

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

THE UNITED STATES OF AMERICA,)
)
) Petitioner,)
)
) v.) Misc. No. _____
)
 HARRY F. CONNICK,)
)
) District Attorney for the)
) Parish of New Orleans,)
)
) Respondent.)
 _____)

DECLARATION OF THOMAS E. SAMOLUK

Background

1. My name is Thomas E. Samoluk. I am the Associate Director for Communications of the Assassination Records Review Board (Review Board). All of the following statements are based upon my personal knowledge.
2. The Review Board was created by The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) (as amended) (JFK Act). Under Section 4 of the JFK Act, the National Archives created the President Kennedy Assassination Records Collection at the National Archives (JFK Collection). The JFK Collection now includes records related to President Kennedy's assassination from Federal, state, and local agencies as well as private records deposited through deeds of gift. I have personally reviewed records from this collection at the National Archives. Pursuant to the JFK Act, the Review Board has been collecting Federal, state, and local government records, as well as private records, and ensuring that they are transferred to the JFK Collection at the National Archives.
3. One of my responsibilities at the Review Board is to review and evaluate the significance of non-Federal records related to the assassination of President Kennedy. In the course of my work, I review hundreds of documents for possible relevancy to the assassination. In addition, I personally contact persons who possess records related to the Kennedy assassination.

Garrison Investigation of the Assassination of President Kennedy

4. I have long been familiar with the fact that the late Jim Garrison, the former District Attorney of New Orleans, conducted a controversial investigation into the assassination of President Kennedy. During the course of that investigation, Mr. Garrison caused to be indicted Mr. Clay Shaw, a former New Orleans businessman.
5. In order to help fulfill its legislative mandate, the Review Board decided to hold a public hearing in New Orleans and to search for records related to the Garrison investigation of Clay Shaw and other records related to the assassination. In making the decision to seek records from the Garrison investigation, the Review Board sought neither to credit nor to repudiate the merits of that investigation.
6. In order to further the Review Board's work of collecting records, I was asked to travel to New Orleans and to speak with people familiar with the Garrison investigation and to solicit contributions of records to the JFK Collection at the National Archives. As a part of this effort I spoke to Mr. Lyon Garrison, son of the late Jim Garrison, and Ms. Cynthia Wegmann, the daughter of Mr. Clay Shaw's defense attorney. Both Mr. Garrison and Ms. Wegmann agreed to contribute their family papers related to the Shaw prosecution and trial to the JFK Collection at the Archives. Their records have now been processed by the Archives and soon will be available to the public.
7. In addition, I also spoke personally to current New Orleans District Attorney Harry F. Connick on three occasions (June 1, 1995, June 16, 1995, and June 27, 1995) and requested that Mr. Connick agree to donate the District Attorney's files from the Jim Garrison investigation of the assassination. Mr. Connick personally assured me on June 16 and June 27 that he would donate all of the Garrison files to the JFK Collection at the National Archives, with the exception of the Grand Jury records. Mr. Connick's assistant, Camille Buras, Esq., also personally assured me that Mr. Connick intended to donate the Garrison records to the National Archives.
8. In written and oral communications with Ms. Buras, I informed her that I had seen documentation suggesting that staff members from the House Select Committee on Assassinations (HSCA) previously had reviewed District Attorney Jim Garrison's five file drawers of records from the Shaw prosecution.
9. Mr. Connick and Ms. Buras provided me the opportunity to review five file drawers of records

relating to the Kennedy assassination and the Shaw prosecution. On June 27, 1995, I personally reviewed the five file drawers at the District Attorney's office in New Orleans and I compared the records to an HSCA staff inventory of five file drawers of Garrison records. (See Joseph P. Freeman Declaration, ¶¶ 5-7 and Exhibits B, C, D, and E attached thereto.) Although I did not attempt to verify that each entry on the HSCA inventory was identical to the documents in the five file drawers that I reviewed in 1995, the HSCA inventory appears to be a reasonably accurate and comprehensive listing of those records.

10. The five file drawers contain witness interviews, photographs, and audio tapes documenting Mr. Garrison's investigation of the assassination of President Kennedy and his indictment and prosecution of Clay Shaw for conspiracy to murder the President. By any reasonable standard, the five file drawers contain records relating to the assassination of President Kennedy.

Placing Assassination Records in the JFK Collection at the National Archives

11. One of the mechanisms available to the Review Board to assist it in forwarding non-Federal government assassination records to the National Archives is found in its regulations. The regulations outline a procedure for formally designating "assassination records." The regulation provides that:

(a) A Notice of Assassination Record Designation (NARD) shall be the mechanism for the Review Board to announce publicly its determination that a record or group of records meets the definition of assassination records. (b) Notice of all NARDs will be published in the Federal Register within 30 days of the decision to designate such records as assassination records. (c) In determining that a record or group of records meets the definition of assassination records, the Review Board must determine that the record or group of records will more likely than not enhance, enrich, and broaden the historical record of

the assassination.

36 C.F.R. § 1400.8.

12. Thus the Review Board, either before or after reviewing specific records, may formally designate records as "assassination records" to be included within the JFK Collection at the National Archives. Records so designated are identified by the Review Board in the *Federal Register*. After making such a designation, the Review Board instructs the Archivist of the United States to include the records in the JFK Collection.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 6, 1996.

Thomas E. Samoluk