

Assassination Records Review Board

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

July 5, 1995

The Honorable William M. Thomas
Chairman
Committee on House Oversight
United States House of Representatives
1309 Longworth House Office Building
Washington, D.C. 20515-6157

Re: Review of House Select Committee on Assassination Records

Dear Mr. Chairman:

I very much appreciated the opportunity of meeting with Mr. Roman Buhler and Mr. Charlie Howell of your Committee's Staff on June 29, 1995, regarding the manner in which the Assassination Records Review Board will review records from the House Select Committee on Assassinations (the "HSCA").

We had requested the meeting in order to ensure that your Committee is fully informed about our anticipated review and to solicit any comments that the Committee has regarding the procedures to be followed.

At Mr. Buhler's request, I am writing to request some information from the Committee as well as to describe particular logistical issues that will arise in our handling of the HSCA materials. In addition, I am enclosing the résumés of the Review Board, our Acting General Counsel, and myself, as Mr. Buhler had requested. We look forward to receiving your response, particularly to those questions which are summarized in the conclusion below.

Status of HSCA Records

In the course of its investigation, the HSCA both created its own records and received copies of records from government agencies (principally the CIA and the FBI). When the President John F. Kennedy Assassination Records Collection Act (the "Act") became law, the House appointed the National Archives to review the HSCA records and process them under the terms of the Act. In fulfilling these duties, the Archives was responsible for referring to Executive Branch agencies for review and recommendation any records in which those agencies possessed an "equity." For the most part this work has now been accomplished by the Archives.

The Honorable William M. Thomas
Page 2
July 5, 1995

There are approximately 300 archival boxes containing the original HSCA documents stored at the Archives downtown Washington facility. (The downtown Archives should be distinguished from the JFK Assassination Records Collection that is located at Archives II in College Park, Maryland, which is the ultimate destination for all assassination records.) Among these boxes, there are approximately 10 boxes containing some personnel records from the HSCA staff.

It is our understanding that, consistent with the wishes of the House (specifically you and Congressman Rose), all HSCA-generated information in the records has been publicly released with the exception of the HSCA personnel-related files. It is also our understanding that the records containing other agency equities (particularly the CIA and the FBI), have been referred to those Agencies for their review and proposed redactions (*i.e.* postponements).

Logistics for Handling HSCA Records

As part of its mandate, the Review Board will be reviewing the HSCA records. We would like to have the original records forwarded to the Review Board as soon as possible so that we can perform this function in the most economical and efficient manner possible. Because our computer system and our SCIF have been designed for this review process, and now that our staff has received the appropriate security clearances, it is important that we review HSCA materials (as well as the material from Executive Branch agencies) on-site. Once the review is completed, we intend to send the original HSCA records to Archives II where they will be kept as separate (House of Representative) records within the JFK Collection.

There are two issues that arise with respect to whether the House wishes to present evidence to the Review Board in support of recommended postponements. First, does the House wish to provide evidence in support of privacy postponements in the HSCA staff files? Second, with respect to the HSCA records where there are other agency equities (*e.g.*, CIA and FBI), does the House wish to supply evidence in support of postponements in addition to that which the Agencies will be able to provide?

Conclusion

Because of our time constraints — as well as the automatic sunset provisions of our statute — we need to complete our mission as quickly, efficiently, and economically as possible. We would, therefore, greatly appreciate receiving your Committee's response to our inquiries as soon as is convenient. By way of recapitulation:

1. Are we correct in understanding that, with the exception of privacy matters in HSCA records, the House has agreed to release all of its own equities in the HSCA records?

The Honorable William M. Thomas
Page 3
July 5, 1995

2. Does the House have any objection to our reviewing HSCA records in our properly secured offices?
3. Does the House wish to supply any additional evidence in support of the privacy postponements in the HSCA personnel-related files?
4. Does the House wish to supply any evidence *in addition to that provided by other government offices* in support of postponements proposed by other agencies?
5. Does the House have any other specific concerns regarding the handling of HSCA records by the Review Board?

We thank you again for the opportunity to raise these issues with you and look forward to hearing from you soon. Please do not hesitate to contact me if I can be of further assistance.

Sincerely yours,

David G. Marwell
Executive Director

Enclosures

cc: Hon. Vic Fazio (w/enclosures)
Mr. Roman P. Buhler (w/enclosures)
Mr. Charles Howell (w/enclosures)
Mr. John Tunheim

The Honorable William M. Thomas
Page 4
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