSON: It's hard to find out, I know.

MR. TILLEY: Well, we could --

MS. NELSON: You would have to go through all the logs.

MR. TILLEY: We'd have to go through all of our sign-in logs, and we could look at our record forms.

Now, it's interesting. I think we've actually had a decline in the actual number of researchers who have been coming to the Archives building. But I think that's been offset by an increase in the number of people who are writing to us.

And I think part of that's attributable to the fact that the database is now available via the Internet.

I might also add -- we are, obviously, seeing a new generation of researchers become interested in this subject.

Many of the inquiries we're getting right now are from college students and high students. And, so, we are seeing, I think, a whole new generation become interested in this subject.

CHAIRMAN TUNHEIM: For those who are interested in the film and photographs, what is the process there for someone to follow? They get in touch with the photographs group. And do they make a video for someone who would like a copy? Is that their process?

MR. TILLEY: That's correct. The motion pictures and sound recordings are in the custody of that particular branch -- our motion picture, sound, and video branch. And they will provide copies of whatever item it is that the

researcher is interested in.

Now that procedure is slightly different. Under the National Performance Review that was set up, the production of reproductions in that area has been privatized. And, so, now researchers come in and deal with a series of vendors who are actually responsible for making the reproduction.

So, once they determine what item it is they want to have copied, they are then put in touch with a group of vendors, allowed to negotiate with those vendors to get the best price that they can get, and then the vendor will then produce the reproduction needed, and send it on to them.

So, the Archives is no longer in the business of actually making the reproductions of those items, but it's been privatized through the National Performance Review for process.

And, so, it's a little different situation with those items; but the copies are there, and people can certainly obtain these items.

It may be a little slower than it is in getting the paper records, quite frankly. But it's -- I do know that there has been a cutdown in the backlog that was previously there.

Now, for still photography, anybody wishing copies of still photographs would still deal with my office to get those. We still handle those ourselves, as opposed to another branch.

But for motion pictures and sound recordings, researchers will want to deal with that particular unit.

CHAIRMAN TUNHEIM: Anything further?

[No response.]

CHAIRMAN TUNHEIM: Thank you very much, Mr. Tilley. We appreciate your continued help.

MR. TILLEY: My pleasure, Mr. Chairman.

CHAIRMAN TUNHEIM: Next, we have two representatives from the Central Intelligence Agency here today, to provide factual testimony for the board on the nature of the sequestered collection, Mr. John Pereira and Mr. Barry Harrelson.

And because this is primarily a factual presentation, we decided that we should put each of you under oath. So, if you would, raise your right hand and repeat after me.

[John Pereira and Barry Harrelson sworn.]

CHAIRMAN TUNHEIM: Thank you for joining us today.

MR. PEREIRA: A pleasure. We're pleased to try to help and provide information that might help the board understand the sequestered collection. I thought, if the time allows, I might give some background to put the sequestered collection in context for the board.

CHAIRMAN TUNHEIM: That would be very helpful.

MR. PEREIRA: In the spring of 1992, prior to the enactment of the Assassination Records Act, the then-Director of Central Intelligence, Robert Gates, issued instructions to begin reviewing for declassification all records related to the assassination.

The CIA history staff was charged with identifying the relevant records, which they did. And once that happened, our group that we represent, the historical review group, took custody of the records and immediately began reviewing them for declassification for release to the National Archives.

Once the Records Act was passed, our goal became to release as many records as possible by the 22 August 1993 deadline established by the Act. And approximately 125,000 pages were transferred to the National Archives by that date.

With subsequent releases, the Agency has now declassified and transferred some 227,000 pages to the National Archives. And based on discussions with the Board, we're trying to release additional information that had been redacted earlier.

The remaining records are in various stages of review. Some require review by other agencies. Some is congressional material. And final decisions on other records are awaiting discussion with the board, as you know.

The Kennedy assassination records in the CIA consist of two major groups of files.

One group consists of the documents in the Lee Harvey Oswald file, sometimes referred to as the Oswald 201 file. These consist mainly of documents that were collected after the assassination and during the Warren Commission investigation. And there are about 26,000 pages of material in this file. All but a handful have been declassified and sent to the National Archives.

The second group is one of major interest to you today, I think. It's comprised of the sequestered collection. These

are records that were made available to the House Select Committee on Assassination and which the committee asked CIA to hold in safekeeping upon the completion of the committee's investigation.

And there are certain additional records, including 400 excerpts from the minutes of the director of Central Intelligence morning meetings and some working files that have been added since 1992. But that's pretty much the landscape of the records we have.

By going directly to the sequestered collection, I'd like to say that, first of all, every document in the sequestered collection was available to the board for review. Every document is available in full to the board without redactions.

A portion of the documents that were created specifically in response to requests from the House Assassination Committee are in the record. Other records were already in existence prior to the creation of the committee.

And still other documents were created by the committee itself.

For example, there are notes of interviews conducted by the committee's staff.

So, these are the three categories: those created for the committee at their request; others that existed that we provided to them at their request; and others that the committee itself created.

Now, within the sequestered collection, there are two major categories of records. This is a simple breakdown.

I hope this is helpful. One category consists of about 129,000 pages of hard copy. The second category consists of 72 reels of microfilm or the equivalent of 163,000 pages of hard copy.

Now, the question has come up of why the documents were sequestered. And this is explained in a Memorandum of Understanding, signed by the chairman of the Assassination Committee and the director of Central Intelligence. And I have a copy here to submit to the board.

The memorandum states that, "Upon termination of the Committee, all materials provided by CIA and examined by the Committee will be kept and preserved within a segregated and secure area within CIA for at least 30 years, unless the DCI and the House of Representatives agree to a shorter period of time."

In April 1979, Robert Blakey, the chief counsel and staff director of the Assassinations Committee, visited CIA headquarters; and he completed the process of designating what materials were to be sequestered. All the documents made available to the Assassination Committee were included in this sequestered collection.

The second question that often comes up is, where did we get authority to start reviewing these records prior to the Assassination Act? And this goes back to my point about Robert Gates wanting to get started as quickly as possible in the review and declassification.

So, the Agency wrote to the Speaker of the House, Thomas Foley, in 1992, requesting approval to begin declassifying and releasing the records. And in October of that year, Speaker Foley wrote a letter to the director, granting CIA the authority to do so.

The Speaker's decision was clearly made in anticipation of passage of the Assassination Records Collection Act. So, we have the records, and we started processing.

Within the two categories that I mentioned, the hard

copy material is one. And we have a page describing that for the board, which I'll leave with you. This includes copies of most of the CIA documents and the Oswald 201 file that I referred to earlier.

Also included in the hard copy are other 201 files, personnel files, security files on persons who are mentioned in documents relevant to the assassination or who figure in one of the conspiracy theories.

This part, the hard copy, also includes about 30,000 pages of documents, memos, and notes -- many of these, handwritten -- that were created by the Assassination Committee itself. So, those are in the hard copy.

Now, the microfilm portion of the sequestered collection, as I mentioned, contains 72 reels of microfilm. Incidentally, we found very quickly that working with microfilm wasn't all that easy, so we arranged to have all of the microfilm printed out in hard copy. So, we have both; and both of these are available to the board, both the microfilm itself and the printout.

The decision to microfilm was apparently based on

two major considerations, as far as we can determine from our records. First, the integrity of the sequestered records had to be maintained. Second, a number of the files that the Assassination Committee requested were active files, and had to be available to allow people to continue conducting their normal activities within the Agency.

So, the solution was to replace certain records with microfilm versions. And these records were microfilmed during 1979 and 1980 with the approval of the Assassinations Committee.

And we have memos for the records showing how that happened, so that you will have the history on that.

Now, looking at the content of the microfilm, a sizeable portion of this -- probably 50 percent -- duplicates the hard copy in the sequestered files. For example, there are 12 reels of material from the Oswald 201 file.

The bulk of the reels consists of files on individuals and organizations, including personnel files of CIA employees.

There are also a number of files on anti-Castro organizations.

All but a small percentage are CIA-originated cables, or dispatches, or memoranda and other documents.

In looking at the microfilm, we believe there are questions of privacy that the board may want to consider in determining what information is to be released. Some of the records, for example, contain medical information on an individual.

