

GENERAL SERVICES ADMINISTRATION

EXTERNAL SERVICES DIVISION

ASSASSINATION RECORDS REVIEW BOARD

AGENDA FOR FIRST BOARD MEETING

National Archives Building
Archivist's Reception Room
Washington, D.C.

Tuesday, April 12, 1994

The above-entitled meeting commenced, pursuant to
notice, at 2:00 p.m.

BEFORE:

JACK TUNHEIM, Chairman of the Board

HENRY GRAFF, Board Member

KERMIT HULL, Board Member

WILLIAM JOYCE, Board Member

ANNA NELSON, Board Member

ALSO PRESENT:

STEVE TILLEY

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P R O C E E D I N G S

ELECTION OF CHAIR

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2
3 MR. TUNHEIM: Welcome everyone to the first
4 meeting of the Assassination Records Review Board. We are
5 very glad to be here finally in action, and appreciate all
6 of you coming to the meeting today. We are going to begin
7 on our agenda, which copies have been made available to the
8 election of the Chair of the Board.

9 MS. NELSON: I move we elect Jack Tunheim.

10 MR. GRAFF: I second.

11 MR. TUNHEIM: Any discussion?

12 MS. NELSON: No discussion.

13 MR. GRAFF: I'll say all those in favor?

14 [Chorus of ayes.]

15 WELCOME AND INTRODUCTORY STATEMENTS BY

16 BOARD MEMBERS

17 CHAIRMAN TUNHEIM: I guess I'm elected Chair.
18 Thank you, and I look forward to the opportunity to work
19 together with each of the members of this very
20 distinguished group. Before we go into the business of the
21 day, I would like to have each board member introduce
22 themselves to you, and give a very brief introductory
23 statement as we begin our effort. Henry would you care to
24 begin?

25 MR. GRAFF: Yes. I am Henry Graff, and I am a

1 professor emeritus in history at Columbia in New York. My
2 special field of interest is the history of the presidency
3 and I taught for 35 years a course that was one of the
4 first courses in the country on the subject. I am very
5 flattered by the President's nomination of me, and pleased
6 by my confirmation. I must tell you that my place on this
7 Board was not solicited, it was not expected. I am
8 delighted to be a member, I'm honored, and I hope to make
9 this Board a success.

10 MR. HALL: I am Kermit Hall, Dean of the College
11 of Arts and Sciences at the University of Tulsa. I am a
12 professor of history and of law at that university, and
13 have previously taught at Vanderbilt, Wayne State
14 University, and the University of Florida. I believe most
15 significantly that one of the critical ingredients of a
16 successful democracy is the full disclosure of materials
17 that bear upon issues of significant public policy.

18 I think this Board has a particularly ripe
19 opportunity to restore some additional legitimacy to the
20 issues surrounding the Kennedy assassination not so much in
21 resolving, indeed in any way resolving issues involving who
22 did it or why they did it, but making available to the
23 scholars and researchers as full a record as is possible
24 for the future understanding of this particularly critical
25 event.

1 MS. NELSON: Bill, I think we're going
2 alphabetically.

3 MR. JOYCE: My name is Bill Joyce. I work at
4 Princeton University where my title is associate university
5 librarian for rare books and special collections which
6 entails our Manuscript Division and the University Archives
7 and Public Policy Papers.

8 I was one of several nominated by the Society of
9 American Archivists and selected by the President for
10 service on this Board, and like my Board colleagues, it's a
11 great honor and daunting responsibility to be here to do
12 what we can to open records concerning the assassination to
13 try to enlarge public understanding of the issues
14 surrounding these terrible events of November 1963.

15 MS. NELSON: I am Anna Nelson, and I am a member
16 of the History Department at American University. I was on
17 the slate given to the President by the American Historical
18 Association, and I think probably my name surfaced because
19 I had been in the forefront for access to records for,
20 maybe, 15 years. I was a member, a staff member, a lowly
21 staff member, of the Public Documents Commission that
22 developed with the Watergate tapes, and later was program
23 director of a privately funded Committee on Public Records.

24 I've done a lot of work on public records: I have
25 testified for access, I've written about access. I am very

1 interested in the work of this Board and also recognize the
2 responsibilities that are involved.

3 MR. TUNHEIM: I am John Tunheim, and I am the
4 Chief Deputy Attorney General of the State of Minnesota, a
5 position I have held for about eight years. Prior to that,
6 I was a Solicitor General in the Attorney General's Office
7 in Minnesota. My legal specialty is constitutional law, a
8 subject that I teach at the University of Minnesota Law
9 School. This is my second Washington experience. I spent
10 some time on the staff of United States Senator Hubert
11 Humphrey in the 1970s.

12 I was one of the suggestions made to the
13 President from the American Bar Association, and so I serve
14 the role on this Board as a lawyer member of the Board of
15 which the law does require. I intend to pay special
16 attention to the processes and procedures that the Board
17 follows to make sure that we do our very best to ensure
18 public disclosure. That is the mandate of the Congress in
19 passing this Act and truly, in the end, how we will be
20 judged as members of the Assassination Records Review
21 Board.

22 I want to before we begin just on the record
23 express the appreciation of the Board to Justice Ruth Bader
24 Ginsberg for officiating at the swearing in ceremony that
25 we had yesterday afternoon. We appreciate her willingness

1 to take time out of her schedule to help us get off to an
2 excellent start.

3 DISCUSSION OF TRANSITION BUDGET

4 CHAIRMAN TUNHEIM: Next on our agenda for today
5 is a brief discussion of where the Board is at in its
6 budget. Let me just report initially on our transition
7 budget, which really covers the period of time from now
8 until the new fiscal year begins in October 1994. We have
9 been allocated \$250,000 from the White House from a fund
10 called the Unanticipated Needs Fund.

11 We were not funded at the beginning by Congress.
12 There is an authorization there, but there is also a
13 passage that says that for start-up funds the President may
14 use discretionary funds available to him. We are very
15 fortunate in having received \$250,000 from the President
16 from this fund, so that we will be able to begin our
17 efforts now, rather than awaiting a congressional
18 appropriation. We are in the process of developing a more
19 specific budget associated with the \$250,000 and that
20 process is now beginning with the Board beginning its work.

21 DISCUSSION OF FY95 BUDGET REQUEST

22 CHAIRMAN TUNHEIM: We also have a budget request
23 that is due quickly to the Congress for fiscal year 1995,
24 and we are also in the process of developing that. We are
25 guided by the review that was given to the legislation by

1 the Congressional Budget Office which indicated an estimate
2 of \$2.4 million for a fiscal year appropriation. We will
3 use that figure as an initial guide in developing our own
4 budget for Fiscal Year 1995, a number that needs to be at
5 Congress quickly.

6 Do any members of the Board wish to comment or
7 discuss further the budget requests at this time?

8 [No response.]

9 DISCUSSION OF PROCESS AND TIMETABLE FOR
10 APPOINTING EXECUTIVE DIRECTOR

11 CHAIRMAN TUNHEIM: Let's go right into a
12 discussion of the process and timetable that we intend to
13 follow in making a very critical decision for the
14 Assassination Records Review Board, and that is: the
15 appointment of an Executive Director, which will be
16 essentially the chief administrative official for this
17 Board.

