

January 25, 1996

The Assassination Records Review Board: In Full Swing For Year Two

by

John R. Tunheim

Chair

Assassination Records Review Board

Introduction

The last time I communicated with the research community on behalf of the Review Board through Open Secrets, I said that the Board had carefully set the state for the review and release of assassination records. I am proud, as has been regularly reported in Open Secrets during the last several months, that the Board has been voting on and releasing records held by federal agencies. The release of records has been greeted with great excitement by researchers who now see additional pieces of the assassination puzzle falling into place.

Review of Federal Records

Since June 1995, the Review Board has been meeting regularly in Washington, D.C. for the purpose of reviewing assassination records held by federal agencies, primarily the CIA and the FBI. The Board's first vote on to open a CIA document was a quietly historic moment. For the first time in our history, a group of private citizens, representing the American public, told the federal government that previously secret information had to be made public. Hopefully, that one vote in June 1995 will prove to have been the first step towards greater openness in government and more citizen participation.

As the Review Board considered documents during the last several months, we have dealt with many difficult issues related to informants, intelligence sources and methods, and privacy. Many of the decisions made on these documents are relevant to thousands of other documents yet to be reviewed and will expedite their release. The vast majority of redactions reviewed to date have been opened up by the Review Board. When the Board has voted to keep a record closed, consistent with our obligations under the JFK Act, substitute language has been provided to explain as much as possible about the actual text of the closed information. As 1995 came to a close, the Review Board had opened up in full or in part nearly 1,000 documents previously not available to the American public.

Records Release Highlights

The Review Board has opened up many records which have proven to be of great interest to researchers. The following records are some of the ones which have garnered a lot of attention:

CIA record number: 104010004-10199

Released September 20, 1995

The Review Board postponed the release of part of the text of this document because "it discusses sources and methods that properly may be withheld under the JFK Act." However, the Review Board exercised authority granted under the Act to provide substitute language which revealed that "the redacted information references 'the 1 October intercept on Lee Oswald' and the possible existence of another copy of that 'intercept' that was discovered after the assassination. The redacted information contains no other substantive information about the assassination of President Kennedy of about Lee Harvey Oswald."

FBI record number: 124-10070-10354

Released October 19, 1995

The Review Board opened up text contained in this November 26, 1963 FBI memorandum which discusses information provided to an informant by Mary Ann McCall, the hostess of a Dallas social club. In the document, she is characterized as a "fixer and pay off contact between Dallas police and criminal element." Prior to the Review Board's release of the document, her name and the phrase "between Dallas police and criminal element" were redacted.

FBI record number: 124-10027-10044

Released December 20, 1995

The Review Board released in full this November 30, 1963 FBI memorandum which dealt with Homer Echevarria, an anti-Castro Cuban from Chicago, who was the focus of the Secret Service's attention as part of their assassination investigation. The Secret Service and later the House Select Committee on Assassinations believed that the FBI was wrong not to have pursued this lead. The Review Board opened up for the first time a previously redacted sentence in the document which revealed that Homer Echevarria's father, Ebelia, was an FBI informant.

**FBI record numbers: 124-10023-10234, 124-10023-10235, 124-10023-10236,
124-10023-10237, 124-10023-10238**

Released December 28, 1995

The Review Board released five FBI documents relating to the FBI's investigation of Lee Harvey Oswald while he was in the Soviet Union in 1960 and 1961. These documents were heavily redacted prior to the Board's release because they contained information provided to the FBI by the Swiss Government. They were also part of a group of 15 documents that the FBI originally sought to keep closed. The dispute with the FBI is detailed below.

Disputed FBI Documents

The Review Board was pleased to have succeeded in releasing a group of 15 documents (including duplicates) on which the FBI had appealed to the President in July 1995. The Board had originally voted in July to open the documents in full. After the appeal, the Board approached the Swiss Government through diplomatic channels to seek a waiver of any remaining Swiss interest in five of the documents. The Swiss Government advised the Review Board that it had no objection to the release of the documents, if the names of Swiss citizens were redacted. In December, the Board voted again to release the documents, except for the name of a Swiss citizen which appeared twice in the documents. The FBI did not oppose the release of the documents after approval had come from the Swiss officials.