There are also questions of relevancy that we suggest the board consider. For example, many of the documents cover sensitive activities that go far beyond the time frame of the assassination or investigations into the assassination.

That's rather brief; but I hope this is useful to the board in trying to understand the sequestered documents, sometimes called segregated documents. We use those terms interchangeably. And we certainly look forward to continuing cooperating with the board, with the goal of releasing as much information as possible to the American public.

CHAIRMAN TUNHEIM: Very well. Mr. Harrelson, do have anything to add?

MR. HARRELSON: No.

CHAIRMAN TUNHEIM: Questions on the part of the board? Dr. Joyce.

DR. JOYCE: Mr. Pereira, you mentioned that 50 percent of the microfilm appears to duplicate what already exists in hard copy. You mentioned the 201 file as an example of that.

Maybe I missed it, but could you characterize perhaps the portion that appears not to be duplicated in hard copy? Do you have any information about that?

MR. PEREIRA: The types of material that isn't duplicative?

DR. JOYCE: Yes.

MR. HARRELSON: This is where you get into the 201 files which make up the bulk of the microfilm, and these files cover individuals who were not -- or areas of their careers that were not involved in the assassination periods. So, there would not be documents from these files in the hard copy.

Most of the hard copy, apparently, was created as the HSC staffers asked for particular information. They would look at a file, and ask for copies of it. The ultimate was one cable, where we found 43 copies. So, most of the documents -- I would say, every document is duplicated at least

once, and used multiple times throughout the collection.

DR. JOYCE: And it would appear, then, that most of the information within the 201 file --

MR. HARRELSON: The other area of unique information is the Cuban exile activities. Much more in the microfilm than in the hard copy collection. And most of that was released in August '94.

CHAIRMAN TUNHEIM: Other questions?

MS. NELSON: How much have you been able to look at this sequestered file? It's enormous. It boggles the mind, going through 72 reels of microfilm. No wonder you printed hard copy. But I would imagine you've only done some sampling.

MR. HARRELSON: With the exception of the Oswald 201 file -- the duplicate microfilm 201 file, and the -- Well, that's the only exception. We have looked at every page of material.

MS. NELSON: Do you have a sense of what's not, in your view, an assassination record? Are there certain percentages or certain numbers of those?

MR. PEREIRA: I think we need to defer to the board

on that. We're suggesting certain --

MS. NELSON: Yes. That's what --

MR. PEREIRA: -- questions that the board may address, but we are deferring completely to you in interpreting the law. And, so, we're assuming that every piece of paper we have that was sequestered is potentially relevant.

MS. NELSON: Under the statute, we'll have to see what that is.

MR. PEREIRA: Yes, following the statute.

CHAIRMAN TUNHEIM: Any further questions?

DR. HALL: John, do you know what of these materials the HSCA used and didn't use?

MR. PEREIRA: There's a -- I'll let Barry comment on this, as well. There's a little bit of uncertainty. To go back, every record that we made available to the committee is in the sequestered collection.

Some of the indications are that there was a very thorough review, obviously, by the committee of a lot of records.

My impression is that, for other records, the committee staff requested certain files. We provided an entire file -- let's

say, on an individual.

But the committee staff may have said, "Well, this really isn't all that relevant to our work, but thank you. We now know who that person is, because someone suggested this person may have been involved, and we needed to check that name."

And in checking the name, we get the impression very quickly they determined they didn't have to read every single paper in the file. It's that sort of breakdown, I think.

MR. HARRELSON: There are indications, as you go through the microfilm, that some of the files were not reviewed.

There is a sheet in each file to be signed by the staffers, and the notations are on the sheet. We have never -- Since we were reviewing the file as a whole, we never went through and calculated which files had not been reviewed by the HSCA.

DR. HALL: And was it the case, or were there instances that you're aware of, where they HSCA staff and/or related individuals marked on these documents or dealt with them in a way other than merely reading them?

MR. HARRELSON: The 30,000 pages, frequently are handwritten notes taken from the documents. Since the hard

copy records were copies made available to HSCA staffers, you sometimes find notations, their names written on them -- different things.

MR. PEREIRA: But they seem to have made very thorough notes on documents that they found were valuable.

DR. HALL: Did the CIA, in providing these materials, put any restrictions on them with regard to copying that could be done?

MR. PEREIRA: By the committee itself, you mean?

DR. HALL: Yes.

MR. PEREIRA: I don't know what the record shows.

MR. HARRELSON: The files were held in one central location -- all notes were reviewed. The staffers, as I understand it, would come and review these files, make their notes. And the notes would then be reviewed by -- at least, by a CIA staff person. And their notes could be taken out of the building, but the files were held in one secure location.

MR. PEREIRA: There was an arrangement whereby, if they wanted to use a record elsewhere for some reason or other, there was a means for making that available to them; possibly,

by redacting something extremely sensitive, like the name of an agent. But they could --

DR. HALL: I see.

MR. PEREIRA: But they could make the arrangement to have them use the document.

DR. HALL: Congress has less than a distinguished history in handling some documents of a classified nature, and there is this kind of problem. As document hunters, there's sort of an interesting problem -- the extent of which, we get unauthorized copying made; and then those documents are out there somewhere else.

But that's a side show to this. So, thank you very much.

CHAIRMAN TUNHEIM: Anything further?

[No response.]

CHAIRMAN TUNHEIM: Thank you very much, gentlemen. We appreciate your help today.

MR. PEREIRA: A pleasure.

CHAIRMAN TUNHEIM: Next, I'd like to ask Jeremy Gunn, who is the counsel to the board, to do the staff presentation.

Before Mr. Gunn begins, I'd like to ask Dave Marwell whether there's anything else that he'd like to add, by way of introductory matter here?

MR. MARWELL: I'd just like to say, in order to present this issue to the board, I think, in the most logical and reasonable way, following the presentation by the CIA, which we hope gives the board an understanding of the nature of the sequestered collection, Jeremy Gunn, who wears two hats for the staff -- one is as our counsel, and the second as the associate director for research and analysis -- Jeremy Gunn will provide for the board the fruits of the staff's efforts, in terms a preliminary review of the sequestered collection, and give the board some preliminary conclusions on the kinds of things the staff believes can be found there.

And following that, he'll give the board -- wearing his general counsel's hat -- some analysis of the legal situation and the possibilities under the Act for dealing with some of the questions raised by the sequestered collection; and then, finally, making some preliminary recommendations to the board on behalf of the staff.

CHAIRMAN TUNHEIM: Very well. Jeremy?

MR. GUNN: Mr. Chairman, members of the board, I'm pleased to be here today to offer my own assessment that I have reached in conjunction with consultations with members of the staff. I'd like to give a brief statement of where I think we are in relationship to CIA records.

First, as has been mentioned already today, the board has practically completed its review of the first chunk of CIA records, which is the Oswald 201 file. The board has reviewed the proposed postponements made by the CIA on a word-by-word basis, and the collection is now virtually complete with that portion of the CIA's collection now at the Archives.

The board is now about to turn to other areas of the CIA collection, not only the sequestered collection which has been mentioned, but also CIA records that were a part of the House Select Committee on Assassinations. The records from the HSCA are now physically located in the board skiff, which is just a few yards from where we are now. So, we now have the entire collection from the HSCA ready to be reviewed on premises.

Of course, those are not only CIA records, but FBI and other agency records. The board will be finding that many records from CIA and other agencies that the board has already reviewed are, again, in a duplicate form in the HSCA records.

In some cases, there are new records that will be made available.

The board, this morning, completed its review of the report called Oswald in Mexico City, often known by the name of the Lopez Report. And, so, the CIA will be given official notification on the completion of the review of that document, after which the CIA has a few days to appeal to the President.

Once that process is completed, that report in a less-redacted form than previously available will become available to the public.

The next item on the board's agenda for this afternoon is the testimony offered by a man under the pseudonym of John Scelso that was offered to the House Select Committee on Assassinations.

And our expectation is, the Board will complete the review for the declassification of the Scelso testimony before

the HSCA, in addition to not only both of those records -- the Oswald in Mexico City and Scelso recourse from the House Select Committee records -- but directly involve equities from the Central Intelligence Agency.