18 Members of the Board?

19 MS. NELSON: Well, we are bound by the statute to
20 choose a certain kind of individual with a certain kind of
21 background. Our first task will be to make sure that we
22 are abiding by the statute, then we will be adding other
23 characteristics. But the statute is very clear about, for
24 example, not hiring anyone who is on the government payroll
25 and that sort of thing.

1 CHAIRMAN TUNHEIM: In terms of a timetable for
2 hiring an Executive Director, do members of the Board have
3 thoughts about that issue?

4 MR. HALL: Well, I think, again, the legislation
5 mandates that we choose a Director in a very timely way. I
6 think it is 45 days, and we recognize the importance of
7 having staff energy here in Washington on a full-time and
8 continuing basis, so that we can get the work of the Board
9 actively engaged as quickly as possible. We are all
10 mindful that there is much interest in this matter, and we
11 hope to be able to select someone just as quickly as
12 practically possible.

13 MR. GRAFF: I think that we are well aware that
14 the role as the Director must not be a dominant role. This
15 Board will be of four to five people and the Director will
16 be working for a board. It is our observation that too
17 often the Executive Director becomes the person in charge
18 or the Board, a Board, becomes merely an instrument of the
19 Chair plus the Executive Director. We are hopeful that we
20 each can contribute, especially because we have a variety
21 of specialties within the specialty of concern over
22 research and documents, and each will have input that is
23 significant.

24 CHAIRMAN TUNHEIM: I think that it is clear that
25 the Board is very conscious of a need to make a very

1 important decision on an Executive Director very quickly.
2 That appointment of that official is critical for us to
3 really begin our efforts in earnest to carry out the
4 important provisions of the law, and we will be starting
5 that process immediately of searching for an Executive
6 Director to head our staff.

7 We are guided by the 45-day message in the
8 legislation and so we will begin, I believe, our
9 advertising for the position almost immediately. We will
10 be interviewing people, hopefully, within two or three
11 weeks so that we can make a decision on an Executive
12 Director. I think that is critical for us to be able to
13 begin the substantive work of the Board is to have a staff
14 in place. We are all part-time under the law and, by and
15 large, live in other places around the country. So to have
16 a staff here, I think is absolutely critical.

17 MS. NELSON: We will be advertising, and we will
18 be conforming to the various acts.

19 CHAIRMAN TUNHEIM: Any further comments on
20 appointment of an Executive Director?

21 [No response.]

22 CHAIRMAN TUNHEIM: I might add before we go on,
23 we consider this meeting to be essentially an
24 organizational meeting. We have not met before this time
25 because we have been busy security start-up funds. It was

1 not possible for us to meet without an appropriation
2 available. The approval of the \$250,000 just came late
3 last week, in fact on Friday, which made it difficult for
4 us to provide substantial notice for this particular
5 meeting. We do consider it an organizational meeting, and
6 our future meetings we will provide a good deal of notice
7 in advance for everyone who wishes to attend our meeting.

8 RESOLUTION SEEKING EXTENSION OF BOARD'S
9 TIME PERIOD

10 CHAIRMAN TUNHEIM: Let's move to a discussion
11 regarding the time period that the Board has in which to
12 operate. Because of the delays involved in appointing and
13 confirming members of the Board, we are behind the
14 timetable that was originally set out in the legislation.
15 We are very conscious of that and want to do our best to
16 make up for that.

17 Currently, this Board is due to expire, by virtue
18 of the legislation, in October, October 28th I believe, of
19 1994. We have an ability to extend that time period for an
20 additional year on the Board's motion. I think we would
21 like to discuss a need to have additional time, have
22 sufficient time in which to do our work.

23 Kermit?

24 MR. HALL: Mr. Chairman, I would like to offer a
25 resolution for adoption by the Board, and the resolution

would read as follows:

1 "BE IT RESOLVED that this Board does hereby
2 request Congress to authorize its existence for two years
3 from the date of the swearing in of the board members on 11
4 April 1994, with the additional proviso that the Board may
5 by majority vote extend its term for an additional one-year
6 period if it has not completed its work within the two-year
7 period so requested."

8 Mr. Chairman, this resolution is offered in the
9 spirit of the law as it was originally passed, and
10 certainly within its intent, to give the Board as full a
11 time as possible within the legislative understanding to
12 complete our task. It also I believe takes account of the
13 fact that it has been 18 months since the original
14 legislation was, in fact, passed, which would suggest that
15 some extension is, in fact, in order. That is my
16 resolution, Mr. Chairman.

17 CHAIRMAN TUNHEIM: Do we have a second?

18 MR. GRAFF: So moved.

19 CHAIRMAN TUNHEIM: Any discussion on the
20 resolution?

21 [No response.]

22 CHAIRMAN TUNHEIM: I think this is an absolutely
23 essential step to take. This Board does need sufficient
24 time in which to do its work. That doesn't mean we are not
25

1 going to move swiftly, but we do need to be complete in our
2 work, and not be hampered by the fact that a date is
3 approaching soon that would write us out of existence. I'm
4 hopeful that Congress will be receptive to our request that
5 has been made in Mr. Hall's resolution.

6 Any further discussion?

7 [No response.]

8 CHAIRMAN TUNHEIM: Hearing none, all those in
9 favor say "aye."

10 [Chorus of ayes.]

11 CHAIRMAN TUNHEIM: Opposed say "no."

12 [No response.]

13 CHAIRMAN TUNHEIM: It is carried. We will
14 communicate that message immediately to the Congress.

15 DISCUSSION OF PLANS AND TIMETABLE FOR
16 FIRST YEAR

17 CHAIRMAN TUNHEIM: We have a period of time here
18 on our agenda for discussion, a preliminary discussion, of
19 our plans and timetable for our first year. I would like
20 to ask members of the Board to give their thoughts on the
21 issue of what is really most important for us to focus our
22 attention on in the first year of our existence.

23 MR. HALL: Mr. Chairman, I would like to speak to
24 that issue, if I may. I think that there are really two
25 matters that are before us: one, is that this Board is

1 going to have to come to some understanding of what an
2 assassination record is inasmuch as the legislation pivots
3 a good deal of our activity, as well as the agency's
4 activities on that particular question. So I would hope
5 that we would, in fact, work promptly to come to some
6 understanding of what an assassination record is.

7 I think in the related vein it is extraordinarily
8 important, given the circumstances that have surrounded the
9 past 30 years, that the Board open itself as fully as
10 possible to all of those who have been part of the
11 scholarly research and other community who have examined
12 the events surrounding the assassination. But not with a
13 view to understand how those have been secured, although
14 that would certainly be an incident to what we do, but with
15 a view to understanding where there may be additional
16 records to be secured, since carrying on some effort to
17 hunt and secure is as making decisions about what to and
18 not to postpone.

19 MS. NELSON: I think we also feel that we should
20 not limit the information to the Washington area, that we
21 would like to put ourselves in the position of hearing from
22 people around the country who, perhaps, can't afford to
23 come here for a long period of time. We have been putting
24 that into our planning process, holding whatever hearings,
25 or whatever we call it, around the country in various

1 places to make sure that we adequately cover the people who
2 would like to offer something to us.

