

THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: * No. 96-598
ASSASSINATION RECORDS REVIEW BOARD * c/w 96-824
SUBPOENA TO HARRY F. CONNICK * SECTION "E"

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* * MAGISTRATE 4

Joint Declaration of Dr. William L. Joyce and Dr. David G. Marwell

Dr. William L. Joyce

1. My name is Dr. William L. Joyce. The statements made in paragraphs 1 through 7 and 12 through 17 of this declaration are based upon my personal knowledge and my professional experience and training.
2. I received my undergraduate education at Providence College (B.A., 1964), and my graduate education at St. John's University in New York (M.A., 1966) and at The University of Michigan (Ph.D., 1974) in history.
3. Since 1972, all of my professional career has been devoted to the management of library and archival programs.
4. Since 1986, I have been the Associate University Librarian for Rare Books and Special Collections at Princeton University. As the Associate University Librarian, I am the principal person responsible for: overseeing acquisitions of manuscripts, archives, rare books, and other material, cataloguing, collection development, conservation, reference and access, exhibitions, and publications. As a part of my responsibilities, I manage a staff of approximately 50 persons (including curators, cataloguers, librarians, an editor, and other library employees), oversee the budget of the Department, and plan the Department's programs. As a part of my work, I am frequently called upon to examine collections of records and make judgments regarding their historical merit, their status of preservation, and make recommendations regarding conservation of materials.
5. From 1972-1981, I was the Curator of Manuscripts for the American Antiquarian Society in

Worcester, Massachusetts. From 1981-1986, I was the Assistant Director for Rare Books and Manuscripts at the New York Public Library. From 1984 until 1992, I was on the adjunct faculty of the Columbia University School of Library Service and taught courses in special collections librarianship, archival administration, and rare books. I have published numerous articles in the field of manuscript preservation, cataloguing, and acquisition.

6. I formerly was the President of the Society of American Archivists, the most prominent society for Archivists in the United States and the largest society for professional archivists in the world. I have been a member (and served as an officer in several) of the following professional organizations: Association of College and Research Libraries of the American Library Association, Bibliographical Society of America, the Conservation Center for Artists and Historical Artifacts, American Council of Learned Societies, American Historical Association, and several other organizations.
7. Since 1994, I have served as a member of the Assassination Records Review Board, an independent agency of the Federal government that was created by The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994). I was recommended for the position on the Review Board by the Society of American Archivists. I was nominated for the position by President Clinton and my nomination was confirmed by the United States Senate.

Dr. David G. Marwell

8. My name is Dr. David G. Marwell. The statements made in paragraphs 8 through 17 of this declaration are based upon my personal knowledge and my professional experience and training.
9. I received my undergraduate degree from Brandeis University in 1973. I received an M.A. (1976) and a Ph.D. (1988) in history at the State University of New York at Binghamton.
10. Since 1994, I have been the Executive Director of the Assassination Records Review Board. As Executive Director, I supervise a staff of approximately 30 persons including historians, lawyers, national security analysts, and others. In the course of my work I am called upon to make decisions and recommendations regarding the historical merit of works related to the assassination of President Kennedy.

11. Before joining the Review Board, I was the Director of the Berlin Document Center in Berlin, Germany, from 1988 to 1994. The Berlin Document Center was created by the U.S. Army at the conclusion of World War II to establish a permanent archive of records of members of the Nazi Party and its organizations. The Berlin Document Center houses approximately 36,000 linear feet of records. As a part of my work at the Center, I was frequently called upon to make recommendations and decisions regarding the preservation and conservation of historical records.

Joint Declaration

12. Our training and experience has equipped us to evaluate and appraise collections of records and to make judgments and recommendations concerning their historical merit, their physical condition, and procedures that should be undertaken to ensure their preservation.
13. On April 26, 1996, we traveled to the District Attorney's Office in New Orleans, Louisiana, to inspect approximately three and one-half file drawers of records relating to former District Attorney Jim Garrison's investigation and prosecution of Clay Shaw for involvement in the assassination of President Kennedy. The review took place between approximately 9:30 a.m. and 2:30 p.m.
14. The records fall into four general categories: investigative files, media interviews of various types, trial testimony, and "other documentation and artifacts." The records include original paper documents, newspaper clippings, photocopies, audio tapes recorded onto several different formats, including dicta belts and reel-to-reel tapes (made with recording equipment of different specifications, some of which may no longer be commercially available).
15. After careful evaluation of the condition of entire collection and each of its component parts, we reached the following conclusions:
 - a. The order of the records has been seriously disturbed since they were inventoried by the HSCA in 1978 and later by ARRB staff in June 1995. During our examination, we attempted to cross-reference the materials in the files against inventories that had been prepared by the staff of the House Select Committee on Assassinations (HSCA) in 1978 and by the Review Board staff in 1995. The order of the files was significantly altered from that in which they appeared in the earlier inventories. Such rearranging of files makes it very difficult to determine whether records have been lost, removed, or filed differently. This rearrangement of the files was not in

accordance with sound archival principles for the handling of records.

- b. The 1978 inventory from the HSCA makes reference to “five file drawers” of materials. During our own inspection, we were shown only three and one-half drawers of material. Because the files had been rearranged, and because the described volume was reduced by one and one-half file drawers, we believe that some of the records may have been removed from the collection. Had the records been kept according to sound archival principles, such disparities would not have occurred.
 - c. Although it is difficult through visual inspection to evaluate definitively the condition of the audio tapes, which represent an important part of the collection, there are clear indications that they are being stored in unsatisfactory conditions that will result in further deterioration and loss. Because of the antiquated formats on which these tapes are recorded, they should be reformatted by expert technicians onto cassettes for ready access by researchers and others who might have a need to hear them. Because of their value as artifacts, the original tapes should be carefully maintained as archival records, even if other copies are used for reference purposes. Audio tapes should be stored on edge in special containers in a stable environment with temperatures in the range of 65-70°, with a relative humidity at about 45%. Such tapes should be played once year to evaluate their condition and maintain appropriate tension. There is no evidence that they currently are stored in such conditions.
 - d. The records we inspected are related to the assassination of President Kennedy and, as such, they are the type of records that should be made accessible (consistent with archivally sound principles) to the American public.
16. These records should be processed by an archives that is staffed by professionals knowledgeable in the organization and management of contemporary records in a variety of media, and that is equipped to meet the challenge offered by the wide variety of audio tape formats and types.
17. The National Archives of the United States (National Archives and Records Administration) is one of the best archival facilities in the world. There is probably no facility in the United States that would be better able to preserve the Garrison-Shaw materials than the National Archives. In addition, with many years of making records available to the American public and with its JFK Assassination Records Collection, there is no archival facility in the United States that is better able to make the Garrison-Shaw materials accessible to the public than the

National Archives.

I declare under penalty of perjury that the foregoing is true and correct.

Dr. William L. Joyce

Date:

Dr. David G. Marwell

Date: May 20, 1996