The Central Intelligence Agency has also been very helpful in reviewing and declassifying records from the JFK Library that occurred a couple of months ago. And we're expecting that -- we hope that by this fall, the fruits of that declassification process will become available.

I am pleased to say that -- and I offer this as my own personal opinion -- I have seen no instance where the board has voted to postpone any information that would directly relate to the assassination of President Kennedy -- or, I should say, indirectly relate to the assassination of President Kennedy, as well. I think that that is certainly one of the principal mandates for the board, and that process has been carried out thus far.

We turn now to the areas of the sequestered collection and the problems that are presented by that. My calculation, from what Mr. Pereira said, is that we are dealing with -- and

I use this as a very approximate number -- approximately 300,000 pages of records. That is, of course, a daunting process for review.

Now, the board has heretofore done a word-by-word review from the 201 file. And the question now presents itself whether that is a practical, effective way of dealing with the 300,000 approximate records that we're dealing with.

Now, within the sequestered collection, there are records that are unquestionably records that are within the story of the assassination. And I'll give you a few examples of records that I see as being unquestionably relevant to the assassination.

Certainly, any records on Lee Harvey Oswald; records on George de Mohrenschildt; records on Elena Garro de Paz; records on Silvia Duran; records on Rolando Cubela; records on the CRC; records related to the Bay of Pigs; records related to assassination attempts on Castro; records related to the Warren Commission; records related to the House Select Committee on Assassinations; records related to the investigation of Jim Garrison.

All of these -- And that is by no means, whatsoever, intended to be a comprehensive list. But those are examples of records that are in the sequestered collection which, it is the staff's judgment, should continue to be reviewed on a word-by-word basis for the board. And there shouldn't, in the staff's judgment, be any question that that process should continue.

There is, however, a problem with some records in the sequestered collection, where the relevance cannot yet be determined by the staff. I'd like to give you a few examples of the kinds of problems that we have noticed in our initial survey of the sequestered collection.

First of all, one can say that there is a relevancy to all of the documents in the sequestered collection, in the sense that the HSCA requested the files. So, that is at least a tangential -- or at least one sign of relevance.

But aside from that, there are some records where it is very difficult to determine the relevancy. And I'd like to give you a few examples of the kinds of problems that the staff perceives in the sequestered collection.

The first kind is what I will call the "false hit" category. The HSCA requested a great number of files from the CIA. Often, the HSCA would give a list of names to the CIA, and ask if they had any files responsive to those names and to make those files available for committee inspection.

There's one that we've identified -- and I'm going to make up a name for this, because the document is still classified -- where the name was quite common. I'm going to use the name "Robert Smith" as an example of this document.

We have a pretty good reason for knowing why the HSCA requested the file on Robert Smith. This is a person, and I'm -- This is a hypothetical that I'm giving to you, but it's based upon facts as we understand them.

This Robert Smith was alleged to be an associate of Lee Harvey Oswald in 1963. So, we examined the file. And we learned that this Robert Smith, in fact, had a relationship with the CIA, but that he died in 1956. So, we have a common name, a reasonable effort by the CIA to make a file available, and it's just the wrong person.

So, now we have a file that may contain very sensitive

information about operations of the CIA, but, in fact, have no bearing at all on the assassination. So, the question is, what do we do with a file that I, again, call a "false hit"?

The second sort of category that I'd like to talk about of records where we are having difficulty finding relevance to the assassination are in some CIA operational files or CIA 201 files. I'm going to give you three examples of some files that we have identified.

One of them pertains to a Cuban who is now living in the United States. The CIA, at one point, attempted to recruit her to collect information on Cuba through her family and friends, but ultimately abandoned the effort. Neither she nor any of the contacts, in the staff's judgment, thus far have any identifiable connections to either Oswald or to the JFK assassination.

So, we see this file. We don't, frankly, know what it's doing there. Presumably, the HSCA requested it, but there is no substantive information that we can find that would pertain to the assassination.

A second sort of example within the CIA operational

or 201 files has to do with a Cuban who was cultivated for operational work against Castro in whom the CIA, after a period of time, lost interest. Now, one sees the recruiting process under way, but the recruiting process came to no fruition. The person was not used, according to what the file would say, for any operation whatsoever.

So, again we see something where it is understandable why someone might want to examine the file. But once we look at the file, we have a difficulty finding or identifying any relationship to the assassination.

A third example -- again, this is somewhat of a hypothetical, but based upon review of the files -- has to do with a Soviet official who was at the Mexico City embassy during the time of Oswald's visit. We examined that file. We were very interested to see whether there is any evidence that this official ever had any dealings with or comments or observations about Oswald, and we don't see any references at all.

So, I would separate this from those KGB officials with whom Oswald did meet in Mexico City. This is simply another Soviet official who does not have any identifiable connection

to the assassination. So, here we have -- again, with these hypotheticals -- the kinds of problems that will be in the records that the board is going to be reviewing.

I'd like to give you a third category. Again, the first one was what I called the "false hit". The second one were operational files. The third one has to do with CIA officials. And we'll call these, for sake of discussion, personnel files.

So, once someone works for the Agency, a file is developed that will contain their personal records. Often, it will contain medical records. Often, it will contain recommendations for either promotions or evaluations of the person. The files tend not to contain operational information; though, in some instances, there is operational information.

Now, the files -- although they can have some interest just by their intrinsic value, finding a connection in some instances is difficult, as a connection to the assassination.

One example was a person who was a secretary to an official who had an involvement with the investigation into the assassination.

So, the person for whom this secretary worked is a figure that would be of significant interest. But the secretary herself -- we have not found anything in the file that suggests any knowledge or any activities that are related to the investigation of the assassination.

So, how should such a file as this particular person be treated? In one sense, there can be a great deal of very personal information about the person. On the other hand, there is not anything that is identifiable related to the assassination.

Another example would be, I think -- Well, I think anyone who is knowledgeable about issues surrounding the Kennedy assassination has heard the extraordinary number of allegations about a CIA person or a CIA official having some kind of contact with somebody somewhere in the world. And, so, there are a lot of allegations about connections to CIA officials.

Now, there is one -- again, I'm treating this as a hypothetical example -- of a CIA official who allegedly was in Dallas on November 22nd, 1963. It's our presumption that the HSCA examined the file, in part, to determine whether this

person might have been in Dallas on November 22nd, 1963.

An examination of the file shows that this person was stationed somewhere else entirely in the world, and further examination shows no reference to the Kennedy assassination whatsoever or any figures that would pertain to the Kennedy assassination.

So, in one sense, when the HSCA was attempting to verify an allegation, it learns that the allegation does not have a basis, and was able to conclude that. That contains, in a sense, information that might discredit a particular allegation. To that extent, there is, obviously, a relationship to the assassination; but it's quite tangential.

The problem also becomes not just saying that this person did not have a relation to the assassination. It means bringing out the entire personnel file on that, and subjecting that to review and possible release.

One last example that I would like to give on CIA personnel files would be a CIA official who was stationed at Mexico City during the time of Oswald's visit and who was directly involved with surveillance of Oswald during the time

of his visit. Now, such a person is, obviously, of very great interest, and we will scrutinize that file very carefully.

We find, in some instances, that such person was stationed in Mexico City for a period of years, and then the person was stationed in other places in the world that have nothing to do with Mexico City, nothing to do with the Soviet Union, nothing to do with Oswald.

And the question is -- It's fairly easy to say that for the period of time that relates to Oswald's visit and any records in that person's file that relate to Oswald's visit is of high interest. And the board should review such records on a word-by-word basis, as it has done heretofore.

But on records that relate to an entirely different tour of duty, where there is no identifiable connection to the assassination, then, once again, we have this question of how the board should proceed.

What I'd like to suggest, sort of in summarizing what I've said, are a couple of problems that are presented by the nature of the sequestered collection.

The first question is, how do we decide what is

relevant and what is not relevant, or what is more relevant or less relevant? And that's a very difficult problem, and does not lend itself towards an easy solution.

The second sort of problem that comes up is, how should the different kinds of records be reviewed, where we have a personnel file where there is no connection that is identifiable to the assassination; and, on the other hand, a personnel file where some information is highly relevant and probative; but other sorts of records have no identifiable relationship?

So, these set out some of the problems that the board will need to provide guidance to the staff on.