3 MR. JOYCE: Mr. Chairman, we discussed this
4 morning, when we reviewed the budget, some of the
5 activities that the budget might support. I think it
6 quickly became apparent to all of us that it is important
7 for the Board to establish its visibility with the research
8 community, to take cognizance of and secure information
9 from those who have been actively involved in doing
10 research on the assassination and related events, and for
11 us to engage in a dialogue of sorts. This will allow us to
12 gain information as we work toward a definition of an
13 assassination record and work to identify where those
14 records might be, so that we can communicate fully with the
15 research community on those matters.

16 MR. HALL: Mr. Chairman, we are cognizant of the
17 fact that the Board has subpoena powers and will hope that
18 it can bring about voluntary presentation of documents that
19 are pertinent to our purpose. But we are aware that we
20 will need legal counsel, and we are determined by all means
21 at our disposal to fulfill the purpose of the Act.

22 CHAIRMAN TUNHEIM: I agree with the sentiments
23 that it is important to get out and to have a dialogue with
24 the research community and others who have particular
25 knowledge about records associated with the assassination.

1 Congress did leave to this Board the task of defining what
2 an assassination record is, and that is a very important
3 responsibility, one that I don't think we should firmly
4 define until we have had a chance to have a dialogue with
5 the individuals who are experts in the field.

6 I think a public hearing process that we could
7 follow and hopefully begin as soon as we have a small staff
8 in place will give us a much better basis for making the
9 critical decision of what an assassination record is and
10 how to define it. We also need some input into other
11 definitions that we need to make associated with the
12 postponement record process.

13 Finally, we need to hear from people who have
14 suggestions on where we should be looking for records. I
15 can't think of a better way than to hold public hearings
16 and to try to channel and structure them in a way in which
17 people would have the opportunity to come in and tell us.
18 If necessary, we would use our subpoena power, but
19 hopefully that would not be necessary, at least not to a
20 great extent.

21 MS. NELSON: Which is one reason why we have put
22 a temporary address on our agenda, because we don't have an
23 office yet. We feel that there may be people who want to
24 communicate with us, so we've used the Archives address,
25 and they will hold the letters for us and they will be sent

1 to us. We had no other way of doing this. But we didn't
2 want to put off until we actually had office space to hear
3 from people.

4 CHAIRMAN TUNHEIM: I think another rationale is
5 that I think it is useful for us to focus our attention on
6 this dialogue early. We are going to need a staff in place
7 to begin the effort to review relevant records. We need to
8 have a firm definition or at least a fairly solid
9 definition of an assassination record before we go into
10 that effort.

11 The way our budget is structured right now it is
12 difficult for us to "staff up," so to speak, quickly. The
13 staffing will likely occur primarily once we get into the
14 next fiscal year and we have our first congressional
15 appropriation. That is why I think, in part, it is useful
16 to focus on the public dialogue in the coming months.

17 Is there further discussion?

18 [No response.]

19 CHAIRMAN TUNHEIM: This will serve, I think, as
20 an excellent timetable for us to first focus on securing
21 our budget in Congress for fiscal year 1995, hiring our
22 initial staff, moving into a period of public hearings to
23 have a dialogue with the research community, and then move
24 on into the enormous task of reviewing the records that
25 have been saved for our review.

1 Anything further on plans and timetables, members
2 of the board?

3 [No response.]

4 CHAIRMAN TUNHEIM: If not, I would like to go on
5 to the next, and probably the most important, part of our
6 agenda today, and that is: to have a briefing from Mr.
7 Steve Tilley who has presided over the collection, the JFK
8 Collection, in the National Archives up to this point, and
9 will give us a briefing on the records that are part of the
10 public records secure in the National Archives at this
11 point in time. Steve, I'll turn the program over to you.

12 JFK COLLECTION AT THE NATIONAL ARCHIVES

13 MR. TILLEY: Thank you, Mr. Chairman. The
14 Archives established the JFK Collection in late December
15 1992. Under the terms of the Act, we had 60 days in which
16 to establish the collection, and the collection was
17 established at that time.

18 At that time it mainly consisted of the records
19 already in the possession of the National Archives here in
20 Washington, D.C., primarily the records of the Warren
21 Commission and the records of the U.S. Secret Service,
22 which their case files had been turned over to the Archives
23 in about 1979.

24 There were no real significant additions to the
25 collection until August 1993. On August 23, that marked

1 the end of the 300-day review period established under the
2 statute, and at that time we did open additional materials
3 for public use here at the National Archives. Records that
4 were open on that date included: records of the Central
5 Intelligence Agency, records of the House Select Committee
6 on Assassination, records of the United States Information
7 Agency, records of the Security Exchange Commission, and
8 some records of several components of the Department of
9 Justice.

10 In the time period since that time, we have had
11 additional accessions into the collection of records from
12 various governmental offices and agencies, including:
13 records from the Department of State, records from the
14 Federal Bureau of Investigation.

15 Now, some recent developments on the collection,
16 which now consists of approximately 1,000 cubic feet of
17 records, in December we began to see some significant
18 transfers of FBI records. So far, we have approximately 60
19 cubic feet of records relating to the investigation of Jack
20 Ruby, including both headquarters and field office records.
21 We also have the Bureau's file of their liaison with the
22 Warren Commission, both headquarters and field office
23 records.

24 We have also accepted all FBI records relating to
25 certain individuals including Marina Oswald, Marguerita

1 Oswald, George Demorenschild, and the Rockefeller
2 Commission. Now, on April 1, about a week, just a week or
3 so ago, we opened the most recent addition from the FBI,
4 and those were the headquarter's files on their
5 investigation of Lee Oswald. Approximately 80 boxes of
6 materials were opened for research on that date. In the
7 weeks ahead, the FBI has indicated that they plan to
8 transfer to us the field office files on the Oswald
9 investigation; and soon after that, the headquarters files
10 on their assassination investigation.

11 The CIA records which are in our custody, most of
12 which were transferred, as I say, in August, consist of
13 primarily two areas: one is the Lee Harvey Oswald 201
14 Personality File, consisting of approximately 50 boxes of
15 material; and then there is the second grouping of records
16 which are what we call the "segregated collection of CIA
17 materials." Those records were brought together at the
18 time the House Select Committee was doing its work. They
19 were segregated by the CIA and are now considered to be
20 part of the House Select Committee records, even though for
21 the most part they were originated by the CIA.

22 As I say, those records were all transferred to
23 the Archives at the end of the 300-day review period.
24 Since that time, the CIA has gone back and revisited the
25 documents they had withheld that were postponed at that

1 time and has released since then 7 additional boxes or 7
2 additional cubic feet of records 1 foot from the Lee Harvey
3 Oswald file and 6 feet from the segregated collection.

4 Now, the CIA Task Force is still working on
5 additional records. There were I believe 73 reels of
6 microfilm of CIA materials which were made available to the
7 House Select Committee at that time that the committee was
8 working, and those rolls of microfilm have been printed off
9 on paper, and the CIA is currently working on the review of
10 that material. But no transfer data has been established
11 for that material at this time.

12 Since the August opening, we have also received
13 the first 15 boxes, which is approximately 6 cubic feet of
14 records of the House Select Committee to Study Governmental
15 Operations With Respect to Intelligence Activities, also
16 known to everyone as "The Church Committee."

