Chapter 3
Public Activities of the Assassination Records Review Board

"The underlying principles guiding the legislation are independence, public confidence, efficiency and cost effectiveness."[i]

A. Introduction

While the Review Board members and staff focused the majority of their efforts on the identification, review, and release of assassination records, the *President John F. Kennedy Assassination Records Collection Act of 1992* (JFK Act) also directed the Review Board to "receive information from the public regarding the identification and public disclosure of assassination records" and to "hold hearings."[ii]

Prior commissions and committees that examined the assassination conducted their work in secret and then closed their records. The Review Board members recognized that they must set themselves apart by conducting their work in public. Thus, when the Board confronted major policy decisions, it solicited comments from the public. For example, when the Review Board defined the term "assassination record," it held a public hearing on the topic and solicited public comments. Likewise, the Review Board recognized that the government's secretive handling of the Zapruder film has been fodder for conspiracy theorists. In an effort to avoid causing further speculation about the film, the Board determined that it must conduct its deliberations about the Zapruder film in public. To that end, the Board held a public hearing on the issue of whether the Zapruder film was already or should become the property of the American people.

The Board did not, however, consult the public only on major policy decisions. It also received thousands of comments from members of the public as to where the Board might locate additional records and information related to the assassination. The Board received such comments through its experts conferences, open meetings, public hearings, and extensive, ongoing contact with members of the public who wrote and called the Review Board.

To fulfill its statutory obligations, the Review Board held public hearings, open meetings, and conferences, and it actively solicited input from the public and conducted ongoing efforts to keep the public informed of all Review Board decisions.

A. Public Hearings

In an effort to gather as much information as possible from the American public about the existence and location of "assassination records," the Review Board conducted a total of seven public hearings -- one each in Dallas, Boston, New Orleans, and Los Angeles, and three in Washington, D.C. The Review Board believed that in order to ascertain what materials existed throughout the country, it was important to hold such hearings outside of Washington, D.C., and primarily in cities where key witnesses might be located or where important assassination-related events had occurred. At each hearing, the Review Board invited members of the public to testify, and the witnesses provided input about materials related to the assassination of President Kennedy.

By all accounts, the Review Board's public hearings were a success. One of the first Review Board hearings was held in Dallas, TX. In Chairman Tunheim's opening remarks he said, "We are holding this hearing in Texas because we believe there are records in this area, in this state, that are essential to a complete record of this event." In all, 19 witnesses testified and provided suggestions to the Review Board as to where it might find records related to the assassination. Of all Review Board hearings this particular one had the most witnesses, and it was at this hearing that many members of the public and the Review Board members met for the first time.

The Boston hearing allowed the Review Board to meet Priscilla Johnson McMillan, a journalist who had conducted extensive interviews with Marina Oswald Porter for her book, *Marina and Lee*. As a result of her positive contacts with the Review Board, Ms. McMillan determined that she include a provision in her will stating that she intended to give to the JFK Collection at NARA all of the material she gathered for her book. Likewise, the New Orleans public hearing provided a forum for Lindy Boggs, United States Ambassador to the Vatican and wife of the late Senator Hale Boggs, to donate her husband's papers from his service on the Warren Commission.

One of the Review Board's primary goals in conducting its public hearings was to inform the American public that the Review Board existed and that it sought assassination records. In New Orleans, the public hearing ferreted out a treasure trove of assassination records, including long lost grand jury transcripts from New Orleans District Attorney Jim Garrison's prosecution of Clay Shaw for murder of President Kennedy. Prior to the public hearing, the man who possessed the grand jury transcripts, Gary Raymond, a former investigator on Garrison's staff, maintained the records in his basement. As a direct result of the Review Board's hearing, Mr. Raymond decided that he had a duty to turn the records over to the custody of the government. Several days after returning to Washington, the Review Board members received a package containing grand jury testimony of individuals such as Marina Oswald Porter, Ruth Paine, and Perry Raymond Russo, who played a role in Oliver Stone's *JFK*.

These stories of the Review Board's acquisitions of invaluable records relating to the assassination of President Kennedy are recounted in the other chapters of this report, but they serve as excellent examples of the benefits that accompanied the Review Board's public hearings.

Finally, the Review Board used the public hearing format to make policy on its definition of the term "assassination record" and on its disposition of the famous "Zapruder film." Again, the valuable testimony that the Review Board gained through these hearings is summarized in other places within this report, but the Review Board did take seriously Congress' guidance to "receive information from the public" on its most important decisions.

B. Review Board Public Meetings

While the majority of the Review Board's meetings were not open to the public, the Review Board did hold 20 public meetings. As opposed to the public hearings, where the Review Board would hear testimony from witnesses, public meetings allowed members of the public to observe the Board at work. The Review Board discussed a variety of business in its public meetings, including such topics as its policy regarding documents that the Review Board found to be of "no believed relevance" ("NBR") to the assassination, and the drafting of its Final Report.

C. Experts Conferences

Twice during the Review Board's tenure, it determined that it would benefit from the reflections of a group of invited guests who are specialists in their fields. The Review Board held each "Experts Conference" in Washington, D.C.

The first conference occurred in May 1995, and included a group of authors and researchers who had studied the assassination as well as staff members from both the Warren Commission and the HSCA. The all-day round table discussion provided the Review Board staff with an opportunity to determine which records were of the most interest to both the public and to those whose prior investigative efforts had been thwarted due to lack of access to records. The participants in the discussion also provided a great number of recommendations about where the Review Board might find assassination records.