I'd like to turn for a short analysis on some of the legal issues that relate to this. If I were to do a detailed legal analysis, not only everyone on the board and everyone in the audience would be asleep, but I would, doubtless, put myself to sleep, as well.

I'd like to point out a couple of the relevant provisions that I think the board needs to take into consideration. The first one -- and I think probably the most important one -- is Section 3(2) of the JFK Act, and I will

read that. And this has to do with the Congress' definition of an assassination record.

And it says: "An 'assassination record' means a record that is related to the assassination of President John F. Kennedy that was created or made available for use by, obtained by, or otherwise came into the possession of..." And then a string of agencies is listed. "-- otherwise came into possession of [the government]."

Now, you can interpret that particular provision of the statute as doing one of two things. Interpretation number one would be that -- taking the segregated collection of the CIA -- all records that are in the segregated collection are necessarily assassination records. One possibility.

The second sort of interpretation that you could make, based upon the statute, is that the universe that we would be talking about of the segregated collection is presumptively records that need to be considered by the board. But that the statute also imposes a second requirement on that, and the second requirement is that it be related to the assassination.

So, the question is whether Section 3(2) proposes

a sort of unitary requirement, or whether there are two separate elements, both of which need to be satisfied in order for them to become an assassination record. For which, the board would need to review the documents, presumably, on a word-by-word basis.

There are a couple of provisions from the board's own definitions that the board should also be aware of. These can be found in 36 CFR 1400.1(b)(2).

There, the board said: "All records collected by or segregated by all federal, state, and local government agencies in conjunction with any investigation, or analysis, or inquiry into the assassination of President Kennedy..." going on "...is an assassination record."

In that particular definition, the board would have been saying that the records that the CIA has sequestered, presumptively, are assassination records.

The second provision within the board's definition that is worth having attention drawn to, though -- this deals with a very small category of records; it is, nevertheless, relevant to the issue at question -- is from 36 CFR 1400.5.

And that refers to a record that may have portions which could be quite closely related to the assassination, but other portions of the record may have no identifiable relation to the assassination.

An example of such a record would be a briefing to President Johnson on, we'll say, 20 different issues, where one of the issues to which President Johnson was briefed was the Kennedy assassination. And that, clearly, is relevant to the issues that are before the board.

The other things may have had to do with issues that are entirely unrelated. We could say domestic politics in Brazil, or a welfare bill, or some other such matter. The board does, according to its guidelines, have the discretion that, in some instances, it may wish to treat a record in sort of -- by two different standards.

What I would like to do now is move to the last portion of my presentation, and make some suggestions where the staff currently believes would be a useful way to proceed. The proposals that I'd like to make are very much in the beginning stage. And the staff is interested in receiving further

guidance from the board, including any changes from these proposals that the board thinks advisable.

As I mentioned, I don't think that there is any simple definition or way of determining what is relevant. The only way that one would be able to have a hard and fast rule on what is relevant is if one knew with an absolute certainty who killed President Kennedy.

Because it's not the purpose of the board to make such determinations, it cannot be necessarily clear who is involved or what kinds of issues are appropriate for analysis.

But I'd like to offer what we are now looking upon as rules of thumb, which will be presumably expanded in some ways and minimized in other ways, for determining what is relevancy.

First, I'd like to say that we can identify some documents that are obviously related to the assassination, where there just won't be any question. I mentioned some categories of files before.

So, in addition to those categories, I would say that any CIA internal investigation related to the assassination is, obviously, going to be relevant; anything on Oswald;

anything related to the Garrison investigation; anything on Castro assassination attempts. Those all are, we could say, no-brainers. But it's easy to say those are relevant to the assassination.

Then, what we might want to consider doing where we find records where we look to find relevance, but can't find any relevance -- that we can, perhaps, use certain kinds of guidelines to help us focus on the kinds of issues that would tend to be more important.

So, we can say that if there's a CIA official in Mexico City, the kinds of criteria that we would use for relevance are dates that would be -- Is there an overlap between the CIA officer's service in a particular station where Lee Harvey Oswald may have been? So, dates connected with Oswald is certainly one way of determining relevance.

Dates immediately around the assassination, November 22nd, are obviously dates of relevance. Dates that are related to Warren Commission investigation, obviously, are going to be more important than some dates that will be outside of that. Similarly, dates connected with the Church Committee or the

House Select Committee can have, conceivably, more importance.

Often, this is going to be a matter of judgment.

And it's going to be hard -- it would be hard to articulate hard and fast rules in advance. Certainly, my interest, and the interest of everyone on the staff whom I have spoken with, is to have the broadest reasonable approach to what is relevant that we can, with a recognition that some things -- it may be difficult to find a relevance.

The other sorts of things that we can look at to help us determine whether something is relevant is whether the individuals who may be mentioned or whose files we may be looking at are figures who play in the story around the assassination.

David Atlee Phillips, of course, is a figure that plays prominently in some of the assassination stories. So, any document with his name in it is going to be subjected to a heightened degree of scrutiny without any question.

Similarly, a person such as Win Scott, the station chief in Mexico City, is going to have a much higher interest and immediately trigger added attention, if we were to see such a name.

We could also imagine not only CIA figures who are in the field and who may have had connections either with Oswald or some other part of the story, but figures who are high in the Agency.

Two figures who come to mind in this regard would be one known under the pseudonym of John Scelso. That if we identify John Scelso as being involved in some issue, that certainly raises a presumption that there's going to be a relevance to the assassination.

Similarly, if we see James Jesus Angleton on any document that's going to be in the sequestered collection, that will raise our interest and, presumably, is more likely to be relevant than some other documents.

A final sort of category that we could look at for helping us provide rule-of-thumb guidelines is geographical restrictions.

When we find records that might relate to areas in the Far East -- we'll say, other than Japan -- that's going to show perhaps less of a relevance to what is understood as the assassination story than documents that would relate to

Mexico City, obviously, or that would relate to the Soviet Union, or relate to Japan. So, we can see that there are certain geographical restrictions.

Now, the way that this would conceivably play itself out is with a CIA officer's file. A CIA officer is serving in a location that is completely outside of any place where we've identified as being relevant, then, those documents would receive lesser interest.

Now, what I would like to do is to make six specific proposals for handling records, thinking of the sort of relevancy criteria that I've just mentioned.

First would be -- and without any question at all -- that the ARRB staff will review every single record that is in the sequestered collection. So, there will be staff review of all sequestered records. All 300,000 records. So, we're not going to take anyone's guess on whether the records might or might not contain relevant documents, but each document will be reviewed by the staff to determine relevancy.

The second point would be, if we determine that the record is relevant to the assassination along the guidelines

specified by the board, we believe that those records should be reviewed on a word-by-word -- the postponement should be reviewed on a word-by-word basis on the board, so to continue the board's practice that it has been following to this point.

The third recommendation that we would make at this point is, when we identify a file where we are unable to determine any relevance to the assassination, that the staff again review that file completely, and that a staff member then write a summary memo on the contents of that file.

So, the staff member might write, for example, that they reviewed the file of a CIA officer who we can identify as having no relation to the assassination. Perhaps say that the CIA official died in 1956. Say that we believe that this was a matter of a false hit. That a file on one individual was requested; but, in fact, a file on another individual came up. And that there be some kind of memo that documents that.

We would then propose that that memo be shown to the board; and if the board has questions, they would be able to pose the questions. And then after that, that memo would go to the public room in the Archives, so that there would be a

public accounting of what that file was -- again, in a summary form.

The fourth recommendation that I would make is that where a file contains some records that are obviously relevant -- that those records, again, be reviewed on a word-by-word basis -- or where the postponements be reviewed on a word-by-word basis. Those records for which the staff is not able to identify any relevance to the assassination -- that those records would be treated in the form of a summary memo.

Again, describing records, we could say that -- For example, the CIA officer who was in Mexico City during the time of Oswald, we could say -- again, the hypothetical example -- that this officer was stationed somewhere else in the world. Take a nice, neutral place, such as Antarctica. And stationed in Antarctica for another -- not mentioning the name "Antarctica" in that case -- station somewhere else in the world for a period of years. And that we are not able to identify any meaningful information there.

So that the records that would not be reviewed on

a word-by-word basis would have, again, a summary memo.