17 That review is being done by the Senate Select
18 Committee on Intelligence Staff. The committee is
19 continuing its review and is making periodic transfers of
20 these materials to us. The most recent estimate I had from
21 the committee staff indicated they may have as many as 70
22 boxes of records, but I think that is a very rough estimate
23 and we really won't know for sure until the process is
24 nearer to the end.

25 Now, the staff of the House Select Committee on

1 Intelligence has also begun review of the House Select
2 Committee on Intelligence, or the "Pike Committee" records
3 that also deal with the assassination. Now, let me say
4 right here that the Church Committee and the Pike
5 Committee, both of which were established by the Congress
6 to look into activities dealing with foreign and domestic
7 intelligence activities of the CIA and other parts of the
8 federal government, only looked at -- the JFK was only one
9 part of their findings, of their investigative work.

10 Only those records which dealt with the Kennedy
11 assassination are being reviewed under this statute and
12 being turned over to us. There are other committee records
13 which are not being reviewed under the statute, so we are
14 only getting a portion of the records of those two
15 committees.

16 The Pike Committee staff -- I mean the HSCI
17 Committee staff has indicated that there are only
18 approximately 5 cubic feet of records from the Pike
19 Committee that are relevant to this. Many of the documents
20 are copies of materials they received from the Rockefeller
21 Commission, but at this time there has been no indicated
22 time table on completion of the review.

23 Now, under Section 5(d) of the statute the
24 National Archives is required to create a database which
25 will serve as an electronic repository for the collection.

1 The database now contains over 92,000 documents. The most
2 recent update of the database incorporated 135 disks from
3 the FBI, and we have also received two disks from the CIA
4 which we are now in the process of reviewing to make sure
5 that the data is properly entered. Then once we complete
6 this review of these disks, then it looks like we will be
7 very close to the beginning of a transfer of additional CIA
8 disks so we can enter the CIA material into our database.

9 At the oversight hearings held on the statute on
10 the Act back in November, Acting Archivists of the
11 United States Trudy Peterson testified before Congressman
12 Conyers that we were committed to an electronic publication
13 of the database and eventual online access to the database
14 in the future. The National Archives remains committed to
15 that goal.

16 Researcher interest in the collection has
17 remained high since the opening. Each opening of new
18 materials brings an additional increase in interest from
19 the research community. We have received since August 23
20 over 400 written inquiries alone, written inquiries; and
21 the orders, the number of orders for reproductions, and the
22 number of telephone inquiries and the number of researchers
23 visiting the Archives have also been at a steady level.
24 Contrary to a recent article in the press, I would say that
25 the interest in the assassination is not waning, at least

not that I see.

1
2 On March 1, the John F. Kennedy Access staff
3 began the move of the John F. Kennedy Collection to our new
4 facility at Archives II out in College Park, Maryland. The
5 location of the collection at our new facility allows the
6 researchers to complete all their research in one research
7 facility. The location of the collection at Archives II
8 provides NARA with the opportunity to ensure the
9 preservation and security of these valuable records in a
10 state-of-the-art facility.

11 Reference service resumed at Archives II on
12 April 1. That was also a day we opened the Harvey Oswald
13 FBI records; plus the most recent records from the Church
14 Committee staff, the review; and then we also had some
15 additional records from the John F. Kennedy Library, which
16 I will address in a minute. Now, the staff of the National
17 Archives has continued to process assassination records
18 that are in our custody, the possession of the National
19 Archives.

20 As an example of that, on April 1 we opened five
21 boxes of materials recently reviewed by the staff of the
22 John F. Kennedy Library. These records consist of desk
23 diaries, telephone logs, and telephone messages of Robert
24 F. Kennedy that were created during his service as Attorney
25 General. Those records are currently open at our facility

1 at Archives II, and there has been a great deal of interest
2 in those records, as I'm sure you can imagine.

3 Also, during the 300-day review period, and since
4 then, the Archives has been involved in the continuing
5 review of documents have been referred to other agencies
6 for review. The statute required that each originating
7 agency make a determination as to whether or not a document
8 could be released or postponed, and so that has required
9 every agency holding assassination records to take part in
10 a referral process, where they would refer those documents
11 to the originating agency for a determination on
12 disclosure.

13 The Archives has been involved in referring
14 documents from the Warren Commission and from the records
15 of the House Select Committee to other agencies for review.
16 By the same token, we have also been the recipient of
17 referrals from other agencies, particularly or primarily of
18 records of the Warren Commission, but also Rockefeller
19 Commission records and other things like that. So we have
20 also been playing a role in this referral process, and that
21 process will be ongoing for some time.

22 In conclusion, let me say that the John F.
23 Kennedy Assassination Records Collection is continuing to
24 grow. There will be additional major additions to this
25 collection in the weeks and months ahead. There are also

1 additional records which we probably are not aware of yet
2 that will be added to the collection.

3 Recently, we became aware of some Post Office
4 Department records which were in our Records Center in
5 Suitland Maryland, recently came to our attention. Those
6 records deal with the Postal Department investigation of
7 the purchase of the rifle, and so we have been in touch
8 with the Post Office Department to begin the process of the
9 data entry on that material.

10 So as I say, the interest is high in this, in
11 this subject, and the collection continues to grow. We
12 will be continuing to work with the public and we look
13 forward to working with -- I look forward to working
14 with -- the Board in the weeks and months ahead to make
15 this process work.

16 Thank you, Mr. Chairman.

17 MR. TUNHEIM: Thank you very much, Steve. I
18 think the board members have some questions for you.

19 Bill, do you want to begin?

20 MR. JOYCE: Well, if I might start. Steve, what
21 i the overall size of the collection?

22 MR. TILLEY: Well, right now based on our
23 estimates we used for the numbers of pages that are in our
24 various containers, we estimate right now approximately two
25 to 2.5 million pages are in the collection. That is a very

1 rough estimate. I must say that we at the Archives don't
2 necessarily count pages. I haven't had time to count
3 pages, but I think that is a viable estimate, based on what
4 we normally -- on the weight and the types of containers
5 that we use.

6 MR. JOYCE: These constitute records from a
7 fairly wide array of government agencies?

8 MR. TILLEY: Right. We have records from a large
9 number of government agencies; also from, as I said, the
10 Congress, the House Select Committee records, the Church
11 Committee records; and we also have some District Court
12 records and some records of the Court of Appeals. There
13 were a number of federal court actions which grew out of
14 the assassination and so we have, where we are aware of
15 those cases we have, gone forth and gotten copies of those
16 records to add to the collection.

17 MR. JOYCE: Could I just, one other question:
18 Can you infer from the many contacts that you have had with
19 a variety of agencies and other departments of government,
20 can you infer any estimate about the bulk of the records
21 that you think we may find still out in agencies scattered
22 about not only here in Washington, but more widely?

23 MR. TILLEY: Well, the agencies have never really
24 given us a hard-and-fast figure as to exactly how many
25 pages of assassination records they have. They have made

1 estimates about certain groups of files that they have in
2 their possession. When transfers have been made, they
3 usually provide what I'm sure are fairly accurate page
4 counts for the materials that are transferred.