The ten other FBI documents which the Review Board had originally voted to release in full in July and on which the FBI appealed to the President, were released by the Board in October 1995. After receiving additional information from the FBI, the Board voted to open the documents, except for the numerical portion of informant symbol numbers. The FBI did not object to this decision.

We believe that the Board acted aggressively and appropriately in dealing with these documents. In the end, the JFK Act worked and the result was that the Board made additional information from the Kennedy assassination files of the federal government available to the American public.

Records Review Preview of 1996

We expect that 1996 will be a critical and busy year for the Review Board. There are thousands of records which need to be reviewed. Records held by other federal agencies, beyond the CIA and the FBI, will be the subject of increased attention during this year. Our review of records will be made easier by the careful planning and start-up phase in which the Board was engaged during the past year.

Beyond the Review of Records

In addition to the review of federal assassination records, the Review Board and staff have been busy on other fronts. As many of you are aware, the JFK Act gives the Board the mandate to go beyond the review of assassination records held by federal agencies and seek records held by state or local governments, or private persons that are not already in the JFK Collection. Some of the activities described below are part of efforts to make the Collection as complete as possible.

New Orleans and the Garrison Records

Our focus on New Orleans and the Garrison investigation into the assassination of President Kennedy resulted in the acquisition of records from the Garrison family and the family of Edward Wegmann, one of the members of Clay Shaw's defense team. These records are being processed and will be

available to researchers in early 1996.

New Orleans District Attorney Harry Connick had testified to the Board that he would donate to the JFK Collection the remaining Garrison files in his office. However, after the Review Board received an unsolicited delivery of grand jury transcripts from the Garrison investigation and refused Connick's demand to return them, the District Attorney has balked at turning over any records. The grand jury records have not been processed yet and are not part of the JFK Collection yet. The Board wants to ensure that the legal status of the records is clear before anything is done with them. We still hope to resolve this matter without getting into protracted litigation.

Richard Case Nagell

The Review Board had hoped to interview Richard Case Nagell, an individual whose name is familiar to many researchers and has been associated by some with the Kennedy assassination story. Unfortunately, Nagell died last November, before we were able to make contact with him. However, the Review Board did act quickly to establish contact with his family and issue a subpoena for any records which he may have possessed that were relevant to the assassination. As many of you are aware, Nagell allegedly possessed records that if in existence would have been important to the historical record. A Review Board staff person reviewed Nagell's possessions with members of the family. No records, photographs, tapes or other materials relevant to the assassination which Mr. Nagell reportedly possessed were found. The Board appreciates the cooperation it received from Nagell's family and they have pledged continued cooperation if there are any developments in the future.

Special Initiative: Original Films and Photographs

In November 1995, the Review Board announced that we were interested in acquiring for the JFK Collection original films and photographs, as well as other records, relevant to the events surrounding the actual assassination on November 22, 1963. The Board staff has initiated contact with several photographers who were known to have recorded events before, after or during the shooting in Dealey Plaza. In addition, we hope that photographers who may have recorded relevant events, but whose photographs or films were never made public, will contact the Review Board. Researchers who may have information about the existence or location of original photographs or films are asked to contact the Review Board.

Conclusion

I hope that this report on behalf of the Review Board has been of interest to the research community. The members of the Board appreciate the support and constructive advice we have received from so many of you since we began this monumental task. The October 1995 COPA conference was an opportunity for Executive Director David Marwell, Associate Director for Communication Tom Samoluk, and me to meet many of you in person and speak directly to the research community. We

will continue to work towards fulfilling our mandate during the coming year and keeping you informed about our progress. During the course of our efforts, I hope that we have renewed some public confidence in government. As I have stated before, your input is important. Please do not hesitate to contact us if you have any comments or questions for the Board or staff. We can be reached by writing to: Assassination Records Review Board, 600 E Street, NW, Second Floor, Washington, D.C. 20530 or calling: (202) 724-0088.