The fifth recommendation that we'd make has to do with duplicates in the file. One example of a duplicate in the file is the apparent microfilm copy of the Oswald 201 file.

Now, the board has gone through the 201 file.

What we would propose is when it appears to us that this is -- that we, in fact, have a copy of a document that the board has already reviewed, that the staff review those documents -- such as the Oswald 201 file in microfilm -- and make an assessment of whether there are, in fact, any additional records in there that were not in the original 201 file.

If we find that there are no additional records, our proposal would be, again, to have a staff memorandum saying, "We have reviewed the microfilm version of the 201 file, and we have not identified any additional records." And the board then would not need to, in a sense, re-review the entire set of records in a duplicate form once again.

Now, of course, there's always the possibility of marginalia or something that might be different. By our understanding, that's not a duplicate. And if there is

additional information, those should be reviewed and treated on a case-by-case basis.

The last point, you will be glad to know, is that for those documents where there may be a long and involved document, where only a very small portion of it pertains to the assassination -- that we can conceivably review that document, again, word by word for the portion related to the assassination; but in some instances, not review the remainder of the record.

Again, the staff and the board would presumably have a very broad notion of what an assassination record is, and what relevance is. But there are some things that just simply aren't related to the assassination.

So, my final recommendation is that the board deliberate on these issues, and make suggestions and offer guidance to the staff.

Thank you.

CHAIRMAN TUNHEIM: Thank you, Mr. Gunn.

Are there questions on the part of board members?

MS. NELSON: I have a question -- a clarification,

I guess it is. One of the reasons we feel -- and we've talked about that we feel this is such a big problem -- is that if we take the time to word-for-word look at the sequestered collection, then we won't have time for anything else. And that's been a -- The value of the collection, then, is the subject of a hearing, basically.

But most of these suggestions is taking a lot of staff time. And, so, shouldn't that be a -- Don't we have to consider that; how much of the staff time -- Once the staff gets involved in this, how much of that time is also going to be limited by the sheer amount of search for duplicates, that kind of thing?

MR. GUNN: I think that everybody associated with this process has come to have a much wiser understanding of how much time is involved in this process.

When I go back and read the hearings before Congress on how long this would take, and where people were describing this as a matter of two or three months, and does the board really need to be in existence for a year -- they are ludicrous. Not the people, the comments.

It's an extremely time-consuming process. We are

spending much more time doing things that we just simply hadn't anticipated. Just preparing the Federal Register is an extraordinarily time-consuming task. And this is a problem.

It's a problem, I think, in terms of the sequestered collection in two ways. Just to do the document-by-document review of the 300,000 pages is going to be time consuming. If we were to add to that the word-by-word review of the 300,000 pages, it is a task that cannot even remotely be completed within the next year.

MS. NELSON: Let alone anything else.

MR. GUNN: Let alone anything else.

MS. NELSON: So, that's really a big problem. Would you say, then, that among your recommendations may be -- I don't want to put words in your mouth -- may be that, as we proceed, we might find even more shortcuts on non-relevant material?

MR. GUNN: That might happen.

MS. NELSON: I mean, we're all making some assumptions here, but we don't want to miss anything, either, which is the basis of just about everything you've said. And that takes quite an amount of time. So, we may, in fact, end

up having to use that methodology.

CHAIRMAN TUNHEIM: Dr. Joyce?

DR. JOYCE: As a matter of clarification, Jeremy, at the outset of your remarks, I believe I understood you to say that in addition to the materials in the CIA sequestered material, there were additional CIA materials here.

Did I understand you correctly there?

MR. GUNN: Yes.

DR. JOYCE: And are those documents materially different from those found in the CIA? What can you tell us about the additional documents?

MR. GUNN: In terms of the HSCA records that have CIA equities in them, I think we can roughly divide them into three sorts of records.

The first one would be photocopies of records from the Agency. And those records -- there should be 100 percent duplication between those records, and the HSCA collection, and the Oswald 201, and the sequestered collection.

Knowing records the way they are, I assume that we will get some in one that are not in the other, just because

there are snafus. But, essentially, they should be duplicates.

The second form of records in the HSCA that have CIA equities are reports that were prepared by HSCA staff members, either notes -- the notes or reports. The Lopez Report being an example of a document with CIA equities; but, in fact, created in the HSCA -- by the HSCA and in the HSCA collection.

The final rough category would be the testimony that was taken by the House Select Committee staff of CIA officers.

And the testimony of Mr. Scelso is an example of that.

DR. JOYCE: But that's all part of the sequestered collection.

MR. GUNN: No. The sequestered collection are all records that we can say are now over at CIA offices, not on premises.

DR. JOYCE: I see.

MR. GUNN: The records that are on premises are from the House Select Committee on Assassinations. So, those are, in a sense, congressional records.

DR. JOYCE: Separate origins.

MR. GUNN: Separate origins, but same equities. And

often have overlapping issues.

DR. JOYCE: Thank you.

CHAIRMAN TUNHEIM: Questions?

MR. HALL: I have a couple questions. What is the chronological scope of the sequestered file?

MR. GUNN: The chronological scope?

MR. HALL: Scope. What are the chronological boundaries of the sequestered file?

MR. GUNN: I don't know. But what I will do is try and give you my understanding of this. I have seen records that go back to even the 1940s that would pertain to a CIA officer who may have been in OSS, for example. So, personnel records could go back to the 1940s.

The most recent records in there, in theory, would be from the time of the House Select Committee on Assassinations.

There may be some records that somehow got into that since that time that I don't know about.

MR. HALL: Okay. You've offered us a variety of possible ways of determining relevancy. And you've laid this out in terms of persons, in terms of geography, in terms of

chronology, to some extent.

I guess, part of the trick here is to understand how these variables fit together with one another. Not that they exist, but that they have some relationship.

I raise this question in the context of the legislation which speaks to the assassination and then also speaks to investigations of the assassination. And how would you counsel us on our responsibility about those two features of this particular piece of legislation?

And then I have another follow-up question from that.

MR. GUNN: I think that under the statute, the board has the ability to say that, in order for a document to be treated under the JFK Act, it has to have both a relevance to the assassination and has to have been collected by a government agency. So, those two criteria would be necessary. So, that is, to one extent, the scope of what the board could do.

To get where I think more appropriately your question -- or what more appropriately your question is addressing is, let's suppose, for example, that the HSCA hears an allegation about somebody who may have had an involvement

in the assassination, and the HSCA then requests a file.

Now, that certainly passes muster as having some relevance to the assassination; that it is an inquiry that is being made by a government agency to determine whether there is a connection to the assassination or not. So, it passes a certain kind of threshold test there.

And to the extent the record ends up providing valuable information, that certainly can be treated as a record that has a high relevance to the assassination.

If there is a negative result of that -- that is, the allegation is not confirmed -- that still has a certain kind of relevancy. It is not that it is totally and completely irrelevant, but it has less relevancy.

The way I suggest we address that issue is having, essentially, the staff address that in the review of the file.

To say that we have looked at this record with this concern in mind, and we do not find anything in here that would substantiate it. Thus, the concern would be addressed by a review to say this is, in a sense, not -- that the lead did not produce any results.

MR. HALL: I guess that goes to my next concern, and that is the nature. It may not be so much what we think of, in terms of relevance, because that would carry with it some point of reference, as it would the question of value.

And one of the pieces that we added to our legislation -- I'm sorry -- added to our definition of 1400.2 is this whole business of enriching and enhancing and broadening the historical record of the assassination.

And my concern here is that we put ourselves in the position of drawing a very tight nexus between the assassination and a conclusion that could be reached about how it was done, as opposed to taking a somewhat broader view in which we would say, "The HSCA thought it was important enough to go and ask for the materials, so why should we put ourselves in the position of second guessing them 20 years later about whether or not their guess was a credible one?"

MR. GUNN: There is still a problem there. I would suggest that it ought to be considered differently from a nexus -- I forget what term you used.

And I will use the example of records related to exile

groups with Castro and anti-Castro attempts. I personally do not know whether the anti-Castro groups had anything to do with the assassination or not.

My presumption -- I don't make my recommendation on whether those records should be reviewed by any belief that I have that they were involved or not involved in the assassination. To me, those records come closely enough within the assassination story that those records should be reviewed.

