

August 3, 1995

Mr. W. Ralph Basham
Assistant Director
Office of Administration
United States Secret Service
1800 G Street, N.W.
Washington, D.C. 20006

Re: Destruction of Records Related to Protection of President Kennedy

Dear Mr. Basham:

Your letter of July 31, 1995, (with enclosures) raises very serious concerns about the adequacy of Secret Service review procedures under the terms of the The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. Sec. 2107 (JFK Act).

In order to document the extent to which the Secret Service established appropriate guidelines for reviewing material in accession 87-75-0004-- especially Box 1 and Box 6--after the passage of the JFK Act of 1992, I am requesting the following information:

1. The names and titles of *all* Secret Service personnel (and others outside the Secret Service) who examined Boxes 1 and 6 of Accession number 87-75-0004 in January, 1994, and concurred with the decision to destroy these records.

2. *All* notes, memoranda, reports and/or written documentation created by individuals who participated in the decision to destroy materials in accession 87-75-0004 in January, 1994. (There is no need to duplicate materials enclosed with your July 31, 1995, letter.)

We ask that the material listed in items #1 and #2 be provided to the Review Board staff no later than noon on Tuesday, August 8, 1995.

3. Written documentation of Secret Service procedures for access to and removal of Secret

Service materials described in 135 forms and housed at the Washington National Records Center. With regard to File 602.111 "Other Places Folder #6-July-Nov. 1963," your letter states that you do "not know the present whereabouts of the folder." Describe how files could be removed without any record of who took them. Offer a professional explanation of your search for this file and include appropriate documentation of your efforts to discover its whereabouts.(DAVID AND JEREMY: SHOULD WE ASK FOR AN AFFIDAVIT INSTEAD OF THIS? I NOTE THAT PHIL REQUESTS AN AFFIDAVIT FROM THE FBI IF HE ASKS FOR A SOURCE FILE BUT DOES NOT RECEIVE IT AFTER THE FBI HAS LOOKED FOR IT.)

The National Archives and Records Administration Accession Number Master List (01), page 2007, indicates that materials pertaining to the protection of President Lyndon B. Johnson were destroyed in January, 1995. According to the "01" list, Boxes 3, 4, 5, 6, 8, and 9 of Accession number 87-75-5--which included materials on Andrews Air Force Base for 1963--were disposed of presumably by your decision. In order to ascertain the circumstances surrounding the destruction of these records and to assure the preservation of the records that have survived, we request that you take the following actions:

1. Instruct the appropriate Secret Service officials to provide the Assassination Records Review Board *all* documentation related to boxes 3, 4, 5, 6, 8, and 9 of the above referenced Accession (including, but not limited to, the Secret Service's copy of the Form 135; any revisions or amendments made to the 135; any destruction orders; any retention schedules or revisions of retention schedules that would relate in any way to the six boxes; any requests to have the records transferred to the Secret Service for review; any other documentation, memoranda, e-mail or fax messages that relate to the boxes; and any memoranda discussing the basis for changing the retention schedule.)

2. Provide the Review Board with the names and titles of *all* Secret Service personnel (and others outside the Secret Service) who examined Boxes 3, 4, 5, 6, 8, and 9 of Accession number 87-75-5 and concurred with the decision to destroy these records. Provide the date on which these materials were reviewed. Provide the date on which these materials were destroyed.

3. Provide the complete National Archives and Records Administration Number Master List (01) of all Secret Service holdings at the Washington National Records Center.

4. Provide accurate, legible copies of all 135 Forms for Secret Service materials held at the Washington National Records Center.

5. Provide accurate, legible copies of *all* Secret Service *inventories* of records for the period January 1960-January 1969.

We ask that this material (listed in items #1-#5) be provided to the Review Board staff no later than noon on Friday, August 11, 1995.

We appreciate your stated assurance that the United States Secret Service takes seriously the requirements of the JFK Act. To that end, we specifically request that you assure us that **no** Secret Service records related to President Kennedy or to his assassination or records related to Vice President, then President, Johnson be destroyed **until** the Review Board has received prior written notice and has had an opportunity to inspect the records.

Your letter includes several misstatements that require clarification. For example, on page 2 you state that you have arranged several trips to your off-site facility for Dr. Zimmerman. In fact, Dr. Zimmerman has visited Centre Pointe twice--once for two and one-half hours and a second time for six hours. None of the materials Dr. Zimmerman requested be photocopied during these visits has been provided by the Secret Service. Nor have any requested copies of records inventories been provided. Moreover, your letter states, "We also arranged an interview with the Service's archivist, who provided several documents for [Dr. Zimmerman's] review." Dr. Zimmerman initiated contact with Mike Sampson and briefly glanced at several materials clearly qualifying as assassination records. Again, no copies of this material have been provided, and the Secret Service has offered no evidence that any of the materials in the Archives at 1800 G Street are even under review. No inventory of materials in the Archives has been provided to the Review Board. The day after Dr. Zimmerman's visit to the Archives John Machado called Jeremy Gunn to complain about our "shotgun approach" as though he had no idea Dr. Zimmerman had arranged to visit the Archives: this, in spite of Dr. Gunn's call to John Machado to obtain Mike Sampson's telephone number. The existence in the Archives of two boxes marked "John F. Kennedy Assassination"-- not to mention significant materials at Suitland and Centre Pointe-- certainly belies your oft-repeated claim that the Secret Service has finished its search for and review of assassination records. Quite the contrary.

Finally, your statement (pp. 2-3) regarding the context of Dr. Zimmerman's request for a copy of the "01" list, to wit: "The need for a FOIA request was never discussed" is remarkable, to say the least. Ann Parker clearly refused to provide the list, which showed the date of destruction of Accession 87-75-4, and she clearly stated that Dr. Zimmerman should file a FOIA request. Once again, we request that you instruct all Secret Service officials to cooperate fully, completely, and truthfully with the Assassination Records Review Board. We also request that you review the JFK Act with all Secret Service officials responsible for locating and reviewing Secret Service records. Such a review should clarify your obligations under the statute--obligations that are as yet not fulfilled.

We appreciate your assurance of assistance to the Assassination Records Review Board. We trust that you are willing to act promptly to remedy issues identified in this letter. If you have any questions, please contact the Review Board's Executive Director, David G. Marwell, at 202-724-0088.

Sincerely yours,

John R. Tunheim
Chair

cc: Mr. Eljay B. Bowron
Director
United States Secret Service

Mr. John Kelleher
Chief Counsel
United States Secret Service

Mr. John Machado, Chief
Policy Analysis and Records Systems
United States Secret Service