Chapter 2
Establishment of the Review Board and Definition of "Assassination Record"

A. Introduction

The *John F. Kennedy Assassination Records Collection Act of 1992 (*JFK Act) provided optimistic deadlines by which Congress thought that government offices, the National Archives and Records Administration (NARA), and the Assassination Records Review Board should complete particular activities. This chapter describes the actions taken by the Review Board to begin its work. Once the Review Board members began to meet, they realized that they would immediately need to define the term "assassination record." The Board's definition of that term was the foundation that enabled the Board to begin the critical task of reviewing records.

B. Delay in Start Up

When Congress drafted the JFK Act, it estimated that the Review Board would require a maximum of three years to accomplish its work. There were, however, a number of delays in the early phase of the Board's operation that affected the ability of the Board to meet the deadline set by Congress.

Although President Bush signed the JFK Act into law on October 26, 1992, and although the act required the President to make nominations within ninety days, President Bush made no nominations. President Clinton did not nominate the members of the Review Board until September 1993, well after he took office in January 1993, and the Board was not confirmed and sworn in until April 1994. During the 18 month period between the passage of the JFK Act and swearing-in of the Review Board members, some government agencies proceeded with independent reviews of their assassination-related files, as the JFK Act required, but without the Review Board's guidance. Unfortunately, once the Review Board began work, the government offices realized that they would need to re-review files under the Review Board's strict standards. Thus, while Congress passed the JFK Extension Act in 1994[i] to reset the clock and to give the Board a full three-year mandate, it did not foresee the additional delays that occurred as a result of government offices' early attempts to comply with the JFK Act without the Review Board's guidance in the first place.

1. JFK Act Deadlines

a. Ninety days for President to appoint Review Board members. Section 7(a)(2) of the JFK Act stated that the President would appoint Review Board members within ninety days after the enactment of the statute. The statute envisioned that the Board members would start work by the end of January, 1993. Of course, the Review Board members could not begin work until after they were sworn in on April 11, 1994, fifteen months later than Congress had intended. During the original ninety day period set out by the JFK Act, the Bush administration was replaced by the Clinton administration, and although the delay caused by the change in administration was fully understandable, it significantly affected the schedule originally contemplated by Congress.

b. 300 days for government offices to review, identify, and organize assassination records. Section 5 of the JFK Act required each government office to review, identify and organize assassination records within its custody.[ii] No government office completed its work within 300 days as the statute directed, and as the Review Board terminates its operations in September 1998, some government offices still had not reviewed, identified, and organized all assassination records within their custody. For example, the Review Board entered into memoranda of understanding with the FBI and the CIA to allow them to process selected groups of records such as duplicate documents and CIA audiotapes from the CIA Mexico City Station after the Review Board terminated its operations.

The Act specifically required each government office to: (1) determine which of its records fit within the statutory definition of assassination records, (2) determine which of its assassination records contained information from another government office and consult with the other government office concerning the information in the record, (3) determine which of its assassination records it could release, unredacted, to the public, (4) determine which of its assassination records were eligible for withholding under Section 6 of the Act, and then prepare those records for review by the Review Board.[iii] To the extent that a government office had "any uncertainty" as to whether its records were "assassination record[s] governed by" the JFK Act, the Act directed the government office to transmit the records to the Review Board for a determination as to whether the records were, indeed, assassination records.[iv]

Federal agencies, particularly the CIA and FBI, did not to review and process the statutorily-defined "assassination records" in the time allotted and to make them available for Review Board action. Moreover, even if government offices had been able to meet the 300 day deadline, the delay in the appointment of the Review Board prohibited federal agencies from obtaining early guidance from the Review Board on the questions of the definition of "assassination record" and the standards for postponements under Section 6 of the JFK Act.

Congress did realize that agencies would begin their JFK Act compliance before the Review Board began to operate, but as the Senate Report on the JFK Act states, they trusted that the pre-Review Board compliance would not cause additional delays.

> There is a sufficient volume of known assassination records [for the agencies] to organize and review at the outset. However, it is intended that the Review Board issue guidance to assist in articulating the scope or universe of assassination records as government offices and the Review Board undertakes their responsibilities. Such guidance will be valuable notwithstanding the fact that government offices will begin

> to organize and review their records before the Review Board is established. government offices are required to begin the review and disclosure of records upon enactment to expedite public access to the many records which do not require additional review or postponement. However, the ultimate work of the Review Board will involve not only the review of records recommended for postponement, but requiring government offices to provide additional information and records, where appropriate. Guidance, especially that developed in consultation with the public, scholars, and affected government offices, will prove valuable to ensure the fullest possible disclosure and create public confidence in a working definition that was developed in an independent and open manner.[v]

Unfortunately, once the Review Board did provide guidance to the agencies, much initial work of the agencies needed to be revised, which, in turn, slowed down their processing and re-reviewing of assassination records.