5 I only have rough approximations of materials
6 that may still be in their holdings. It is very difficult
7 to say exactly how many more records may still be out in
8 the possession of the various agencies. Then a corollary
9 to that point is the fact that the work of this Board in
10 its defining of an assassination record could significantly
11 add to those numbers. It's a tough guess, it's really
12 tough for me to estimate exactly how many pages are still
13 out there.

14 MR. JOYCE: Thank you.

15 CHAIRMAN TUNHEIM: Go ahead.

16 MR. GRAFF: I take it that up till now, until we
17 offer another definition, what constitutes an assassination
18 record is determined by the agency?

19 MR. TILLEY: That's correct. In the review
20 process so far, each agency has been the determinant of
21 what is an assassination record. Now, in my role as the
22 Archives' liaison to the agencies involved, we have
23 discussed what are, perhaps could be, should be an
24 assassination record and what is not. I know that there
25 are many agencies that have questions about this, but they

1 have been waiting for the Board to come into existence so
2 they can bring those issues forward.

3 Right now, the Archives has no authority under
4 the statute to tell agencies what is or what is not an
5 assassination record. That is clearly the Board's role.
6 As of now, what has been determined to be an assassination
7 record has fallen within each agency's purview.

8 MR. GRAFF: Thank you.

9 CHAIRMAN TUNHEIM: Anna?

10 MS. NELSON: Actually, I have a couple of
11 questions. One is, Steve, a lot of this must be
12 duplication. Because the CIA must have in its collection
13 what it sent to the House Assassination Committee?

14 MR. TILLEY: That's correct, there is.

15 MS. NELSON: So that there is a lot of
16 duplication here which I assume gets straightened out in
17 the database.

18 MR. TILLEY: Yes. I think that was one reason
19 for the database, was the attempt to deal with the massive
20 duplication of items within this world, the collection
21 itself.

22 MS. NELSON: That's right.

23 MR. TILLEY: Yes, you are correct, there is
24 duplication. Each investigative agency or group, if you
25 will, that has looked at the assassination went out to the

1 various agencies which had documents and asked for copies
2 of those documents. You have several sets of everybody's
3 files in the holdings of each assassination agency,
4 depending on how widespread their calls were.

5 Of course, in many instances not only did those
6 groups ask for records from the agencies, but then they
7 would turn to the National Archives and ask for records
8 from the records of the Warren Commission which would then
9 produce extra copies of those same documents again. Yes,
10 there is a very, very large problem of duplication
11 throughout these files.

12 MS. NELSON: It comes out in the database?

13 MR. TILLEY: Sure. Yes, we are able to find, we
14 can search on all fields of our database. The question of
15 duplication is solvable through that but, you know, it is
16 still a big problem.

17 MS. NELSON: The other question I have is the
18 Rockefeller Commission. I mean, the Rockefeller Commission
19 you mentioned twice, and we all know something about it.
20 How much of their business involved records that were not
21 available, and how much of it involved records that were?

22 MR. TILLEY: Well, first of all, the records of
23 the Rockefeller Commission are housed at the Gerald Ford
24 Library in Ann Arbor, Michigan.

25 MS. NELSON: Yes.

1 MR. TILLEY: The staff of the Ford Library spent
2 the review period reviewing the records of the Rockefeller
3 Commission and opening those records which could be opened
4 under the statute. Approximately six boxes of materials
5 although those boxes are not totally full, I might
6 add -- well, they are, some of them -- but approximately
7 six boxes of records were looked at and were opened up.

8 What the Ford Library staff found was that the
9 vast majority of the holdings of the Rockefeller Commission
10 consisted of records of the Central Intelligence Agency.
11 The review of the Rockefeller Commission is basically
12 contingent of CIA review of their documentation.

13 What we have decided is that, hopefully, in the
14 near future the CIA will send a review team to the Ford
15 Library to save the cost of what would be an expensive
16 reproduction job of a massive amount of CIA documentation.
17 That is something that we, myself as the head of the
18 collection, discussed with them and we have agreed to that,
19 and I think that it will take place in the future. But
20 that is still something that has to happen.

21 MS. NELSON: Well, that means they are not on
22 your database yet?

23 MR. TILLEY: That's correct, they are not on the
24 database.

25 MS. NELSON: So that there is no knowledge of the

duplication there yet?

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MR. TILLEY: No, not as of now, that is correct.

MS. NELSON: It makes a difference.

MR. HALL: Mr. Tilley, does the Archives have in its possession any materials that have not been disclosed?

MR. TILLEY: Yes. Yes, we do.

MR. HALL: Can you give us an idea what the character and nature of those materials are?

MR. TILLEY: Well, first of all, the Archives staff reviewed the records of the Warren Commission that had not been previously released as of the time the law was signed. For those documents for which the National Archives has the final disclosure authority, five documents have still been withheld in some part, mostly for reasons of personal privacy. Although, there was one document which we withheld a portion of it at the request of the Department of State, but it was a Warren Commission document, so we had the final say on it.

Now, having said that, we have many, many copies of other agency-originated documents which are tied up in the review process, in the referral process, at this time in which determinations have not been reached on those yet. Of course, all of those documents consist of copies of documents those agencies are reviewing themselves. In doing their overview there, they are in effect reviewing

1 those items also at the same time.

2 The Archives also has and had in its custody at
3 that time the Criminal Division of the Department of
4 Justice's main file on the assassination. It had been
5 turned over to us some time ago. It was screened for
6 release in 1991 by the Access staff of the National
7 Archives, and the vast majority of the file was opened for
8 research at that time. However, a portion of the file was
9 still withheld at that time for various reasons under our
10 general restrictions, the general restrictions of the
11 National Archives. Those documents have been entered into
12 the database, and the referral process on those documents
13 is proceeding.

14 The Archives was deputized by the House Rules
15 Committee, which has jurisdiction over the records of the
16 House Select Committee on Assassinations, to act as its
17 agent during the review of the HSCA records. A special
18 task force was hired to do that review.

19 While the result of that review brought forth
20 about 98 percent of the records of the HSCA, Archives
21 personnel working in conjunction with the House Rules
22 Committee staff did recommend for postponement or referral
23 about 2 percent of the records of that committee.

24 That process has been going on, and many
25 documents that were, in fact, referred have been opened up

1 since the opening of the collection in August, but there
2 are still some items that are still under review.
3 Particularly, we are working on the tape recordings of some
4 of the testimony, the immunized testimony, given by
5 witnesses in executive session. That is one major aspect
6 of those records that are still being reviewed.

7 I'm sure, as anybody who has ever been involved
8 in tape recordings realizes, that is a very difficult
9 technical issue in addition to the issues, in addition to
10 the issues of whether or not we are going to postpone
11 portions. That is also ongoing.

12 Finally, there are still records that are in the
13 possession of several of our presidential libraries which
14 have not been disclosed under the Act yet, and there is an
15 ongoing review of those materials. As I mentioned earlier,
16 the Robert F. Kennedy materials were recently opened and
17 added to the collection. But there are other materials in
18 the possession of the libraries that are still under
19 review, or perhaps still the question of whether or not
20 they are, in fact, assassination records still needs to be
21 addressed. In answer to your question, Dr. Hall, I would
22 say those are the major areas where the Archives still is
23 holding records.

