

DiEugenio "Probe" Interview

1. Starting a new independent federal agency brought with it inherent difficulties having to do with finding office space that met our requirements, selecting a staff, getting staff security clearances, establishing relations with federal agencies, and establishing a process for the review of records.

The Executive Director starting working for the Review Board in August 1994, senior staff members came in November 1994, and the rest of the staff was hired in the following months. The start-up period began in earnest when staff members arrived and continued until the first Board vote on the release of assassination records in June 1995. The Board's focus has been the review and release of records since June of last year.

2. The Review Board received more than 1,000 [true?--I can't believe this.] applications for staff positions. The Board sought, and has succeeded, in hiring a professional staff that would support the Review Board. The members of the Board wanted staff members with varied backgrounds, including historians, lawyers, and archivists [really? who?], who would bring the experience and abilities necessary for the Board to fulfill its mandate.

3. Sheryl Walter left the Review Board approximately one year ago to take a position with the Commission on Protecting and Reducing Government Secrecy (Moynihan Commission).

Jeremy Gunn was named Acting General Counsel upon Ms. Walter's departure and was named General Counsel (Jeremy, David or Tracy can fill in date).

4. On (approximate number to be filled in by David or Jeremy) occasions, after the Board has voted on a document, an agency has advised the Review Board that it has additional information relating to a specific document. In an effort to make the best possible decision, fulfill the intent of the JFK Act and in acknowledgment that the process is new for everyone, the Board has on occasion postponed information contained in an assassination record, based on the additional information provided by the agency.

5. It would take some time to review all of the minutes to respond accurately to this question. Although we have not gone back to review all of the minutes, it is the staff's recollection that whenever the Board voted on a group of records as a whole (rather than on a case by case basis), the Board's votes were unanimous. With regard to reconsiderations, it is the staff's recollection that the vast majority of votes for reconsideration were unanimous.

6. Board member Henry Graff is in excellent health. He has been an active member of the

Review Board, in regular contact with Board staff members in between meetings and an important participant in discussion during Board meetings.

7. & 8. The Review Board has several ongoing areas of investigation relating to different categories of assassination records. Information will be made public as these investigations progress. In some ongoing matters, information will not be released now in an effort to protect the integrity and professionalism of the investigation.

As part of our investigation into the medical evidence and records, we have deposed Drs. **James Humes, Thorton Boswell, and Pierre Finck as well as the photographer, John Stringer.**

It is expected that these depositions will be made public by the end of the year. **The Board subpoenaed and deposed Robert Groden. The Groden deposition related to photographic evidence of the assassination.**

All of the records of the Review Board will become part of the JFK Collection at the National Archives and will be available to the public.

9. The Review Board has made available to the public the agenda from the experts meeting conducted on May 16, 1995. Although there is no transcript of the one-day meeting, the Board staff prepared a working document of suggested areas of pursuit relative to assassination records that resulted from the meeting. This has not been made available because it is being used as the Board and staff continues to pursue additional records. As stated earlier, as a Board record this document will eventually become a part of the JFK Collection and be available to the public.

10.& 11. The Review Board is working with a moving target, in that the universe of assassination records is constantly changing. On several occasions, the Board has designated records held by federal agencies, including the FBI and Secret Service, as assassination records, that were not processed by the agency as such. These actions by the Board have been noticed in the Federal Register and included in advisories sent to individuals on our mailing list.

The Review Board has interviewed many former agency staffers to assist in understanding how records were organized and in the search for additional records.

12. **There has been some confusion surrounding the files that you have called "Oswald's 105 New York file" and "Oswald's 100 Bureau file." The files to which you (and John Newman) presumably are referring are, respectively, NY 105-6103 and HQ 100-353496. Although these files contain references to Oswald, they are not, strictly speaking, "Oswald files." The subject matter of the files concerns the transfers of funds between the United States and Russia. Oswald records are included in these files by virtue of the fact that his**

mother, Marguerite Oswald, attempted to send money to him while he was in the Soviet Union. Most of the records in the files pertain to issues other than Oswald. The Review Board staff has already examined the headquarters file and is preparing to examine the New York file. (Incidentally, there is a comparable file from the Dallas Field Office, which the Review Board staff also has reviewed.) In reviewing the files, the staff identifies all records that are assassination-related. Thus far the FBI has agreed to review all such records identified by the Review Board staff.

13. It would be entirely plausible to assume that most of the cables between the Mexico City station and Headquarters at the time of Oswald's visit had nothing to do with Oswald and that they have not been declassified. Accordingly, it would be technically accurate to say that "most of the Mexico City cables at the time of Oswald's visit have not been declassified." The more important question, however, is whether the cables related to Oswald's visit have been declassified. The answer to this question is that all Mexico City cables related to Oswald that have been identified to date have been declassified. The Review Board staff is continuing its efforts to identify additional documents related to Oswald's visit. Should such records be found, they too will be declassified.

14. The ARRB is very much aware of the research community's interest in knowing the identity of the person identified in the records under the pseudonym of "John Scelso." The ARRB received extensive information about the true identity of Mr. Scelso as well as reasons that, in the judgment of the Board, the identity of Mr. Scelso should be protected for five years, after which his true name will be revealed.

The ARRB is obtaining additional information regarding Mr. Scelso's work at the CIA both before and after the assassination. Much of this information has already been revealed in Mr. Scelso's sworn testimony before the HSCA, which will be made available to the public. In addition, the information gathered by the ARRB regarding Mr. Scelso also will be made available within the next year.

15. The Review Board has been actively working with the National Security Agency (NSA) regarding their responsibilities under the JFK Act. There has been extensive communication, including several briefings involving the Board and NSA. The Board has preliminarily reviewed some NSA records and will **be making formal determinations on NSA records in the near future.**

Most agencies have been reasonably cooperative.

16. Many records from the LBJ Library have been sent to the Archives. The Board has not yet begun its declassification review of LBJ Library records, although the staff has visited the library and is making plans for Board review.

17. The Review Board has not found or received any of the assassination records that Richard Case Nagell reportedly possessed.

18. The Board anticipated, and factored in, that there would be disputes with federal agencies or with other parties over records. However, these matters have absorbed the time of members of the staff; time that would have been spent on other areas of work had the problems not arisen. The hope is that both the Connick dispute and the records being appealed by the FBI will set a positive precedent that leads to additional information being made public.

19. Additional investigative responsibilities were assigned to Investigator David Montague and other staff members upon the departure of Anne Buttimer several months ago. This arrangement has worked very well, with critical witnesses being located, additional records being located in New Orleans, a film of television outtakes from the day of the assassination being found in Dallas, and several other leads being followed. As with all personnel areas, investigative staffing is always being evaluated to determine if there needs to be additional personnel.

20. The Board intends to fulfill its mandate in the time allocated. However, the Board's ability to do so is at least in part dependent upon the various federal agencies that **hold** assassination records and the progress that they make in processing documents. Clearly, the pace for the review of documents must continue to increase for the Board to complete its task.

The Review Board continues to operate under the assumption that it will shut down operations on September 30, 1997, as dictated by the law. The Board would not determine if it would continue to exist after that date. It would be a decision for the Congress and the President.