In summary, the agencies, for different reasons, had not completed the work assigned to them by the JFK Act. The Review Board attributed such delays by the CIA and the FBI both to the manner in which the agencies declassified material and to the enormous volume of work that they had not been able to complete within the short deadlines provided by Congress.

c. 300 days for NARA to establish JFK Collection. Section 4 of the JFK Act instructed NARA to establish the JFK Collection within 300 days after Congress enacted the Act. On August 23, 1993, exactly 300 days after the enactment of the JFK Act, NARA officially opened the JFK Collection.

d. Three years for Board to complete work. The JFK Act envisioned that the Review Board could start up, complete its work, and close down within 3 years. The Act, however, contained certain provisions that considerably slowed the early phase of the Review Board's operation and delayed the point at which it could operate effectively in its review of records. As an independent agency, the Board had to locate and construct office space that was suitable for the storage of classified material. At the same time, the Board had to hire a staff and obtain for the staff clearances at the Top Secret level. In an effort to ensure the independence of the Board, the JFK Act provided that the Review Board could not hire (or detail) individuals employed by other federal agencies. The Review Board did not have enough staff members to begin to review and process government records until the beginning of 1995 -- two and one-half years after President Bush signed the JFK Act.

Finally, federal agencies submitted to the Review Board more requests for postponement than the framers of the statute anticipated. While the JFK Act states that "only in the rarest cases" would agencies have a "legitimate need for continued protection" of assassination records, agencies submitted tens of thousands of pages of records to the Board with requests for postponements. Thus, Congress' three year timeline for the Review Board to fulfill its mandate was based on a view of agency records that the agencies did not share.

By the spring of 1996, the Review Board believed that in order for it to be faithful to its historical responsibility and commitment to release to the public all known assassination records, it required an additional year. Therefore, it recommended to Congress that the JFK Act be extended for one year.

2. Passage of President John F. Kennedy Assassination Records Collection Extension Act of 1994

On May 8, 1997, Congressman Dan Burton introduced H.R. 1553, a bill that would amend the JFK Act to provide one additional year for the Review Board to complete its work. Congressman Louis Stokes and Congressman Henry Waxman co-sponsored the bill.

On June 4, 1997, the National Security, International Affairs, and Criminal Justice Subcommittee, of the House Government Reform and Oversight Committee held a hearing on H.R. 1553. The Honorable Louis Stokes, Review Board Chair John Tunheim, writer Max Holland, and teacher Bruce Hitchcock all testified in support of H.R. 1553. On July 3, 1997, President Clinton signed H.R. 1553 into law, thus extending the authorization of the Review Board for one additional year, to September 30, 1998.

Following the passage of H.R. 1553, the Committee on Government Reform and Oversight required the Review Board to provide monthly status reports regarding the projected completion of the Board's mandate. Beginning in August 1997, the Review Board sent monthly letters to the Committee Chairman, Congressman Burton.

The Review Board used its additional year to complete its work and terminated its operations, as promised, on September 30, 1998.

C. Defining assassination record

In order for the Review Board to begin the declassification of records related to the assassination of President Kennedy, it first had the task of establishing the definition of an "assassination record."

The Review Board was aware that prior commissions and committees that covered the assassination operated in secret, and that the problems caused by such secrecy had ultimately led Congress to pass the JFK Act and establish the Review Board. Thus, the Board determined that its deliberations on how to define the term "assassination record" must be conducted in the public eye.

In an effort to receive as much comment as possible from members of the public, the Review Board held a public hearing devoted to its definition of the term. In addition, the

Board published its proposed definition in the *Federal Register* in an attempt to solicit Through its solicitation of public opinion, the Review Board received affirmation of its position in favor of a broad definition, as members of the public generally supported a broad definition of the term "assassination record." Given the wide range of assassination theories that existed, the Board members believed that the definition could not exclude records that would enhance the historical understanding of the event, even if those records did not mention the assassination.