And I think we need to take a broad definition and even an elastic definition, but one that is not infinitely elastic, on things that have no bearing on the assassination at all.

MR. HALL: Right. The infinite elasticity of the historical imagination --

MR. GUNN: Yes, I know about that.

MR. HALL: -- is something to be reckoned with.

If I could change metaphors with you -- and on all of us -- I would like to, in so doing, go back to the question of how we take the various elements of what you see as relevance, and relate them.

It strikes me, it is more of a process of lining up holes. And the closer you come to lining up the holes, the greater that material carries with it a burden to be open and disclosed.

And if we think of it in that way, then, maybe it is perhaps our greatest task to keep in mind that relevance turns on value. Not value as to any particular theory, but value as it relates to enhancing this historical record.

And the closer we get to getting the holes lined up, the closer we are going to be able to say these should be part of this record and open.

I have enjoyed our repartee.

CHAIRMAN TUNHEIM: Any further questions?

MR. MARWELL: Jeremy, I think it would be useful to explain that records -- to address the question of records whose relevance is not immediately apparent and for which a summary memo has been prepared by the staff.

Those records will become a part of the collection at the National Archives, and open to the public in the year 2017 as other assassination records. Is there any other way

of handling those -- the ultimate disposition?

MR. GUNN: I think I would like to punt for the time being on that question. That raises other concerns of issues and topics. I do not have a firm opinion on that.

CHAIRMAN TUNHEIM: Is there anything further?

[No response.]

CHAIRMAN TUNHEIM: Thank you for your input. Do we have any other staff input at this point?

[No response.]

CHAIRMAN TUNHEIM: No. Thank you, Jeremy.

The board is going to hold the record open until September 15th on this issue, so we certainly would advise any written input -- written testimony that anyone would like to provide, to be given time to think about this issue.

We have set aside a brief amount of time for public comment today. There were three people who indicated their interest in providing some commentary to the board. There may be others that would like to provide brief commentary.

First, I would like to call on Jim Lesar, who has indicated an interest in providing some input. If you want

to come forward, Mr. Lesar?

MR. LESAR: Mr. Chairman, John Newman, who I believe is also on your list, has a 3:00 o'clock appointment over in Arlington. I wonder if he could replace me? I will follow him.

CHAIRMAN TUNHEIM: Certainly.

Mr. Newman, in the interest of time, since we hope to get back to reviewing some records this afternoon, we are limiting comments to five minutes or less.

MR. NEWMAN: It is good to see you all again. And I'm very happy at this point with what has taken place over the last two years. I have just one or two preliminary comments to react to things I heard, and then I will very quickly say something about the business of the day.

I happen to have been working in the FBI files that were just released, and was very happy to see new materials -- the fruits of your labor. I was unhappy to notice the Mannarino record of 1962 and '63 have failed to show up -- '64 and beyond and some earlier records.

So, I would just draw the board's attention to that,

and ask that you maybe take a look at that again. I think that that is an important part of the record. And if it has been released, I apologize for even bringing up the subject.

MR. MARWELL: Just to respond. The board has designated those sections of the Sam Mannarino file as assassination records. I don't think they have been fully reviewed, but they are in the pipeline. And they were not designated by the Agency initially, and I think we have since filled that gap.

MR. NEWMAN: Two other brief things. The Army materials that I brought to the attention of the board -- I did receive a phone call from the Army shortly after I contacted General Owens, and there was an indication then that three linear feet had been identified. And I urge that we at least check the status of these Army records and what, if anything, is being done about them.

Finally, certain FBI files clearly related to Lee Harvey Oswald, I still have yet to get an answer, either from the Archives -- not that they are responsible for this -- or from anybody else, including some of the staff members here

that have been looking into this, as to what the status of these files are.

I will mention that 479 was a file in Dallas that was not even included in the Warren Commission's list of file numbers.

If these materials are to be denied, that is fine. We need a formal -- We need to know that they are being denied, or what the status is. And I would be willing to provide a list of those numbers separately to save time today. But there are a good, healthy dozen such file numbers that contained Oswald information.

I think when we look back 10 years from now, that this -- if not this meeting, the idea of this meeting -- the subject is going to be crucial. We have reached the point where we are talking about what the House Select Committee did. It reached a conclusion very differently than the Warren Commission did.

So, I mention that, and also the fact that you are now heading into your third year. If I have been listening correctly today, it seems to me that there is nowhere near enough

time to do what needs to be done to get to this very, very important material that the HSCA was looking at and considering.

I find it difficult to react on the spot to what was said today, but I would endorse what Jeremy Gunn has proposed.

All those recommendations seem good.

I think from my perspective -- I find myself out of it now; but at one time, I did avail myself of every piece of paper in an attempt to write a book.

And my perspective, as a researcher, found everything to be a mess. It was really a mess. Notwithstanding all the fine work of the National Archives and the enormous amount of time that they have put in on this project, the numbering system needs a lot of work on these segregated files. Some of the early numbers are meaningless.

I encountered boxes in segregated files that had one RIF sheet for the entire box. We are talking about Mexico City cables and JFK cables going for a year or more. So, there is a lot of work that needs to be done in just accountability.

If I understood the CIA representatives today, and what Steve Tilley said today, and what Jeremy Gunn said today,

we have many duplicates. The question is, what is unique? What is unique to this part of the collection; what is unique to that part of the collection? And without accountability -- without a clear listing, it is going to be difficult to get to the bottom of this.

And it seems to me, if you run out of time, the most valuable thing you could have done is to at least establish what is there. And I will really not say anything more on that.

I don't want to take up your time, other than to say that unless you think that there is enough time to do the things that should be done, that the staff extension should be accomplished.

It is the people in this room who have brought you here, really. The research community did a lot of work before Oliver Stone's movie came out, and we will again take up the cudgels and do whatever is necessary with whoever is elected.

But we will need to start now, if we are going to have an amendment to extend the life of the board. And I would like to hear something -- if not today, then soon -- on what the thinking of the board is on this issue.

I am pleased with the work you have done. I think

it is important not just for this case, but it is a ray of hope in our otherwise fragile democracy.

Thank you.

CHAIRMAN TUNHEIM: Thank you, Mr. Newman.

Mr. Lesar?

MR. LESAR: Good afternoon, Mr. Chairman, members of the board. Jim Lesar, president of the Assassination Archives and Research Center.

I did prepare a statement, which I will submit. It is rather hastily done. It is not the kind of detailed legal analysis that will put you asleep, like Jeremy Gunn's.

But listening to Mr. Gunn, I have in my statement dealt with a couple of the hypotheticals that he used as examples. But I thought I would sort of summarize things here, and give a more off-the-cuff response to some of what has been said.

The problem the board confronts in determining what are assassination records is not unexpected. I'm reminded of the fact that the Warren Commission records include the dental records of Jack Ruby's grandmother. And as one Warren

Commission critic remarked, those would not have been relevant to the investigation of President Kennedy, even if Jack Ruby had been charged with biting Oswald to death.

But I am very concerned about the attempts to curtail the definition of assassination records. I have previously addressed the board on the question of the definition of assassination records, and basically treated documents that were requested as part of an official investigation as, by definition, assassination records. And I think that certainly fits within the part of this board's interpretive regulation which defines assassination records as one which "documents investigations or inquiries into the assassination."

There are also several problems that occur if you depart from that interpretation. One of which is that the purpose of this legislation -- one of them, certainly -- was to quell suspicions and distrust about the withholding of information. And the attempt to withhold records on the basis of some relevancy standard when nobody claims to be able to define what is relevant, in terms of who did what with respect to the assassination, it seems to me, presents inseparable

problems.

One of the sponsors of the legislation, Senator Boren, proclaimed that as a result of the JFK Act 99.99.99.99.9 percent of the records would be released. If we are going to begin to engage in second guessing as to what is relevant as to the reason why the House Select Committee or some other body requested the records, we are certainly going to come nowhere close to meeting that standard.

One of the examples that I have used in my statement, which parallels one given by Mr. Gunn, is that of a presidential briefing document -- parts of which refer to the Kennedy assassination, and other parts refer to other matters -- which the CIA considers to be still "sensitive". And the question is whether the entire record is an assassination record, or only the part of it that refers to the Kennedy assassination.