24 MR. HALL: Where those records are held by the
25 Archives but they do, in fact, belong in a sense to another

1 entity, the motion to postpone or at least to bring the
2 case before us would come from the Archives or from the
3 other entity?

4 MR. TILLEY: Well, I think we would present it,
5 the Archives would present it, as withheld. They are in
6 our custody. But obviously the decision to make the
7 postponement is from the originating agency, and the case
8 for the position of whether it should remain postponed
9 would have to come from there.

10 MR. HALL: If I may, Mr. Chairman?

11 CHAIRMAN TUNHEIM: Go right ahead.

12 MR. HALL: Do you have any sense of where the
13 Congress, both the House and the Senate, stand in relation
14 to any other records that may have been generated, either
15 in the course of the investigations that you've met or in
16 the course of other private, confidential proceedings
17 carried out by Congress?

18 MR. TILLEY: You mean whether they intended to be
19 within the collection?

20 MR. HALL: Yes, right.

21 MR. TILLEY: Oh, yes, I think the Congress'
22 intent was that this collection should include everything
23 that was relevant to this collection.

24 MR. HALL: Okay. That's the question I asked,
25 but it's not necessarily the question I meant to ask. The

1 question I meant to ask is I'm trying to get some
2 understanding of what the scope of materials that are
3 related to Congress that remain outside the purview of your
4 database, that is: Do you have any sense of what is there
5 that the Congress has that has not been brought forward to
6 you?

7 MR. TILLEY: I expect it's possible that there
8 are other committee records held by the Congress that may
9 have some relationship to the assassination, but the
10 statute specifically mentions the records of the HSCA, the
11 "House Select Committee on Assassination," the Pike
12 Committee, and the Church Committee. It also specifically
13 mentions records in possession of the Library of Congress.

14 MR. HALL: That's right.

15 MR. TILLEY: And nothing has been done on that
16 front whatsoever, as far as any holdings of the Library of
17 Congress, any manuscripts in the holdings of the Library of
18 Congress which may be relevant to this inquiry.

19 MR. HALL: Well, this is a particularly
20 interesting area, I think, for Board contemplation inasmuch
21 as some of those documents are entered into the Library of
22 Congress with donor agreements, which raise questions about
23 whether the donor agreements are, in fact, subject to the
24 law.

25 MR. TILLEY: Yes, that's correct. The law talks

1 about the existence of donor agreements and how that fits
2 into the collection. I think, as you all aware, the
3 Conference Report clearly charges this Board to look into
4 those questions and to see where that fits in with the
5 overall context of this collection.

6 MR. HALL: If I may, Mr. Chairman?

7 CHAIRMAN TUNHEIM: Go right ahead, Mr. Hall.

8 MR. HALL: The materials that have been turned
9 over to the Archives, the JFK Collection, that have come
10 from the various intelligence agencies, could you speak to
11 us on the state of redaction of those materials, and what
12 implications the policies of redaction practiced by FBI,
13 CIA, or other bodies might be for our purposes?

14 MR. TILLEY: If I may, I will sort of respond to
15 that in piecemeal, looking at each of the various agencies
16 that you mentioned. The review by the FBI, in my
17 estimation, has resulted in significant releases of new
18 information, I think. In saying that I don't mean as far
19 as smoking guns or things like that, but I think there has
20 been an increase in the amount of information that the FBI
21 has made available under this statute.

22 For the most part, as I look at FBI records as
23 they come in to us, there are very few redactions in
24 proportion to the amount of material that is there. That
25 does not mean that they are not withholding information,

1 they are. Their most recent transfer of the Oswald
2 materials, their press release indicated they have made
3 redactions in 1,211 pages, 1,211 pages.

4 Now, that is a lot of pages obviously. But when
5 you are talking about 50,000 pages of records or probably
6 maybe a little more, the percentage obviously there is
7 quite small. I think percentagewise the FBI releases have
8 been pretty full, and they don't really withhold that much
9 information.

10 By the same token, I think the review of the
11 Central Intelligence Agency is similar in that the CIA has
12 made available a lot of records that were not available
13 before. When you talk about the percentage, if you will,
14 of redactions, you are not getting, in my look at the
15 redacted documents or the documents that have been released
16 you are not getting, wholesale redactions of documents with
17 only a five-page document, and you get the to and from and
18 that's all. That is not what we are seeing.

19 We are seeing precise redactions of phrases of
20 perhaps sentences of perhaps an occasional paragraph, and
21 sometimes the whole document. Obviously, there are whole
22 documents withheld, obviously there are. I expect the
23 percentage of documents or information withheld is probably
24 higher in their files than in the FBI files. I say this
25 strictly off the top of my head, having looked at this

material. I have not done any counting.

1
2 But if you are asking for my interpretation of
3 what I have seen, I think we have seen a lot of new
4 material coming out from those agencies. The Secret
5 Service has not really turned over very much information to
6 us. They have turned over the bulk of their material to
7 us.

8 They have released the shift reports for the
9 November 22, 1963, that they had not released before. We
10 just have received that fairly recently, and haven't even
11 had a chance to get it into the collection yet. There is
12 some postponement in there, but that would be under Section
13 6, Part E, which recognizes the protection of measures to
14 protect the President.

15 The only other major intelligence agency, NSA has
16 released a small amount of material to us, but they have
17 withheld material, too, and it is tough to say about that.

18 MS. NELSON: What about DIA?

19 MR. TILLEY: DIA has a similar issue. The
20 Defense Intelligence Agency has also released some material
21 to us, withheld others, other documents. Most of what they
22 have released consists of requests from the various
23 investigative bodies, primarily the House Select Committee,
24 for documentation. The documents of theirs that they have
25 released primarily are the ones which say we don't have

1 anything. The ones that had substantive releases don't
2 seem to have been released so far. Those are the four
3 major intelligence-gathering agencies we have been dealing
4 with.

5 MR. HALL: Do you have any sense from any of
6 these agencies of specific kinds -- I take back "specific,"
7 general kinds of records that they are holding for our
8 consideration?

9 MR. TILLEY: The question of the involvement of
10 organized crime within the assassination is an area which
11 the FBI particularly wishes to discuss with this Board and
12 just where the organized crime issue fits into the
13 collection. I think that is an issue which they are
14 particularly interested in and would like this Board to
15 address.

16 With the CIA, I think I don't really have a firm
17 handle quite as much on some questions that they are not
18 sure about. I do know that within the microfilm material
19 they have indicated that there are some parts of that
20 microfilm that they think may not be relevant to this
21 inquiry and would wish to address that with this Board. As
22 to the specifics of what those areas are, I do not know.

23 MR. HALL: One final question, Mr. Chairman.
24 Would you, perhaps, characterize for us the success of the
25 major agencies in conforming with the law up to this date?

1 MR. TILLEY: Well, I mean, I think overall the
2 response of the agencies has been good. While not
3 everybody met the deadline for the initial 300-day review
4 period, I think that those of us who have been in this for
5 a while would argue that perhaps 300 days simply was not
6 enough time to take on what was, in fact, a huge project.

7 I think many agencies have been surprised perhaps
8 at the volume of material that they, in fact, did have in
9 their possession, and I think everybody was surprised and,
10 frankly, taken aback by the amount of time, the data entry,
11 and the data collection on each document required in order
12 to get it into this database.