As their definition reflects, the Review Board members ultimately concluded that the term "assassination record" had to encompass records beyond those that mentioned central topics such as one of the assassination investigations, Lee Harvey Oswald, his wife Marina, his mother Marguerite, or Jack Ruby. The Review Board, four of whom were trained historians, recognized that the definition had to encompass records that would enhance the historical understanding of the event. Although the Review Board intended to search for any "smoking gun" documents that might still exist, the Board knew that its greatest contribution would likely be to provide to the public those records that would frame the tragic event.

> The definition of assassination records is a threshold consideration for the successful implementation of the Act. Its scope will be the barometer of public confidence in the release of assassination records. While the records of past presidential commissions and congressional committees established to investigate the assassination of President Kennedy are included as assassination records under this Act, it is

public comments.

1. Statutory Definition of "Assassination Record"

The JFK Act defined "assassination record" as a record "related to the assassination of President John F. Kennedy, that was created or made available for use by, obtained by, or otherwise came into possession of" the federal government (or state or local law enforcement offices that assisted in an investigation of President Kennedy's assassination).[vi] Congress noted specifically that "assassination records" encompassed records relating to the Kennedy assassination among the files of the Warren Commission, the Rockefeller Commission, the Pike Committee, the House Select Committee on Assassinations (the "HSCA"), the Library of Congress, the National Archives, "any Presidential Library," "any Executive agency," "any independent agency," and "any other office of the federal government," as well as "any state or local law enforcement office" that assisted in an inquiry into the assassination of President Kennedy.[vii]

The Senate Report on the JFK Act explains that Congress carefully crafted its definition but expected that the Review Board would need to further define the term.

> intended and emphasized that the search and disclosure of records under this Act must go beyond those records. While such records are valuable, they reflect the views, theories, political constraints and prejudices of past inquiries. Proper implementation of this Act and providing the American public with the opportunity to judge the surrounding history of the assassination for themselves, requires including not only, but going beyond, the records of the Warren and Rockefeller Commissions, and the Church and House Select Assassination Committees.[viii]

The JFK Act explicitly empowered the Review Board to decide "whether a record constitutes an assassination record."[ix] The Review Board took seriously its obligation to locate assassination records that fell outside the scope of previous inquiries. Before the Review Board could embark on its search for such records, however, it had to grapple with the question of how extensive its search should be.

2. Congressional Intent Concerning Definition

Having directed the Review Board to further define the term "assassination record," Congress specifically gave the Review Board the power to issue interpretive regulations.[x] The legislative history of the Act explains why Congress thought that the Review Board -- and not the Congress -- had to define the term.

> The term "assassination record" was not more specifically defined by the Committee because to do so before more is known about the universe of records would have been premature, and would have further injected the government between the records and the American public.[xi]

The Congress was so interested in how the Review Board would define "assassination record" that it requested each Board member to provide written answers to the following question as part of the confirmation process:

> The definition of "assassination records" contained in the Records Review Act establishing this Board was intentionally left very broad. What kinds of criteria and factors will you use in determining whether or not a document or other item will fall within the definition?

All of the Review Board members answered that they favored a broad definition of the term, but each recognized that the Board members would, in Judge Tunheim's words, have to "more fully understand the scope of the potential records before attempting to define the term."[xii] Congress also asked the Review Board members to respond to questions concerning assassination records in the possession of private citizens, as well

as questions concerning the Board's authority to administer oaths and subpoenas and grant immunity to witnesses in furtherance of compelling disclosure of assassination records from private and foreign sources.[xiii]

On July 12, 1994, at one of the Review Board's first meetings, it began to consider the scope of its definition of "assassination record." At that meeting, the Board members agreed that they would need to conduct more research before they would be able to craft a definition as Congress intended. The purpose of the Review Board's October 11, 1994, public hearing was to gather public input on how to define the term. At that hearing, members of the public encouraged the Board to define the term broadly. By mid-November 1994, only weeks after the Board's senior staff had begun work, those staff members were circulating draft definitions of this crucial statutory term. The Review Board and their senior staff spent the month of December 1994 discussing the most important sections of the definition, including provisions about whether certain types of records were relevant to the assassination, whether assassination artifacts should become part of the JFK Collection, and whether the Collection could include copies of original documents.

The Review Board members ultimately decided on a proposed definition and published the draft in the *Federal Register* in an attempt to solicit public comment. The January 8, 1995, *Federal Register* contains the Board's proposed definition.

2. Comments from Public

3. Review Board's early deliberations and draft definition

With their proposed definition complete, the Board members began to solicit comments from members of the public and from government agencies about the definition.

a. Notice and Comment

The Review Board sought public comment on a proposed definition and set a 30 day period for the purpose of receiving written comments.[xiv] The Review Board received written comments on its proposed definition from numerous federal agencies, state and local government entities, and individuals.

