

DRAFT -- 3/8/95

Chairman John R. Tunnheim called the meeting of the Assassination Records Review Board ("Review Board") to order in its offices at 600 E Street, N.W., Washington, D.C., at approximately 10:00 am on March 6, 1995. In addition to Chairman Tunnheim, Review Board members Anna K. Nelson, Kermit L. Hall, and William L. Joyce were in attendance. Also in attendance were Executive Director David Marwell, General Counsel Sheryl Walter, staff members Jeremy Gunn, Tom Samoluk, Tracy Shycoff, and Philip Golrick, and Steven Tilley of the National Archives and Records Administration (NARA).

I. RECORD OF MEETINGS

Dr. Marwell advised the Review Board that, since its last meeting,

staff members had purchased and installed in the conference room equipment for audiotaping Review Board meetings. Review Board members then discussed what method or methods of recording its meetings would most efficiently and effectively fulfill the Review Board's statutory obligations, as well as its commitment to document its decisions for the historical record. Review Board members unanimously expressed agreement that their final decisionmaking as to postponements sought by agencies should be audiotaped. As for the instant meeting (during which no postponement decisions would be made), the Review Board members unanimously agreed without a formal vote to audiotape their discussions, whereupon Dr. Marwell turned on the taping equipment.

II. STAFFING ISSUES

Dr. Marwell and Dr. Gunn briefed the Review Board on the hiring and

assignment of staff members. A two-page description of recent hires was distributed to the Review Board, and is attached hereto as Exhibit A. Dr. Marwell updated the Review Board on the procedures for issuing security clearances to staff members. He explained that the Review Board and the U.S. Department of Justice ("DOJ") had entered into a memorandum of understanding whereby, on a no-cost basis, DOJ will review the results of background investigations of staff members and provide written guidance as to whether DOJ would issue clearances for its own employees under the same circumstances. Dr. Joyce requested that the staff prepare and distribute to Review Board members a complete listing of staff members and a staff organizational chart.

III. REVIEW BOARD MEETING IN BOSTON

Dr. Marwell briefed the Review Board on its proposed schedule for its

next meetings, in Boston, Massachusetts, on March 23 and March 24, 1995. On the morning of March 23, the Review Board will meet with representatives of the John F. Kennedy Presidential Library ("Kennedy Library"), and will tour the Kennedy Library's facilities. During the afternoon of March 23, the Review Board will review records from the Kennedy Library's holdings. Mr. Samoluk explained that a public meeting of the Review Board will convene at 10:00 am on March 24 in the Massachusetts State House in Boston. At this meeting, Richard Trask [sp?], Philip Melanson [sp?], Richard Russell, Priscilla McMillan, and Carl Oglesby [sp?] are scheduled to appear before the Review Board.

Dr. Marwell and Mr. Tilley reported on their recent meeting with representatives of the Kennedy Library. Dr. Marwell stated that the Review Board staff would prepare and distribute to Review Board members briefing materials on issues relating to presidential libraries generally, and

the holdings of the Kennedy Library in particular, in advance of the March 23 meeting.

IV. CIA BRIEFING

At approximately 11:30 am, the Review Board received a classified briefing from representatives of the Central Intelligence Agency ("CIA").

The general subject-matter of this briefing and the CIA personnel in attendance are set out in Attachment B hereto, which was distributed to Review Board members prior to the briefing. Mr. Golrick and Mr. Tilley did not attend this briefing.

V. NATIONAL PERFORMANCE REVIEW

After a lunch break, Chairman Tunnheim called the afternoon session

of the meeting to order at approximately 1:30 pm. Each of the individuals listed in page 1 above were in attendance. In addition, Mary Roman of NARA was present.

Dr. Marwell stated that, on March 2, he submitted on behalf of the Review Board a response to inquiries from the National Performance Review task force regarding the effect of a hypothetical termination of the Review Board, and alternative ways of structuring the Review Board. Dr. Marwell explained that each federal agency within the executive branch was asked to respond to identical inquiries.

VI. COMMENTS ON INTERPRETIVE REGULATIONS

Ms. Walter briefly summarized the present status of the public-comment process regarding the Review Board's proposed interpretive

regulations published in the Federal Register on February 8, 1995. The comment period will end at 5:00 pm on March 10. To date, approximately twelve comments had been received. Most of the commenters have been private citizens, although the FBI has submitted comments and the CIA and NARA have stated that they intend to do so. Additionally, the Review Board will hear from several commenters in person at its public meeting on March 7.

VII. DISCUSSION OF PRIVACY ISSUES

Dr. Marwell stated his hope that the briefing materials distributed to Review Board members in advance of the meeting would facilitate discussion of personal-privacy issues arising under the postponement provisions of Section 6(3) of the President John F. Kennedy Assassination Records Collection Act ("the Act"). He distributed a Personal

Privacy Matrix as a further aid to this discussion. (A copy of this document is Attachment C hereto.)

Ms. Walter then briefly summarized her memorandum on privacy issues, which Review Board members had received in advance of the meeting as part of the briefing materials. This memorandum identified several types of information potentially implicating privacy concerns and reviewed how government agencies and archivists handle such information in various contexts.

Ms. Walter and Review Board members then discussed the general application of Section 6(3) of the Act. The discussion proceeded to consideration of privacy issues presented in eighteen documents as to which agencies have sought postponement of particular information under Section 6(3), and comparison of these documents with six documents that,

although released in full, contain similarly sensitive information. The Review Board made no decisions as to these proposed postponements and no vote was taken.

After the conclusion of this discussion, the meeting was adjourned for the day.

VIII. MORNING SESSION, MARCH 7

Staff members who had recently joined the Review Board were introduced to the Review Board members. Chairman Tunnheim, Dr. Nelson, Dr. Joyce, and Dr. Hall each briefly addressed the staff about their professional backgrounds and the mission of the Review Board.

The Review Board then received a classified briefing from

representatives of the National Security Agency ("NSA"). Chairman Tunnheim, Dr. Nelson, Dr. Joyce, Dr. Hall, Dr. Marwell, Dr. Gunn, Ms. Walter, Mr. Samoluk, and Ms. Shycoff attended this briefing. Prior to this briefing, the Review Board received copies of an NSA briefing paper prepared by Review Board staff. (A copy of this paper is Attachment D hereto.)

IX. AFTERNOON SESSION, MARCH 7

Chairman Tunnheim called to order a public meeting of the Review Board in the Fifth Floor Theater of the National Archives and Records Administration Building, 7th Street and Pennsylvania Avenue, N.W., Washington, D.C., at approximately 1:30 pm. Each of the Review Board members -- Chairman Tunnheim, Dr. Graff, Dr. Hall, Dr. Joyce, and Dr.

Nelson -- were in attendance. A verbatim transcript of this meeting will be made available in the Public Reading Room of the Review Board.

After adjournment of the public meeting, the Review Board, Dr. Gunn, and Ms. Walter had a brief, informal meeting with Secret Service Director Eljay Bowron and other Secret Service personnel. Before this meeting, the Review Board members received copies of a briefing paper on the Secret Service prepared by Review Board staff. (A copy of this paper is Attachment E hereto.)