

Phil and I met with Bruce Miller of the Customs Service this morning at 9:00 a.m.

Miller is our new point of contact at Customs for the JFK Act. He transferred from the Dallas field office 10 days ago. He works for Brian London and Gloria Marshall. Review Board liaison is his primary task at this time.

No Autonomous Investigation

Miller explained that Customs never did an autonomous investigation of the assassination. Customs did support FBI, CIA, and other investigations when those agencies needed information. Therefore, he believes that Customs did not have a "JFK assassination" file as such.

Filing System

According to Miller, Customs is going to have some difficulty locating documents from the 1950s and 1960s. He explained that before 1971, Customs did not have central files. In 1971, Customs began to use the Treasury Enforcement Computer Systems Tex (?) I, in which it kept track of some investigative files for ongoing litigation. Then, in 1978 or 1979, Customs began to use the Treasury Enforcement Computer Systems Tex (?) II, in which it maintains a more detailed system of records. Both HQ and field offices use the computer system. However, field offices maintain their own paper files.

The Customs Service is compartmentalized into a number of different Divisions. Each Division at HQ maintains its own paper files, and although all Divisions and field offices use the same computer system, no one Division (even the Commissioner) has access to the computerized file of the other Divisions.

History of Customs Files

In 1975, Customs HQ moved to its present location. Miller explained that, during the move, most Customs files were stuffed into unlabeled boxes and shipped off to a Federal Records Center (then in Virginia). The FRC apparently labeled many of these boxes "General Files" without even noting the Division of Customs where the files originated or the date that the files were accessioned to the FRC. (The 135 forms ARRB staff gathered from Suitland support Miller's explanation - most of the descriptions say "General Files.") Further complicating matters, the FRC then moved from Virginia to Suitland.

Miller called the FRC at Suitland this week and asked if he could go there in jeans and just start reviewing boxes from the relevant time period. The Suitland people told him that they did not even know where to locate such boxes -- "U.S. Customs Service, General Files." Miller indicated that the FRC may have acres of boxes labeled in this manner.

Given the compartmentalization of the various Divisions within Customs, Miller agreed that we could safely assume that when Customs moved in 1975, the files that went to the Virginia FRC were segregated by Division. He added that this does NOT mean that the files are *still* segregated by Division at Suitland. In any case, the 135s do not indicate the originating Division of the boxes.

Destruction/Retention Schedules

Miller told us that, before the 1980s, Customs did not have its own records destruction/retention schedules. Rather, Customs used GAO policies in effect at the time. In the 1980s, Customs adopted their own schedules. Miller gave us a copy of the current policy, which states in part that Customs should destroy all documents over 20 years old. The current policy applies to HQ files and to field office files.

However, he also told us that files older than 20 years old may still exist for the following reasons: (1) some boxes of records transferred to the FRCs do not have dates on them and so the FRC people may not have known to destroy them, and (2) the field offices do not always follow the document destruction/retention schedules, as evidenced by the fact that Customs recently discovered files in the Galveston, TX, field office, dating back to the 1880s.

HSCA

Given that Customs will have a difficult time locating pre-1975 documents, Phil and I talked to Miller about trying to locate HSCA liaison documents. I gave Miller copies of the HSCA/Customs correspondence

that we have in our files so that he could use it as a starting point for locating additional records. Miller is happy to have leads and promised to check for HSCA information.

Retired Employees

Miller has already contacted several retired Customs employees to determine if they remember anything about Customs activities and Customs files during the relevant time period. His contacts did not produce any fruitful information. He is eager to learn the names of any other Customs officials who he might contact in order to learn where files might be located. Miller promised to talk to active and retired employees from field offices in Miami, Dallas, and New Orleans, to determine whether anyone remembers anything useful.

Referrals/General Position of Customs Service on JFK Act

Miller told us that the FBI and CIA sent Customs a number of documents on referral. Miller explained that Customs has reviewed the files and will send the files back to the FBI and CIA for release in full.

Miller said that Customs does not anticipate that it will request any postponements under the JFK Act for any records that it finds. He said that any agent who would have been working during the relevant time period would not be working for Customs now and that Customs had no problem releasing the names of agents who shared information with other agencies. He also said that Customs does not anticipate that it will find records that would contain sources or methods that Customs would want to postpone.

Miller stressed that Customs hopes to find as many records as possible and that they intend to release in full any records that they find. He invited us to call him with any additional information that might give him a lead on where to find more records.

Information/Books from Customs

Miller loaned the ARRB three items from the Customs Law Library, including The U.S. Customs Service: A Bicentennial History, United States Customs Service: Mission and Organization, and The U.S. Customs Service: History, Reorganization, and Congressional Jurisdiction. He also gave me agency organizational charts from the early 1960s and 1964.