Professor Robert Blakey, former Chief Counsel of the HSCA, reminded the Review Board of the HSCA's belief that it would have benefitted from the FBI's fuller disclosure of its electronic surveillance materials from its organized crime files. As a direct result of Professor Blakey's suggestion, the Review Board requested and reviewed from the FBI a broad cross-section of organized crime electronic surveillance files, the most significant of which was certainly the FBI's electronic surveillance of Carlos Marcello, alleged New Orleans crime boss.

Another participant, Paul Hoch, suggested that the Review Board obtain the records in the possession of Clay Shaw's attorneys. In April of 1996, the Review Board released the files of the late Edward Wegmann, who was a member of the legal team that defended Clay Shaw at his 1969 assassination conspiracy trial. Mr. Wegmann's family agreed to donate the files, consisting of approximately 6,000 pages, to the JFK Collection.

In April 1998, the Review Board held another experts conference, this time narrowly focused on the issue of declassification of government documents. The Review Board tailored its invitation list to include experts in Washington's declassification world. Ultimately, the Review Board gathered twelve representatives from both the private and public sector to discuss access -- and lack thereof -- to government records, the problems and possible solutions to the problem of secrecy, lessons learned from the implementation of the JFK Act, and possible

recommendations to be made by the Review Board in its Final Report. The participants included representatives from the Project on Government Secrecy, Interagency Security Classification Appeals Panel ("ISCAP"), National Security Council, the
The panelists discussed various issues including the simplification of the referral process throughout the intelligence community, and the need for declassification entities such as the Review Board to be 'independent' in nature. They also discussed different policies for review, such as the declassification of records for special cases like the assassination of President Kennedy vs. agency-wide declassification. Overall, the day long conference was an informative session wherein the panelists talked about the guidelines for the release of information, and how it can realistically be done.

D. Outreach

Given that one of the primary objectives of the Congress in passing the JFK Act was to restore public confidence in government, the Review Board recognized that it would need to maintain regular contact with members of the public who expressed an interest in the Board's work. As part of its efforts to communicate with the public, the Review Board maintained both a regular mailing list and an e-mail mailing list consisting of approximately 1,000 contacts. These mailings included press releases, periodic updates on the Review Board's activities, updates on the results of Review Board meetings, information about documents transferred to the JFK Collection, and information about Review Board's *Federal Register* notices.

non-governmental National Security Archive, NARA, CIA, and the Information Security Oversight Office ("ISOO"), as well as representatives from Congress and from the media.

From time to time, Review Board members and staff spoke to groups of students or researchers regarding the Board's work.

1. Outreach to Academics

In 1996, the members of the Review Board made presentations at the annual meeting of the American Historical Association and at the Organization of American Historians Conference. The Review Board's efforts allowed approximately 200 historians to become familiar with the work of the Review Board, four members of which are themselves trained historians. Likewise, David Marwell traveled to San Diego in 1996 to make a presentation about Review Board activities to the Society of American Archivists.

2. Outreach to Students

During its tenure, the Review Board hosted six groups of high school students from Noblesville, Indiana. The students, along with their history teacher, Mr. Bruce Hitchcock, came to the Review Board offices to serve as interns. The students provided the Review Board staff with invaluable assistance in creating databases

and processing newly declassified documents for release to the American public. Mr. Hitchcock also played an important role in the Review Board's extension of one year, as he provided testimony to the National Security, International Affairs, and Criminal Justice Subcommittee in support of the Review Board's request for a one-year extension.

3. Outreach to Assassination Researchers

In 1996, former Executive Director David Marwell spoke to the conference of the Coalition on Political Assassinations and updated the group on the Board's progress. The following day, the Review Board invited researchers to an open house at the Review Board's offices.

Review Board Chairman John Tunheim also submitted Review Board updates to journals and newsletters that serve the research community. Chairman Tunheim provided articles about the Review Board to the *AARC Quarterly*, *Open Secrets*, and *Probe*, all of which cater to researchers and are circulated worldwide.

E. Conclusion

As we move toward the hopeful goal of full disclosure, I hope that all of you will continue to have an interest in the work of the Review Board, in the work that we are trying to do, and hope that you all realize that you are our partners in this very important effort as we move forward.[iii]

Also, in May 1998, former Executive Director T. Jeremy Gunn spoke to students and faculty at Stanford University. Dr. Gunn spoke about the declassification process. Review Board members Anna Kasten Nelson and Kermit Hall also spoke to students about the work of the board.

In the spirit of the JFK Act, the Review Board devoted a significant amount of time and resources talking to and corresponding with its constituency. From time to time the frequent and sustained contact with the public diverted the staff from its primary responsibilities -- identifying and releasing records. However, the benefits far outweighed the costs. The Review Board received valuable input from the public about the existence of "assassination records," and most important, received donations of records and artifacts from private citizens that enhanced the JFK Collection at NARA. There is no doubt that the interaction with the public allowed the Review Board to more completely satisfy the objectives of the JFK Act.

CHAPTER 3
ENDNOTES

1. Senate Report at

2. JFK Act at § 7(j)(1)(E) and (F).

3. Chairman Tunheim at the Review Board's hearing in Dallas, TX, November 1994.