The Review Board received detailed comments from the public and from federal agencies on the proposed definition. Nearly all of the commentators supported the comprehensiveness and flexibility of the Board's definition. Respondents made both substantive and technical suggestions, many of which the Board adopted into the final definition. Commentators addressed a broad range of concerns, such as whether the Board's proposed definition was too broad or too vague, and whether the Board should provide a list of names and subjects that, to the extent they appeared in documents, would presumptively be assassination records. The Board also received comments about whether the definition should cover state and local government records, private records, and assassination artifacts.

b. Public Hearings

The Review Board also heard testimony at public hearings on aspects of the proposed interpretive regulations. In these public hearings, the Review Board received testimony from NARA and the FBI on the scope of the definition. Members of the public also offered comments on the Board's proposed definition.

The Review Board's *Federal Register* notice establishing the final definition of the term "assassination record" summarized the principal substantive comments received and the Review Board's responses to those comments.[xv]

3. Definition

The Review Board's final definition of an "assassination record" was published in the *Federal Register* on June 28, 1995.

As the Supplementary Information accompanying the proposed definition stated, the Review Board's goal in issuing the guidance was:

> to implement congressional intent that the JFK Collection contain 'the most comprehensive disclosure of records related to the assassination of President Kennedy.' [xvi] The Board is also mindful of Congress's instruction that the Board apply a 'broad and encompassing' working definition of "assassination record" in order to achieve the goal of assembling the fullest historical record on this tragic event in American history and on the investigations that were undertaken in the assassination's aftermath. The Board recognizes that many agencies have already begun to organize and review records responsive to the [JFK Act] even before the Board was appointed and began its work. Nevertheless, the Board's aim is that this guidance will aid in the ultimate assembly and public disclosure of the fullest possible historical record on this tragedy and on subsequent investigations and inquiries into it.[xvii]

The Review Board considered all comments and created its final draft of the definition. The Board discussed its final draft at a public meeting, and explained how it had incorporated many of the comments received by the Review Board on the proposed definition.

The Review Board's definition intended "to identify comprehensively the range of records reasonably related to the assassination of President Kennedy and investigations undertaken in its aftermath," and "to aid in the consistent, effective, and efficient implementation of the JFK Act and to establish procedures for including assassination records in the JFK Assassination Records Collection established by Congress and housed at

NARA's facility in College Park, Maryland."[xviii]

a. Scope of assassination record.[xix] The Board ultimately determined that any records that were "reasonably related" to the assassination would be assassination records. The Review Board believed that its mandate from Congress was to assemble all materials reasonably related to the assassination in the JFK Collection.

> (a) An *assassination record* includes, but is not limited to, all records, public and private, regardless of how labeled or identified, that document, describe, report on, analyze, or interpret activities, persons, or events reasonably related to the assassination of President John F. Kennedy and investigations of or inquiries into the assassination.
> (b) An *assassination record* further includes, without limitation:
> (1) All records as defined in Sec. 3(2) of the JFK Act;
> (2) All records collected by or segregated by all federal, state, and local government agencies in conjunction with any investigation or analysis of or inquiry into the assassination of President Kennedy (for example, any intra-agency investigation or analysis of or inquiry into the assassination; any inter-agency communication regarding the assassination; any request by the House Select Committee on Assassinations to collect documents and other materials; or any inter- or intra-agency collection or segregation of documents and other materials);
>
> (3) Other records or groups of records listed in the Notice of Assassination Record Designation, as described in §1400.8 of this chapter.

Section 1400.1 of the Board's final definition of "assassination record" definition reads as follows,

In its work, the Review Board often turned back to the breadth of its definition of the term "assassination record." Indeed, in the Board's last weeks of work, a representative from one government office told the Review Board that he did not believe that his office's records were assassination records because the records did not mention the assassination, or any of the central assassination figures. When it was defining the term "assassination record," the Board anticipated that federal agencies and others who possessed relevant records would challenge the Board's judgment.

b. Scope of additional records and information. [xx] The Review Board determined that it would request additional records and information when necessary for identifying, evaluating, or interpreting assassination records, including

assassination records that agencies may not have initially located or identified. The Review Board's regulatory definition included a description of some items the Review Board might request from government agencies that included background information about how the agencies operate and, in particular, how agencies performed their declassification review.