I think that, first of all, the statutory language refers to records. It does not refer to assassination information. That, to me, connotes an intent that the entire record would be considered, not just a part of it.

Secondly, even those parts which do not relate to

the Kennedy assassination or would not relate in terms of an investigation into the assassination for historical purposes -- which are far broader -- seem, to me, to relate.

For example, in the briefing paper. Where in the briefing paper does it bring up the Kennedy assassination? Is it item number 15, or is it item number 2?

And that may give you some indication of the thinking of the drafters of the memorandum as to the significance or relative importance of those items, vis-a-vis the Kennedy assassination. So, in that sense, it would certainly enrich the historical knowledge to consider the entire document to be an assassination record.

A second example, which I have treated in my statement, concerns a former CIA employee involved in many controversial operations over his career, ranging from Guatemala to the Bay of Pigs. And he is wrongly accused of being present in Dealey Plaza when the assassination was committed. He is also an associate of David Phillips. He is suspected by students of the assassination of having spread disinformation about the assassination.

The House Select Committee, investigating the charge that he was in Dealey Plaza, requested his personnel file. Is that entire personnel file an "assassination record", or only part of it?

Is the fact that he was cleared -- does that make it somehow less relevant to studiers of the assassination? I think the answer is, obviously, that it is important for historical purposes to be able to document charges just as carefully as more positive information.

I think also that we are dealing here with a most sage matter of information -- the term that the intelligence agencies have used for years to prevent the leakage of any information whatsoever. But now the tables have turned, and researchers need the most sage of information to determine relationships and associations over even an entire career.

Those things that are far in the background can have significance, in terms of historical understanding of an event or relationships and associations. So, I would lay out the case for considering those materials to be "assassination records".

That doesn't mean that the board doesn't have a very significant problem now, and I recognize that time is now critically important. But this board came into existence under some rather difficult circumstances. It took a very long time in forming. I think maybe as much as a year and a half to get started and up and running at full tilt. There were problems, as there always are with a new agency, in getting security clearance to deal with sensitive matters.

It seems to me that under those circumstances, it's a given fact that the conduct of this board is ultimately, in some sense, going to be viewed against the background of the attempts of prior government agencies to deal with this subject.

And a notable failure in those has been a criticism, which has been frequently made, that their efforts were curtailed by time deadlines. That was throughout the Warren Commission, and throughout the House Select Committee.

I think in view of that, I agree with Professor Newman that the board should ask Congress to extend its time by a year, a year and a half to two years.

The board has the power under the JFK Act to make

recommendations to Congress. And I think that it should simply say that the task has proved to be far more daunting than originally conceived by Congress or anyone else.

And that since the ultimate issue here is the confidence of the people that they are going to get, at long last, the full story, for that essential reason, the life of this body should be extended.

Thank you.

CHAIRMAN TUNHEIM: Thank you. Any questions?

MS. NELSON: For a moment, let's forget about an extension, which would be difficult in this Congress. Would you, Mr. Lesar, prefer that we examine the new file materials and not seek any other CIA or other documents?

MR. LESAR: No. Given that choice, I would prefer that the board give primary attention to drawing unidentified assassination records into the collection.

MS. NELSON: Thank you.

MR. LESAR: No. I would suggest there may be some other things that the board could do to deal with some of the problems it is confronting.

MS. NELSON: We recognize them. And I didn't mean that that was going to be an absolute choice. I was just interested in your input. You represent a large group of people.

MR. LESAR: I don't know if I speak for anyone other than me on that particular point, but that is my reaction. And I do suspect that most would agree with me.

CHAIRMAN TUNHEIM: Thank you, Mr. Lesar.

John Judge.

MR. JUDGE: I'm John Judge. I spell my last name, J-u-d-g-e. The same as Mr. Tunheim's new first name.

I'm glad to see all of you. I thank you for an opportunity to appear and make some comment on your upcoming work and process review. I know you're focused on these segregated documents at the time.

I would say, before attempting to provide you any guidelines -- and I garnered these from talking to members of our board and some other people in the research community, in large part -- I should make clear that the position of the Coalition on Political Assassinations and its member group

remains in favor of full release of all JFK assassination records.

And, thus, any suggestions toward priorities do not imply a consent of any more limited scope of release, nor do they indicate any lack of interest on our part in records that aren't prioritized.

So, we would recommend that the board extend its legal life and seek additional resources by act of Congress, if it could not complete this task before a full review and release of all such files is finished.

And Jim pointed out Senator Boren's quote about the 99.9 percent. And it's certainly our understanding, the original drafters of the Collection Act included language that demanded a "presumption of release" of all records relating to the assassination, and also crafted a very narrow set of categories that would suffice in any case to postpone any such release, even temporarily.

So, we feel that Congress did not expect more than a tiny portion of these documents kept secret for over 30 years to not be released.

The percent of documents postponed by board decisions to-date may already exceed that estimation, given all the nines that Jim mentioned, despite the bulk of records that have been sent for release. But, certainly, the number of records that have been requested for review and possible postponement seem to have exceeded one-tenth of one percent of the bulk, and have taxed your capabilities and resources for the short duration of your life.

And then also before suggesting how separate the wheat and the chaff, which is the reference you made in your memo, I'd like to extend the metaphor to suggest that the first task would be gathering more wheat; that that would be the priority at hand.

And while the process of review is important, the expansion of the universe of documents is paramount, it seems to me, in the intent of the law. In the time that remains for the board to act, a concerted effort should continue to be made to ensure full compliance by all the federal agencies, to seek cooperation from foreign governments, and to gather records from private individuals and contracting corporations as

envisioned by the law.

And documents that are not sought or retrieved by the end of October 1997 -- or whenever the effective end of the board's work will be -- will likely never be released to the public. Documents that are located now, even if they are eventually postponed, will eventually be released by 2017 at the latest. And, so, in our view, securing the maximum number of documents should be the first priority of the board's work.

We realize, also, that the ratio of wheat to chaff is hard to detect at the distance that we are put from these documents, and that the board is in a better position than we are to determine such priorities, since our choices are made sight unseen in some degree.

But we're concerned that the board considers sections of the House Select Committee materials as not relevant, since we're forced to conclude that any files sought by an official investigation would take on automatic relevance -- at least in relation to the investigation itself, if not the crime.

And we feel that our job is not to choose the proverbial shell that's most likely to harbor the pea, but to

work to turn over all the shells until the pea or its absence is discovered. And we have to rely on the board to reach that goal.

And our preference would be to establish a process whereby the records sent for review which cannot be decided upon by the board by the time it ends its work should fall under the "presumption of release" mandate of the law, and not under an unintended "presumption of postponement", solely because the agencies have requested that that be so.

And we would argue that the provisions for postponement serve the limited interests of the intelligence agencies, and that the broader and more compelling interest of public disclosure must rule the fate of these documents that are not reviewed by the board.

And the agencies that request such postponements do so in view of the final authority which rests with the board and/or the President. But have they also worked to provide the necessary resources and adequate time to complete the reviews they're requesting?

We would also recommend that a process of continuing

release and re-review of postponed documents be implemented as part of any plans for termination of the board's work, and that those guidelines should be binding on both federal agencies and the Archives. And we fear that a de facto postponement of files based on time constraints for review would occur, and that that goes against the intent of the Act.

So, with all that said, we would recommend the following possible priorities without, as I say, giving any sanction to postponement of unreviewed documents:

A chronological priority focused on documents that are dated in the pre-assassination period up to the completion of the Warren Commission investigation might bear fruit.

A priority on the microfilm materials which appear to have more content -- and I don't just mean volume there -- than the paper files from our reviews.

A priority on the files that are redacted primarily in the sections of the text or the originating parties of the document, as against those redacted solely for the purpose of concealing informant identities or codes.

A focus on documents that relate to Lee Harvey Oswald,

those who knew him or alleged to have had contact with him, organizations and members who allegedly had contact with him, or those people who claim to have a special knowledge of the crime, or were held as a suspect by the original investigators.

And within that set, then, to focus on documents that have been withheld or are currently requested for postponement on any but the narrowest standards laid out in the JFK Records Act. Such inappropriate withholding may be a key to the importance of the documents for researchers.

