

# Assassination Records Review Board

600 E Street NW ▪ Second Floor ▪ Washington, DC 20530

## MEMORANDUM

June 19, 1995

TO: The Board

FROM: David G. Marwell  
Executive Director

SUBJECT: Update

### **New Orleans**

The Board and staff will meet in New Orleans on Tuesday evening, June 27, 1995. We will try to arrange (with Anna's help) for a Board dinner.

The hearing will be held at 10:00 a.m. in the third floor auditorium of the Old U.S. Mint Building, located at 400 Esplanade Avenue, in the French Quarter. The Board will hear testimony on the identification and location of assassination records in New Orleans and receive an update by a representative from the National Archives on the President John F. Kennedy Assassination Records Collection. The hearing will conclude at approximately 1:00 p.m. The Board will reconvene after lunch for a scheduled Board meeting.

The media will be advised that members of the Review Board will be available for interviews in the third floor auditorium prior to the public meeting at 9:30 a.m.

Tom has assembled the following witness list and will provide a detailed briefing memo with suggested questions by the end of the week.

**The Honorable Lindy Boggs**; former Congresswoman and wife of the late Congressman Hale Boggs, who was a member of the Warren Commission.

**New Orleans District Attorney Harry Connick** (Tom deserves special credit for his persistent and persuasive approach to Mr. Connick).

**Wayne Everard**; Archivist, City of New Orleans Archives. He oversees records at the New Orleans

Public Library that are from the investigation into the assassination of President Kennedy conducted by former New Orleans District Attorney Jim Garrison.

**Dr. Michael L. Kurtz;** Professor of History at Southeastern Louisiana and author of *Crime of the Century*, a 1982 book on the Kennedy assassination.

**Stephen Tyler;** producer and director of the 1992 documentary "*He Must Have Something: The Real Story of Jim Garrison's Investigation of the Assassination of JFK.*"

**Cynthia Anne Wegmann, Esq.;** daughter of the late Edward Wegmann, a member of the legal team which defended Clay Shaw at his 1969 assassination conspiracy trial.

**Steve Tilley;** will give an update on the Collection. We are waiting to hear on the status of other witnesses, including New Orleans District Attorney Harry Connick, Sr.

### **Personnel**

Jerrie Olsen started on June 12 as executive secretary. Jerrie sits in the station outside my office and, in addition to supporting me, will act as secretary to the Board. In addition, Tammi Long joined the staff on June 19 as an analyst on the FBI team. Tammi is a recent graduate of Emory University School of Law in Atlanta. Congratulations are in order for Phil Golrick who has been promoted to Chief of the FBI Team. Phil has been serving in an acting capacity and has done an outstanding job.

### **Legal Issues**

Our position announcement will appear this week in the *Washington Legal Times* and the *Legal Employment Report* and will close on July 14. In the meantime, Jeremy continues to wear two hats and has done an outstanding job in working to ensure that the Review Board is in compliance with relevant federal law as soon as possible.

***Sunshine Act.*** We have the tentative permission from OMB to publish our Notice of Proposed Rulemaking on the Sunshine Act, although we are awaiting final confirmation on Monday. We hope to have the proposed rules at the Federal Register by Monday afternoon. This is the regulation with which we must comply most promptly.

***Definition of Assassination Records.*** We are still awaiting final approval from OMB.

***FOIA regulations.*** The staff sent draft proposed FOIA regulations to the Review Board and to OMB. Anna called in with some helpful suggestions. All of her suggestions that can legally be included have been added to a new draft. Laura's work has been particularly valuable to us. The staff is awaiting the return of the notation-voting forms from the Review Board members.

*Privacy Act regulations.* Jeremy is in consultation with several government offices in pursuit of recommendations concerning some of the more difficult problems we have in complying with the Privacy Act. Jeremy completed a draft of proposed Privacy Act regulations has been completed and will be distributed to the Board in New Orleans once we obtain further advice from OMB and the Justice Department.

*Board Voting and Quorum Procedures.* The Board is being sent some proposals for voting and quorum procedures that the Board may discuss, amend, and adopt in New Orleans. It will be helpful if the Board can adopt procedures to govern its future deliberations.

*Declassification authority.* Jeremy has written to Steve Garfinkel at the ISOO to obtain authority for the Review Board to declassify documents. Having such power would facilitate a more orderly transfer of records to the National Archives.

### **Research and Analysis**

*NSA.* Jeremy visited Ft. Meade on Thursday, June 16 to review the NSA's response to our first request for information. Because the contains SCI-classified material, we need to review it at NSA until our SCIF is fully cleared. The response was in many ways disappointing, although there was some limited useful information on which the Board may wish to be briefed orally. The NSA apparently has additional records (including an Oswald file) that have not been reviewed under the JFK Act. Jeremy requested the following from NSA: (a) to set up a time when all of the NSA materials can be reviewed; (b) to set up interviews with NSA analysts who worked on relevant projects during 1963; (c) to review a relevant internal NSA publication; and (d) set up a time to speak with the NSA historians about a new and relevant project on which they are working.

*Secret Service.* John Machado of the Secret Service responded to our request for a status report from the Secret Service. He sent us a written response (which was not extremely informative) and an oral response during his visit to our offices. [See Joan's agency contacts for additional information.] Joan has also identified some additional assassination-related material that had not previously been described by the Secret Service.

*HSCA.* The staff began to review the handwritten notes prepared by the HSCA staff.

*Treasury.* [What did you receive?]

### **FBI Team**

The FBI team has selected a number of FBI documents for postponement review by the Review Board during the July 17-18 meeting. On June 9, the FBI received a Request for Evidence form for each document, along with notification that these documents had been scheduled for review at that meeting. We believe that, consistent with its own current guidelines, the FBI should agree to release

some of the material now postponed in these documents, and are discussing those postponements with the FBI. We are also researching the subjects of the documents slated for review at the July 17-18 meeting, in preparation of staff recommendations regarding the postponements therein.

### CIA Team

CIA team is currently preparing all of its remaining Mexico City documents for the next Board Meeting, including making additional requests to CIA for information and updating our own information logs and document tracking tables. We have also visited NARA's Center for Legislative Archives to look at classified HSCA records and discovered that CIA is still withholding and has not transferred to NARA some of the most sensitive of these. Two team members will go to CIA next week to look at these withheld documents. In addition, anticipating the transfer from CIA of the first boxes of Oswald's 201 file, which David specifically requested at our June 13 meeting with HRG, we are preparing for the sequential review of these records when they arrive. CIA team is also the State Dept. team, and two team members recently reviewed postponed documents at State, procuring the immediate transfer to ARRB of most of this small collection (only 3rd agency referrals and Passport Office records remain). Mary has also looked at Mexico post files at the Washington Federal Record Center in Suitland and found a small file of JFK assassination-related materials that should be incorporated into the JFK Collection. Steps to put this into process will begin as soon as State's liaison to the ARRB returns from vacation.