The work of the Review Board staff hinged on the breadth of the Board's definition of "additional records and information." Often, the staff located a particular code name or number in a federal agency record and needed the authority to require the federal agency to provide information that would reveal the underlying information. For example, in CIA documents, the Review Board staff encountered pseudonyms and needed to know the true name of the individual in the record. Similarly, in FBI records, the Review Board staff often reviewed records that contained "symbol number informants" where the FBI had substituted a number in place of an informant's name. In part because of the Review Board's regulation, the staff could request the FBI to reveal the informant's true name and review the informant's file.

c. Sources of assassination records and additional records and information.[xxi] The Review Board sought to cast a wide net in terms of where it might locate assassination records. The Board's regulation, therefore, allows the Board to seek assassination records in the possession of all federal government entities, all state and local government entities, private individuals, private institutions, all courts, and all foreign governments.

When the Review Board later sought to obtain records from non-federal sources, their regulatory definition proved useful. Over the objection of New Orleans District Attorney Harry Connick, Sr., the Review Board was able to obtain for the JFK Collection records that had been in the possession of the New Orleans District Attorney's office since the 1960s when former New Orleans District Attorney Jim Garrison prosecuted Clay Shaw for conspiring to murder President Kennedy. In litigation over the records, the Review Board relied in part on its regulation defining the term "assassination record."

The regulation also proved helpful in the Review Board's efforts to secure assassination records from former government officials. For example, the Board sought the records of Walter Sheridan, former investigator for Robert F. Kennedy whom the Review Board had reason to believe might possess assassination records. Although Sheridan was deceased, he owned such records "by virtue of [his] service with a government agency, office, or entity" and thus, the Review Board was able to subpoena his widow to determine whether he retained any assassination records.

d. Types of materials included in scope of assassination records and additional records and information.[xxii] The Review Board tried to be as inclusive as possible in identifying the type of material it could seek for inclusion in the JFK Collection, and it included papers, maps,

and other documentary material, photographs, motion pictures, sound and video recordings, machine readable information in any form, and artifacts.

NARA wanted the Review Board to exclude the term "artifacts" from its definition of assassination record. NARA believed that extensive public access to assassination artifacts would undermine NARA's ability to preserve them. The Board members concluded that the term must become part of The Review Board did act on its inclusion of the terms "artifacts" in the definition when it requested that NARA become involved in the testing of Warren Commission Exhibit 567--a bullet fragment found in President Kennedy's limousine on November 22, 1963, and stored at NARA in the intervening years. The Review Board oversaw testing of tiny strands of fiber on that bullet fragment as well as testing of other material on the bullet fragment. NARA was hesitant to approve testing of the fragment, but had the Review Board not included the term "artifact" in its definition, the Board almost certainly could not have played a role in the testing.

e. Assassination records released in their entirety.[xxiv] The Review Board further required that, in accordance with the JFK Act, assassination records be released in their entirety unless the Board sustained agency postponements. Practically, the Board meant that agencies could not object to the disclosure of all or part of an assassination record "solely on grounds of non-relevance." The Board specifically wrote that the Board, not the agencies, would make determinations about whether particular records were relevant.

the definition, but agreed to establish procedures for placing artifacts in the JFK Collection.[xxiii] The Board agreed to allow NARA to make judgments about when and to whom it would allow access to artifacts. To the extent that NARA could not allow access to members of the public who wished to view particular artifacts, the Board's regulation allowed NARA to provide the public with photographs, drawings, or similar materials depicting the artifact.

This section of the Board's 1995 Guidance specifically affected the FBI. From early 1993 until the Board issued its definition in 1995, the FBI designated large parts of FBI files as "NAR," or "not assassination related." Indeed, with regard to the majority of the records to which the FBI assigned the "NAR" acronym, the Review Board agreed that the records were not relevant to the assassination. For example, the FBI designated as "NAR" those sections of their HSCA administrative file that related to the HSCA's investigation into the assassination of Martin Luther King, Jr. However, the Board's regulation mandated that the Board, and not the FBI, make determinations as to relevance, so the FBI abolished the "NAR" designation and made all such records available to Board staff for review.

On the other hand, in several of the FBI's appeals to the President, the FBI argued that the information that the Review Board had voted to release was not relevant to the assassination. In those cases, the Review Board was able to argue effectively that the Board should determine whether information was relevant to the assassination.

f. Originals and copies. The Review Board defined when it would be willing to accept copies of assassination records in lieu of original assassination records for the JFK Collection.[xxv]

With regard to motion pictures, the Review Board stated that "the camera original, whenever available, . . . may be placed in the JFK Collection." The regulation quietly expressed the Review Board's preference for original motion pictures, but when the Review Board resolved that JFK Act worked a "taking" of the Zapruder film such that the film belonged to the U.S. government and not the Zapruder family, the Board believed that a copy of the camera original Zapruder film could not substitute for the camera original.