A search for missing files or unexplained empty folders in the collection, as well as files that relate to categories above that are obviously absent. Peter Dale Scott suggests, among these, files pertaining to Carlos Quieroga, Ed Scanlan Butler, and Ruby's contact, Mr. McWillie. Those are just samples.

A cognizance that FBI materials should not be overlooked in a focus on CIA records, especially those relating to any relationship between Oswald and the Bureau. I might also add military intelligence or other government agency files.

And, additionally, researchers have noted that many

unreleased House Select Committee executive session records, or testimony or depositions of various CIA officials, and any internal indexes of the segregated files should be prioritized.

Others have noted the presence and importance of files relating to Mexico City and to Cuba; however, the vast range of the topics covered in these files doesn't easily lend itself to any discrimination.

There is not a named file category in the current indices that doesn't generate at least some interest on the part of researchers and the public, although the ultimate worth of the contents of each file is impossible to determine at this time.

We're sure that our member group, Citizens for Truth About the Kennedy Assassination, would recommend a focus on the Garrison investigation files and on the suspects pointed to by that query -- in other words, Shaw, Ferrie, others in New Orleans -- if they haven't done so already.

But we are really at a loss to determine priorities based on what we have not seen, although some researchers would recommend the board prioritize a focus based on their particular

thesis about the assassination. And while there are a range of these, most of them focus on the involvement, individually or in combination, with elements of organized crime, anti-Castro Cubans, CIA and other domestic intelligence agencies, and the Pentagon.

And, finally, we do appreciate -- perhaps, more than others in the public or the government -- the daunting task faced by this board under the provisions of this Act. And we invite appropriate congressional oversight committees to review and recommend the additional resources or time that's necessary to meet that task and to provide additional leadership necessary to ensure full compliance by all government agencies, individuals, and foreign governments before this review board closes its doors.

We attempt to serve as a liaison between the research community and the board in these matters, and support the efforts and work of the board to-date in locating and releasing so much of the historical record that is due to the American people.

CHAIRMAN TUNHEIM: Thank you, Mr. Judge.

MR. JUDGE: Thanks.

CHAIRMAN TUNHEIM: Thank you. Appreciate your input.

We've got a few more minutes. Is there anyone else? Go ahead.

MR. LIVINGSTONE: Thank you, Judge Tunheim. My name is Harrison Livingstone. Just the way it sounds, L-i-v-i-n-g-s-t-o-n-e. I'll try to speak very directly.

Are you looking in the right places? What are your priorities? I'm not here to defend the CIA, but it seems to me that you've followed the rabbit down the rabbit hole -- the CIA rabbit hole.

And the immense expenditure of your efforts, and your energy, and the money, and time to go along that route and some of the other routes is so far off base. And it's going to represent another immense failure in this case.

You're not looking at the realities of this case. The primary efforts had to be with anything that would tell us anything about Bethesda Naval Hospital, military intelligence, the defense intelligence agency, the ONI, Army intelligence, and so on.

But I don't -- Except for what might lead to more information about the facts surrounding Bethesda Naval Hospital, I think that you're basically looking in all the wrong places. The emphasis on government records and CIA records, I think, is going to be a huge loss in all this.

My research -- and many other's -- tells me that where you have to be gathering documents and information is in Dallas.

Everything connected with the Dallas power structure. Everything connected to Linden Johnson, everything connected to his staff when he went to the White House. Everything connected with J. Edgar Hoover himself, his connections with Linden Johnson, with Frank Costello, with Marcello, and so on.

You have to -- you needed to make certain assumptions for the sake of argument about what kind of conspiracies there might have been in this case, and what does the evidence tell us about what conspiracy might be most fruitful, in terms of where to look for these documents. And you're not going to find any smoking guns in the CIA material.

You're being used by Canadian intelligence. You're being used by researchers with their own special agendas; that

they are now using the JFK case as a means of studying American intelligence methods, as a means of getting leverage on us in the international arena. There is every kind of agent in the Kennedy case. There is every kind of intelligence game being played in the Kennedy case.

As far as your sequestered collection, you need to find some way to deal with this in a rather quick fashion. I mean, there's been so many years of search.

And the CIA is everybody's whipping boy. They're taking the heat in this. And I think it was set up for that purpose. It was planned that way, because it's leading away from what happened at Bethesda Naval Hospital.

That night is the key to this case. The relationships of very powerful people in Dallas; what records are among their families; what records may exist, above all, with the Dallas police -- anything connected with the Dallas police. And you need to speak to the families to get whatever records they might have.

You had a whole lot of Dallas police that were dead by Christmas that year and the ensuing year. And why? And

this is where you needed to be looking.

I think that this is another example of the madness that we went through with the Warren Commission, with the Rockefeller Commission, with the intelligence -- Senator Schweiger's Committee and the House Committee. One example after another of going down that rabbit hole.

And in this case, what we're hearing all the time is CIA, CIA, CIA; Jim Garrison, Jim Garrison, Jim Garrison. It's preposterous. Nobody is looking -- The only way to really understand the case is, you have to really examine a lot of the actual physical evidence, and then that will tell you where to look in this case.

You're legally trained, Judge Tunheim. You're a judge. You must know something about criminal law. You must know something about detective work.

I've had to learn it. I do have a law degree. I know what kind of intelligence operations are at work in this case. I know how these commissions were co-opted. I know how the House Committee was co-opted.

The place was crawling with FBI, former FBI, CIA,

former CIA, military intelligence. The whole capital was just crawling with people as soon as that committee was set up, and enormous operations were run on it. And every other researcher that was in there was an agent representing some agenda -- some other purpose.

And my concern is, as I get your mailings every month about what you're pursuing -- is that you're just being drawn into an endless maze. That's a game. It's always been set up like this. And it's --

Nobody is really doing the nitty-gritty dirt work of research that we needed with subpoenas and with -- and so on. I think there are records. I think there are documents there. But I just don't think you're looking in the right place.

And I think that, you know, you need to find a way --

If the House Committee already had all those documents and some of them have been copied 43 times -- well, you've got to find some way to just get rid of this, you know, because there isn't going to be anything there. And I don't want to see you spending another dime on it, another energy. It's not fair to that agency, and it's not fair to this country, you

know.

And, secondly, what does anybody expect to find among that material? You know, I don't -- It's ridiculous to think that anything is going to be there. And it's great for -- You know, I write books. It's great for X number of people that want to write those kind of books. I don't. But I don't think it's fruitful.

That's all I have to say. Thank you.

CHAIRMAN TUNHEIM: Thank you, Mr. Livingstone. We didn't intend today to go into a lot of the other areas in which the board and its staff is pursuing its duties under the law to acquire additional materials.

Suffice it to say that there are a lot of areas that are being explored. But, certainly, it is an issue of priorities, and we appreciate your advice on that subject.

I think with that, I'm going to close the public testimony today, and then remind everyone that the record will remain open until September 15th. We invite anyone who wishes to provide advice to the board, input to the board in making its determination on this matter to please send materials to

the board offices here in Washington.

Just a couple of final matters. Dr. Joyce, can you tell us about San Diego?

DR. JOYCE: Thank you, Chairman Tunheim.

As one of our representatives nominated by four organizations sitting on this board, we have a session to report at the annual meeting of the Society of American Archivists in San Diego at the end of this month on the work of the board.

I will be joined by several board members at that session, where there will be some dialogue with archivists and an attempt to report our progress at that time to the archivist meeting.

CHAIRMAN TUNHEIM: The board is also planning another public hearing. We've not held a public hearing away from Washington since New Orleans in June of 1995.

And we're planning a public hearing in Los Angeles -- I believe it's September 17th; is that correct -- again, as a way to gather additional input from interested communities.

If there's no other business to come before the board

today, is there a motion to adjourn?

MS. NELSON: So move.

CHAIRMAN TUNHEIM: Is there a second?

MR. JOYCE: Second.

CHAIRMAN TUNHEIM: All in favor of adjournment please  
say aye.

[Chorus of ayes.]

CHAIRMAN TUNHEIM: Opposed?

[No response.]

CHAIRMAN TUNHEIM: Meeting is adjourned. Thank you  
all very much.

[Whereupon, at 3:02 p.m., the public meeting was  
adjourned.]

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