13 Obviously, in addition to that, there have been
14 many technical problems with dealing with data entry that
15 have required Archives' personnel, our computer people, to
16 go out and solve the system which we did not have to do.
17 The database which we devised was required by law to be set
18 up in 45 days. Because of that it was a fairly simple
19 system.

20 In addition, it had to be useable in almost any
21 kind of hardware government wide, which also made it a
22 fairly simple system. Based on that, I think that lead to
23 some problems. There were obviously going to be some
24 problems with the system being compatible with various
25 pieces of hardware. I think the computer problems were

1 part of the problems that lead to some of the delays.

2 But I think overall the response of the various
3 agencies has been quite good. Once they got up and running
4 and had the people necessary to do the job, they have been
5 able to move quite efficiently.

6 MR. HALL: Mr. Tilley, I want to thank you for
7 being such a big help to us over the past several weeks.
8 You have performed with an extraordinary degree of
9 professionalism that has been much appreciated.

10 MR. TILLEY: Well, thank you very much. It has
11 been my pleasure to be assistive, and I look forward to
12 working with the Board in the future.

13 CHAIRMAN TUNHEIM: I have just a couple of
14 additional questions for Mr. Tilley. How many agencies
15 would you estimate are there that potentially hold
16 assassination records within any reasonable definition of
17 the term "assassination record"?

18 MR. TILLEY: Let's see, I should have counted
19 before I came, obviously. We have records from the major
20 cabinet agencies, for the most part, the ones that you
21 would assume: Department of Justice, Department of State,
22 CIA, the FBI, the United States Intelligence Agency -- I
23 mean, the United States Information Agency; the SEC, we
24 have actually two documents from the SEC when they closed
25 the stock market after the assassination and when they

1 opened it, they did turn over those two documents to us;
2 DIA, NSA --

3 MS. NELSON: Atomic Energy.

4 MR. TILLEY: No, AE. No, we do not have anything
5 from them yet, Atomic Energy Commission.

6 MS. NELSON: Department of Energy, we have no
7 records from them. National Park Service, we had some
8 photographs taken of the funeral procession. That's what
9 we have, some National Park Service records. We have some
10 U.S. Air Force records, we have some Department of the Army
11 records. From the various agencies, we have the ones you
12 would think that we would have records of.

13 As part of the process of getting started, we
14 provided notice to agencies about organization, getting the
15 collection up, and we put out "Federal Register Notices"
16 asking for agencies to provide us with information. We did
17 get letters from a large number of agencies telling us, in
18 fact, that they did not have any assassination records. I
19 will provide the Board with that list of agencies, so you
20 will see the ones who, in fact, responded to our "Federal
21 Register Notices."

22 I would say right now we probably have between 15
23 and 20 different executive branch agencies with records, in
24 addition to the court system and then the Congress and then
25 of course the presidential libraries. We have records from

five presidential libraries.

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2 CHAIRMAN TUNHEIM: Do you see any agency where
3 there is a need for immediate Board intervention to
4 encourage compliance with the Act?

5 MR. TILLEY: You know, I don't know about
6 compliance with the Act, but I think several agencies want
7 the Board to immediately look to their questions to help
8 them with the process, to help them make some decisions so
9 they can then look to where they need to channel their
10 efforts.

11 I really don't think there has been any -- I
12 would hate to say, you know, I don't think there are really
13 any agencies that have just simply refused to comply with
14 the Act. I think once they were aware of the fact that
15 they had records, that they have been willing to do the
16 work. But that work is continuing. As I say, we continue
17 to find there are records that agencies simply did not know
18 they had in their possession.

19 CHAIRMAN TUNHEIM: Do you have any estimate yet
20 on the locations of groupings of records that may be
21 outside of the federal government, outside of the
22 Washington, D.C. area?

23 MR. TILLEY: Yes. In the state of Texas, there
24 are several archival repositories which hold records which
25 obviously are related to the investigation of the

1 assassination, and I think would be of great interest to
2 researchers who are doing work in this area.

3 Just as an example, the records of the Attorney
4 General of the State of Texas, a gentleman named Wagner
5 Carr, Attorney General at the time of the assassination, I
6 believe are at the Archives of Baylor University. Several
7 researchers have mentioned to me since I have been involved
8 in this project that there are records down there that are
9 quite interesting as far as understanding what happened at
10 least in Texas and the follow up of the investigation in
11 Texas.

12 CHAIRMAN TUNHEIM: Closed records?

13 MR. TILLEY: I don't know if they are opened or
14 closed, but they would certainly be of interest. There are
15 probably records that many people don't know exist, quite
16 frankly. Another place is in New Orleans. All of the
17 records of the trial of Clay Shaw, for the most part, are
18 State of Louisiana records. The Review Board needs to look
19 into the question about those records for the State of
20 Louisiana and coordinate those records within the
21 collection. I might say that most of the trial transcript
22 of the Clay Shaw trial are part of the collection as part
23 of the records of the House Select Committee. But the
24 backup, the records of Jim Garrison's office and his other
25 investigators are not nearly as well represented within

1 this collection. Now obviously Garrison was interviewed by
2 the committee and other individuals who were part of those
3 actions in New Orleans in 1967 are part of the collection,
4 but overall I don't think you can say that those records
5 are well-represented within this collection at this time.

6 CHAIRMAN TUNHEIM: One area, one more question
7 and I'll ask that Mr. Graff ask questions. The Act
8 requires the Board to seek out records that are currently
9 protected under seal of the court. What different types of
10 documents are you aware of that are currently protected by
11 a court order that the Board needs to focus its attention
12 on?

13 MR. TILLEY: Well, the one particular thing that
14 I'm aware of are the interviews that were conducted by
15 William Manchester in the writing of his book, "The Death
16 of a President." As I'm sure many are aware, that book
17 caused quite a consternation at the time it was about to be
18 published, and there was a court action over whether or not
19 certain information Mr. Manchester had elicited during his
20 interview should be part of that book. Eventually, many of
21 those interviews and other documents were placed under
22 court seal. I would think that is probably the most well-
23 known aspect of a part of materials that are sealed.

24 It is very possible there are materials in the
25 Garrison, the Clay Shaw trial that may be under seal. I

1 think that would be another area where this Board would
2 want to follow up on that. Now, there are other federal
3 court records. I should have mentioned earlier that we are
4 aware of the fact that Clay Shaw actually sought protection
5 from Jim Garrison in federal court following his acquittal
6 in New Orleans.

7 We are working on getting those additional
8 federal court records up there to be part of the collection
9 there. They are currently in the custody of our branch, of
10 our regional Archives branch in Fort Worth, Texas. We are
11 working with those folks to get those records up here to.
12 Whether or not there is any sealed material in there, I
13 don't know at this time.

14 CHAIRMAN TUNHEIM: Mr. Graff?

15 MR. GRAFF: Mr. Chairman, in connection with the
16 search, how about the foreign collections? We are under
17 legislative injunction to go ahead and seek out material
18 from the Soviet Union, I assume from Mexico, and elsewhere.
19 Have we had any success? Has any of that material been
20 sought?