Finally, the Board's regulation established a procedure by which it would designate records as assassination records.[xxvi]

D. Conclusion

Congressional and presidential delays, combined with unrealistic statutory deadlines, contributed to a delay in the establishment of the Board. Once the Review Board began to meet, however, it laid the groundwork for later review of records by defining the term "assassination record."

CHAPTER 2
ENDNOTES

i. Cite to JFK Extension Act.

ii. JFK Act at § 5(c)(1).

iii. JFK Act, § 5(c)(2)(A)-(H).

iv. *Id.* § 5(c)(2)(F).

v. *President John F. Kennedy Assassination Records Collection Act of 1992,* S. Rep. 102-328, 102d Cong., 2d Sess. (1992) at 21.

vi. *Id.* § 3(2).

vii. *See id.* § 3 (2)(A)-(L). Section 3(2) of the JFK Act specifically excluded from the definition of "assassination record" autopsy records donated by the Kennedy family to the National Archives pursuant to a deed of gift. *See* JFK Act § 3(2).

viii. Senate Report at 21 (emphasis added).

ix. JFK Act at § 7(I)(2)(A).

x. JFK Act, § 7(n).

xi. Senate Report at 21.

xii. Nominations of Graff, Tunheim, Nelson, Joyce, and Hall. The Review Board's precise answers to the question as to how they would define the term "assassination record" follow: **Henry Graff** wrote, "Plainly any document that directly or tangentially deals with the Assassination will be subsumed under the head of 'assassination record,' but I believe that some documents and classes of documents will have to labeled such on an *ad hoc* basis." **Judge Tunheim** wrote that it was his view that "the Board should more fully understand the scope of the potential records before attempting to define the term. I favor a broad definition in order to fulfill the clear intent of Congress. One important criteria will be the extent to which the record adds to the public understanding of the events and characters involved in the assassination and its aftermath." **Anna Nelson** explained that **"**My sense at this point is that the Board should encourage this broad definition of records while we establish the parameters of the issue. Defining the records is the perfect topi for public hearings. Most individuals who have extensively studied the available information have opinions on this matter. In addition, the index

of names from the [HSCA] report, and the subject index in the National Archives will help clarify the issues for us. I'm sure the Board will spend considerable time on this issue because of its importance to the work of the Board." **William Joyce** wrote that "The definition of 'assassination records' will be a major challenge for the Review Board to resolve in a workable manner. In my view, the Review Board will need to establish criteria addressing: (a) the temporal proximity of the record in relation to the assassination, (b) the content of the record relative to the assassination, and (c) the relation of the record to important factors and issues perceived to be related to the assassination." And **Kermit Hall** stated that **"**The statute creating the Review Board defines an assassination record as [statutory definition]. These materials are certainly, therefore, the core of what constitutes the 'assassination records' that the Board is duty bound to treat. Any of these materials that are held in private hands are also covered by the statute and are subject to its provisions. In general, I think that the Board should take a broad view of what constitutes an assassination record within the terms of statute."

xiii. The Review Board's answers to these questions are in the Nomination Hearings of Graff, Tunheim, Nelson, Joyce, and Hall. *See* answers to questions 8 and 9.

xiv. In an effort to receive comments from all interested parties, the Review Board sent copies of the proposed interpretive regulations to agencies known to have an interest in and to be affected by the Review Board's work, particularly those that either created or now hold assassination records, and to the appropriate oversight committees in Congress. The Review Board also sent notices of the proposed interpretive regulations and request for comments to many organizations and individuals who have demonstrated an interest in the release of materials under the JFK Act or who have engaged in research into the assassination of President Kennedy.

xv. Cite to Federal Register notice.

xvi. S. Rep. 102-328, *supra* at 18.

xvii. 60 FR 7506.

xviii. Cite to definition.

xix. 44 C.F.R. 1400.1.

xx. 44 C.F.R. 1400.2.

xxi. 44 C.F.R. § 1400.3.

xxii. 44 C.F.R. § 1400.4.

xxiii. 44 C.F.R. § 1400.7.

xxiv. 44 C.F.R. § 1400.5.

xxv. 44 C.F.R. § 1400.6,

xxvi. 44 C.F.R. § 1400.8.