

## NewsFront

# Complot Revisited

Minnesotan Jack Tunheim steps into the shadow of the JFK assassination

BY DAVID McKEE

**S**tuck into the wainscoting of Jack Tunheim's office wall in the state Capitol is a souvenir button from Oliver Stone's 1991 assassination conspiracy epic: "*JFK: Free the Files.*" And that precisely is Tunheim's job as chair of the U.S. Assassination Records Review Board, a group authorized in the waning days of the Bush administration to sift through the morass of Kennedy assassination paperwork.

"The national interest in this doesn't seem to go away," says Tunheim, Minnesota's chief deputy attorney general since 1986. A field representative for Sen. Hubert Humphrey in the mid-'70s, Tunheim has decorated his office with several photos of the Happy Warrior, one of them autographed, another showing HHH with JFK.

Born in the northwestern Minnesota town of Newfolden, Tunheim remembers exactly where his 10-year-old self was on November 22, 1963 — his class had just come in from recess when his teacher announced that the president had been shot. "I was watching on Sunday when [Lee Harvey] Oswald was shot," Tunheim says. The fortysomething Tunheim

long has maintained an interest in the assassination, but current interest in JFK stems from the controversial Stone film, which spurred intense public outcry for disclosure.

"There's a whole generation [whose] understanding comes from the movie, so we need closure on this." The conclusion that Tunheim — an energetic man with a thick Kennedyesque shock of hair — has in mind is the public disclosure of as many as 400,000 pages of files on the Kennedy shooting, mostly held by the FBI, CIA and armed services, as well as a reassessment of the redactions made to the more than 3 million documents already in the public domain.

It's a race against time, with Tunheim and his colleagues up against a congressionally mandated sunset of October 1, 1997. They've got \$2.4 million to work with this year; subsequent budgets have yet to be authorized.

Some see the race as already lost. Retired Maj. John Newman, author of *JFK and Vietnam*, grumbles, "I think we'll be lucky if they do half of it. It's impossible with the funding that they have." Newman, a 20-year veteran of Army intelligence, has nothing but the



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**Minnesota's own Oliver Stone? The judicious Tunheim lacks the wild-eyed conspiratorialism of assassination buffs.**

highest regard for Tunheim: "I've had a chance to observe him. It impressed a lot of [conspiracy theorists] that he would come and talk to us. That's the kind of person Jack Tunheim is — wholly committed to the public interest. Some state governments aren't that lucky."

Unlike Newman, Tunheim professes his special expertise or background in the Kennedy assassination. "My name was among a group suggested to the White House by the American Bar Association," he says. "The law requires [that the review board include] representatives of the historical and archival [communities] and also one lawyer. For better or worse, I'm the lawyer slot." Tunheim is reputed to do the heavy lifting around the attorney general's office. He's argued three cases before the U.S. Supreme Court, including *Perpich v. U.S. Department of Defense*, which attempted to keep local National Guardsmen

out of Contra activities.

Still, Newman feels that the review board has taken too long to get on track. Discouraged because he thought President Clinton wasted a year when picking the board, the feisty former soldier says, "I burned up my fax machine — and several others on Capitol Hill — sending nastygrams." The review project survived an erratic attempt by then-Sen. Dennis DeConcini, R-New Mexico, to strip its funding, along with the funding of several other oversight boards. Ironically, one of the cosponsors of the enabling legislation was Sen. Arlen Specter, R-Pennsylvania, a junior counsel on the much-criticized Warren Commission.

Tunheim works in concert with a quartet of historians and a staff of two dozen. The group, which has solicited the input of numerous independent researchers, includes schol-

ars of divergent expertise. Anna Nelson, a professor of history at American University in Washington, D.C., for instance, specializes in federal records policy, while Kermit Hall, Ohio State's dean of humanities, is a constitutional authority. "There are as many theories out there as there are people doing research about the issue," Tunheim says with a smile.

Frequently in touch by phone, the group meets in Washington for a few days every month — the only time for which they're paid — to make decisions on document releases. "We can't have confidential records until we have a secured space," Tunheim explains.

Board members must determine whether to declassify material already in the public domain and whether all or part of other documents should be withheld. Material likely to be withheld is that which would bear upon current intelligence mechanisms or sources, or involve invasion of privacy issues, Tunheim says. The review board is supposed to determine what constitutes an assassination record; the law specifies that can include a range of materials from documents and maps to film and other artifacts.

"Right now, we're still in a honeymoon period of sorts," Tunheim says. "We're going to rub up against the agencies at some point in time. They've largely been seeking our cooperation at this point, but I guarantee you that [a clash] will occur, because our board is really an openness board. Everyone who's been involved in prior investigations of the Kennedy assassination is looking at this effort with a common view: that what we will uncover will support their view."

Potential CIA or FBI attempts to forestall the Assassination Records Review Board can be brought into line through subpoena powers and the immunization of witnesses. Boasting his broad array of powers, Tunheim

concedes to the uncooperative one avenue of escape: "They do have a right to appeal to the president. I'm not sure [he] has an awful lot of time to worry about whether this record is going to be released or not. If there are records that would clearly advance the public's knowledge, even if it would step on toes, this board is going to release it." Ultimately, Tunheim would like to see the whole file on CD-ROM.

Jim Lesar of the Assassination and Archives Research Center in Washington, D.C., foresees a repeat of the frustrations of previous inquiries. "Every effort has been successfully stalled by government agencies," he says. "But that doesn't mean that there won't be accomplishments along the way." John Newman feels that much is riding on the expertise of the on-site staff: "They'll have to know where the hidden compartments are. They'll have to get a sense of the case, the previous investigations and get a game plan."

If Tunheim brushes aside Newman's pessimism, the lawyer shares the military man's passion for government openness: "I have to remind people that it's not our job to solve the assassination or the many mysteries that surround the event. It's our job to find all the [documentation] that is there, so that people can go and decide for themselves what actually happened."

The self-described "baby" of the review board, Tunheim grew up under the threat of Sputnik and a Communist moon. "One has to keep in mind the ramifications of the Cold War during this whole period," Tunheim cautions. "We don't have that threat any more. But . . . there was a knee-jerk stamp of 'top secret' on far more records than ever was necessary. That has to do with the Kennedy assassination, too, because this is a subject that the federal government should trust its citizens to know what went on." ♦