21 MR. TILLEY: Well, the only thing that has
22 resulted from, if you will, a foreign search of records is
23 that the State Department was told under the Act to contact
24 the Government of Baleares in order to find out what
25 records that may have been in the possession of that

1 government that dealt with Lee Oswald's time when he was in
2 Minsk. In fact, the State Department has done that, and
3 those records are part of the State Department records that
4 are in our custody. That is the only instance that I am
5 aware of where we have sought government records from
6 foreign governments.

7 MR. GRAFF: Nothing from Mexico?

8 MR. TILLEY: Nothing from Mexico, and I don't
9 think there has been any attempt to try to do anything
10 along those lines at this time.

11 MR. GRAFF: You judge there should be an attempt?

12 MR. TILLEY: Well, I would think that that's an
13 obvious venue for this Board to look, because the
14 investigation of Oswald's activities in Mexico City in
15 September and October 1963 are currently one of the hottest
16 topics among people who are interested in the
17 assassination. That is the one reason that the Summary
18 Report written by the House Select Committee staff, the
19 Lopez Report, was made available on the opening on August
20 23.

21 We were specifically requested by the House Rules
22 Committee to have that document available for release on
23 that day because of the intense interest in it. Obviously,
24 the interest in that document means there is probably more
25 information in there.

1 MS. NELSON: Or it could also be another place,
2 and that is where Oswald stopped when he was returning to
3 the United States from Europe.

4 MR. TILLEY: Yes, the various places he stopped
5 on the way in returning from the Soviet Union, yes, as he
6 made his way through Western Europe.

7 MS. NELSON: Let me pursue the question of donor-
8 related documents, collections. Nobody has approached the
9 Library of Congress; is that correct?

10 MR. TILLEY: We have not, no.

11 MS. NELSON: Right now, you do know of donor
12 collections in the presidential libraries?

13 MR. TILLEY: That's correct.

14 MS. NELSON: In general, there are many different
15 ways in which they have restricted the records?

16 MR. TILLEY: Well, donated material operates
17 under -- there is an instrument called the deed of gift,
18 and the deed of gift controls the way access is provided to
19 the materials that are covered by the deed.

20 MS. NELSON: Do the library directors or the
21 chief archivists in the libraries that are
22 involved -- Kennedy, Johnson, and Ford in particular -- in
23 fact, where are the other two libraries?

24 MR. TILLEY: Well, the Carter Library had a
25 little bit of material and the Hoover Library had the

1 custody of the papers of Clark Mullenhoff, which contained
2 a small amount of material related to the trial, to the
3 Shaw trial.

4 MR. NELSON: Oh, okay. But in those three
5 libraries, do you have a sense of other donor gifts, other
6 collections of papers that perhaps might have information
7 in them?

8 MR. TILLEY: Oh, sure, there are other
9 collections in the various libraries that currently have
10 not been processed under the Kennedy Act yet. The library
11 staffs have been in touch with the donors, asking them
12 whether or not they will agree to the release of the
13 documents under the terms of the Kennedy Act. But in many
14 instances that process has not been completed yet, or the
15 donors have not made a decision on those items.

16 MS. NELSON: Has anybody said no?

17 MR. TILLEY: Yes, one donor at the Kennedy
18 Library has said no. I think it was a tentative no, and
19 not absolute no. But that is the only one.

20 Now, I might say that the Ford Library, all the
21 materials at the Ford Library are covered by President
22 Ford's deed. The President, Former President Ford, has
23 said from the very beginning that he has no objection, that
24 everything dealing with the assassination should be made
25 available under the Act.

1 At the Johnson Library, the materials that we are
2 talking about are covered primarily by two deeds, most of
3 it is the John Connolly deed. And all of John Connolly's
4 record, even before the law was signed John Connolly
5 contacted the library and instructed them to release
6 everything from his papers that related to the
7 assassination. And, in fact, it has been done.

8 The vast majority of the rest of it is covered by
9 the Johnson deed, and the Johnson Library has been working
10 under that. Now, there are I believe four or five oral
11 history interviews which have not been disclosed yet, and
12 the Johnson Library staff is in contact with the donors of
13 those oral history interviews. The Kennedy Library, they
14 are working with their donors in trying to resolve issues
15 up there.

16 MS. NELSON: The information that they released
17 from the Robert Kennedy papers in the Kennedy Library, was
18 this the extent of what is in the Robert Kennedy
19 Collection?

20 MR. TILLEY: No, it's not. The Robert Kennedy
21 papers primarily are in three major groups, they are: his
22 pre-Attorney General papers, if you will, up to 1961; then
23 his Attorney General papers; and then his Senate papers,
24 which include his campaign for president. Many series from
25 all three of those segments of his files have already been

1 made available under the deed of gift. I would say that
2 probably 65 to 70 percent of those series have been already
3 processed and released from the Robert Kennedy papers.
4 There are a couple of series from his Attorney General
5 papers that still have not been processed for release. But
6 the desk diaries, the telephone logs, and telephone
7 messages from one of those series, and that process has
8 been completed.

9 MS. NELSON: So they are all under a deed?

10 MR. TILLEY: Well, my understanding is that there
11 is not a deed for those papers. They are actually under
12 what we call a deposit agreement.

13 CHAIRMAN TUNHEIM: Any further questions for
14 Mr. Tilley, Members of the Board?

15 MS. NELSON: I'm sure we will have more next
16 time.

17 CHAIRMAN TUNHEIM: I just want to echo Mr. Hall's
18 comments. Mr. Tilley, you have been very, very helpful to
19 us, and I think this was a very, very helpful and thorough
20 explanation of the status of the collection and where it
21 exists today. We appreciate your terrific level of
22 cooperation with us.

23 MR. TILLEY: My pleasure.

24 CHAIRMAN TUNHEIM: Are there any other items,
25 Board Members, that we need to address today?

[No response.]

1
2 CHAIRMAN TUNHEIM: Seeing none, I would like to
3 just make one final comment and invite board members to as
4 well, if they would like to. I look forward to a very
5 helpful and cooperative relationship with the research
6 community and those who have a special interest in the
7 assassination records and materials. We need assistance
8 and, we are hopeful that we can reach out and have the kind
9 of dialogue that would be helpful to us so that we can
10 achieve the important goals in the law.

11 I think our goals are the same as yours, public
12 disclosure of all of the relevant records as soon as
13 possible. We look forward to the public hearing process,
14 where we will have the opportunity to hear from members of
15 the community who are interested and have information that
16 is relevant for us.

17 Any further comments?

18 MR. JOYCE: Only that it's nice to know that we
19 are finally on our way.

20 MS. NELSON: Yes.

21 CHAIRMAN TUNHEIM: We are all glad to be here
22 today. It has been a long period of time.

23 MR. HALL: We are all happy about that.

24 ADJOURNMENT

25 MR. GRAFF: I move that we adjourn.

CHAIRMAN TUNHEIM: Is there a second?

1

MR. JOYCE: So moved.

2

CHAIRMAN TUNHEIM: All those in favor say "aye."

3

[Chorus of ayes.]

4

CHAIRMAN TUNHEIM: Opposed?

5

[No response.]

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CHAIRMAN TUNHEIM: The meeting is adjourned.

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[Whereupon, at 3:20 p.m., the meeting was
adjourned.]

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