

Response to Vezeris letter of April 1, 1996:

First paragraph

Vezeris claims that the ARRB "Report does not contain an accurate reflection of what has transpired."

In fact, every statement in the ARRB Report is accurate. If anything, the Report's brevity necessarily understates the Secret Service's delinquency in complying with the JFK Act. Unfortunately, the Vezeris letter contains a number of misstatements requiring clarification. Since Vezeris's letter is not only misguided but also self-contradictory, it invites a more detailed accounting of the Secret Service's activities in responding to the requirements of the Act.

On the first page of the letter, she(Vezeris)/he (Machado) states that, yes, the Secret Service turned over its investigative file to NARA in 1979. The writer repeats this point again on page 2 in a special "NOTE." That the Secret Service implies that it has fulfilled its obligations under the JFK Act is suggested by the writer's repeated reference to this collection at NARA. Even in response to our most recent requests for material, the Secret Service continues to repeat this mantra. The author refers us to his July 31, 1995 letter where the same time line appears. Curiously, the "NOTE" is followed by the statement about turning over the official case file, which, in turn, is followed by this sentence: "This accounts for the paucity of any remaining, original material concerning the JFK Assassination currently in Service custody."

In this letter the Secret Service has simply served up stale material from the July 31, 1995 letter, which was prompted by our pointing out the destruction of records, and whose many errors we corrected in our letters of August-- and --, 1995. That the Secret Service would offer up this treacle again speaks volumes about the sorry state of the competence and management of that agency. Like a poorly behaved child, the Secret Service will not sit up straight and take responsibility for both past deeds and future performance. The Secret Service can object all it wants to the "inference" that "something underhanded happened." It is not an inference. It is an implication that can now be confirmed. There are no valid excuses for the destruction of records related to the Kennedy assassination.

Rehashing the contents of your July 31, 1995 letter is not only a worthless exercise . It is beside the point. Note that Vezeris/Machado does not list the documents discovered by the Secret Service for Board review or transfer to the National Archives. Where's the beef? Some shift reports. Not much to show for all the bluster. The Secret Service offers its wounded feelings as a substitute for complying with the law. This is simply not good enough. The low standards the Secret Service allows for itself are unacceptable to the American people, who have every reason to assume that the Secret Service now has something to hide.

The timeline of Secret Service activities on page 2 contains a long gap from August 1993, to February 1995. On page 3, we discover what the Secret Service--and John Machado in particular--were doing

in the months in between these two dates. Page 3 contains such stunning confessions of incompetence-- not to mention dissimulation-- that a close reading will yield for the careful observer evidence "that something underhanded occurred."

First, consider the self-contradictions that lead to the conclusion that this letter documents either incompetence or venality--there is no other choice. On the first page of the letter, Vezeris (Machado) begins his/her timeline with the following: "In December 1992, NARA convenes a meeting of all agency records officers to establish procedures for collecting JFK `assassination records', [sic] and to give guidance on searching for relevant documents." Having received this guidance from the National Archives on compliance with the JFK Act, the records officer who attended this session, John Machado, subsequently reviewed Secret Service Protective Reports for President Kennedy in the 1961-1963 period, and together with National Archives personnel, set these records on a schedule for destruction. Impossible as this seems, these protective surveys should have been saved for two additional reasons unrelated even to the JFK Act. One is that these records had been **scheduled for permanent retention** in 1974. Twenty years ago, archivists and Secret Service representatives understood the significance of records highly relevant to the protection of President Kennedy. Second, according to the Secret Service's own guidelines, protective reports should be saved for future reference and security planning. In short, the rescheduling of these particular records for destruction raises serious questions about the institutional competence of the Secret Service to maintain its own records. That records already scheduled for permanent retention and eventual transfer to the National Archives were **actively singled out for destruction** in 1994 clearly suggests wrongdoing.

Further evidence of the levels of incompetence at the Secret Service lies in the letter writer's assertion that "At the time of destruction, Secret Service and National Archives personnel involved in that process had no reason to believe that this material [the protective surveys] was reviewed by the HSCA, and therefore considered by the ARRB to be an `assassination record'." [sic] In August 1993, the National Archives forwarded HSCA documents to the Secret Service, which was supposed to recommend postponements on documents in which the Secret Service had equities. On page 2, Machado mistakenly assumed that the Secret Service owns these documents. The Secret Service had equities in documents *owned by Congress*. NARA invited the Secret Service to review them. That the ownership of these records is in dispute even at this late date in the John Machado's mind is further testimony to his incompetence. That aside, if the Secret Service had undertaken a timely review of HSCA records, someone in the liaison office might have noticed that a report by HSCA researcher, Eileen Dinneen, was based exclusively on the now destroyed records. Since the Secret Service did not undertake to review these documents until *after* August 15, 1995, the records officer was apparently blissfully unaware of their special status under the JFK Act.

More. The letter writer admits to his deepening confusion by announcing that only after the ARRB had defined "assassination record" could he tell that the protective surveys qualified. Congressional intent is clearly stated in the statute: All records reviewed by the HSCA, the Warren Commission, the Church Committee, and the Pike Committee are by definition "assassination records." Congress made that point clear in October 1992. The records officer at the Secret Service is alone in his

misunderstanding--or inability to read the law. That he needed the ARRB to point out this portion of the JFK Act to him indicates his failure to consult Secret Service counsel if he felt confused. Even worse, however, is the prospect that the records officer at the Secret Service did not even know that he bore the responsibility to stop the destruction of these records because to destroy them would be a clear violation of federal law.

Regardless of the legal implications of the records officer's behavior, this episode and his continuing effort to misconstrue this event raise serious doubts about whether this individual should be given the authority to handle government documents. This event suggests that Secret Service records are too important to be left to persons with superficial training in "management" or archival work who lack a substantial grounding in American history. Any thoughtful American would find the destruction of federal records repulsive. At the very least, the destruction of these records should invite a thorough investigation and a rigorous re-evaluation of the safeguards in the Secret Service system of records management. Such wanton disregard for the interest of the American people in these records combined with a total lack of any sense of the historical significance of Secret Service records should add up to dismissal for the individuals responsible for the destruction.

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