



BOISE STATE UNIVERSITY • 1910 UNIVERSITY DRIVE • BOISE, IDAHO 83725

THE LIBRARY

September 17, 1984

Mr. Steven Garfinkel, Director
Information Security Oversight Office
General Services Administration
Washington, D. C. 20405



Dear Mr. Garfinkel,

I am responding to your letter of September 4th concerning the possible presence of classified documents in the private papers of Senator Frank Church. Based on what I have learned, I can only conclude that it is highly unlikely there are any classified documents in the papers received by BSU.

After your telephone call to Mr. Hansen, he and two staff members who work with special collections carefully reviewed the shipping/storage lists which accompanied the papers to BSU. When they came upon an entry for any box which suggested the possibility of classified materials they examined the contents of the box. In no instance did they find anything other than correspondence with constituents and others who wished to express an opinion to a senator they believed might be involved in the topic of concern.

While staff members made these spot checks, I spoke with individuals who had worked in Senator Church's Washington office. They reaffirmed what had been my initial understanding, namely that Senator Church was very careful not to place classified documents in his office files. Such papers were left in committee offices and are therefore still in Washington, either in the National Archives or in the archival files of the various committees. Furthermore, within the last few weeks the BSU Library's Head of Special Collections was in Washington and spent time with the Head of the Senate History Office who took pains to explain the manner in which documents, particularly sensitive documents, were handled by Senator Church, other committee chairmen, and their office staffs. The report to me in essence said that classified documents would only rarely have even been in Senator Church's Office, and the proposition that they would have been permanently placed in his private files is extremely remote. In short, we have been assured by every person familiar with Senator Church's office that his personal papers simply do not have classified or other information that might compromise national security interests.

No one can offer an absolute guarantee that among the 100 plus cartons an errant document will not turn up. To protect the

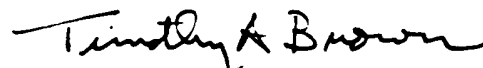
Government from such a possibility we will screen all folders before releasing them to any users. In the event a classified document is discovered, we will remove it from the files and store it in a vault which has a combination lock. We will also notify you of the existence of the document so you can ascertain if the document has been declassified and/or when it will be declassified. In the meantime, you should know that the transferral agreement for the Church papers specifically commits BSU to handle classified material consistently with procedures established by law or executive order; it is our intent to do so.

As you are aware, the Church Papers are not processed and access to them will be limited until we have completely arranged them. We hope to have funds to hire a project archivist by July 1985. In the interim the collection will not be available except to Mr. Church's biographers, one of whom will begin work in the collection shortly. We have discussed your concern with him and he is in full agreement with our decision to review the folders he wishes to see before releasing them for his use.

For your information we enclose a copy of the Deed of Gift and the various shipping/storage lists. Should there be any files that raise an alarm, we shall be pleased to take a second look at those files and make sure they do not contain classified papers.

I trust that you will find our response satisfactory, and I hope you will agree with my own view that our having the papers is not in any way threatening to national security and, furthermore, that there exists no compelling reason for you to seek permission to examine the Senator Church papers. We wish to take every reasonable precaution in protecting security interests and, to that end, I would welcome any suggestions you might have as to how we might improve our approach to handling the papers.

Sincerely yours,



Timothy H. Brown
University Librarian

sjb
Attachments

WHITMAN & RANSOM

1333 NEW HAMPSHIRE AVE., N.W.

WASHINGTON, D. C. 20036

202-785-1600

CABLE: WHITSOM, D.C.

100 FIELD POINT ROAD
GREENWICH, CONNECTICUT 06830

203-869-3800

170 OLD COUNTRY ROAD
MINEOLA, N. Y. 11501

516-742-7826

522 FIFTH AVENUE
NEW YORK, N. Y. 10036
212-575-3800

444 SOUTH FLOWER STREET
LOS ANGELES, CA 90071
213-485-1080

March 6, 1984

Dr. John Keiser, President
Boise State University
1910 University Drive
Boise, Idaho 83725

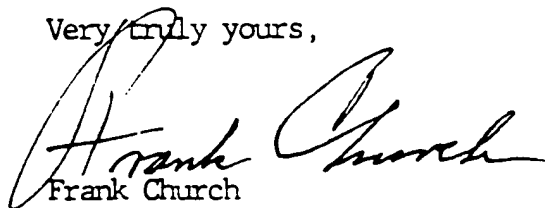
Dear Dr. Keiser:

Garry Wenske and others have reported to me on the events of last week regarding the gift of my papers to Boise State University. I must say how pleased I am with the commitment and zeal which you and Boise State have enlisted in securing the funds needed for transporting, housing and processing the papers. It is a great solace to me knowing that they will be preserved for research in the library overlooking the Boise River.

In order to transfer legal title to the collection, I have had the enclosed "Acknowledgement of Gift" prepared, which follows closely the agreement I signed with Stanford University. I hope it is satisfactory for your purposes, but if you have any changes, please let me know through Garry who has discussed some of the provisions with Tim Brown. If you have no changes, please sign both copies and return one to me.

Again, my sincere thanks and warm regards,

Very truly yours,


Frank Church

Enclosure

FRANK CHURCH CHAIR OF PUBLIC AFFAIRS

BOISE STATE UNIVERSITY

Acknowledgement of Gift

Frank Church, herein referred to as the "donor," of Bethesda, Maryland, hereby transfers and conveys to Boise State University, hereinafter referred to as the "donee," all of the donor's legal title to the following materials to become a part of the Frank Church Chair of Public Affairs at Boise State University:

The collection of papers, correspondence, manuscripts, printed material, tapes, films, photographs, and memorabilia, heretofore transmitted to the Boise State University by the donor, the same to be referred to hereafter as the "Collection."

This gift is absolute and irrevocable, subject to the following conditions:

- 1) The Collection shall be maintained by Boise State University as a separate collection identified as the Senator Frank Church Collection;
- 2) With the permission of the donee, materials may be added to the collection by the donor, the donor's executors, or by members of the donor's family or by the donor's colleagues or associates. Materials so added shall become subject to the terms and conditions contained herein, unless other arrangements are mutually agreed upon in writing;

-2-

3) Materials deemed inappropriate for retention by the donee as part of the Collection may be disposed of by the donee, provided that prior to any such disposal the donor or his executor shall be notified thereof, and at the donor's or his executor's request, designated materials proposed for disposal shall be returned to the donor or his executor;

4) Access to the Collection is restricted to Boise State University personnel for archival processing; to the donor and his wife and children; and to researchers with the permission of the donor or his executor (during the University's hours of public use, with the right to copy materials at the user's expense but not to remove the materials from the Collection), for a period of two (2) years from the date that the Collection was received by the donee; thereafter, the Collection shall be made available for research, in accordance with the donee's rule and general policies, subject to the fair use provisions of the copyright law, and to the literary property rights of authors of material in the Collection not authored by the donor; provided, however, that all case files, i.e. material and correspondence relating to requests for service or services rendered to any person by the donor, shall be sealed for a period of ten (10) years from the creation of the file; and provided further that the donor or his executor may at any time release the restrictions on access to all or any specified materials in the Collection.

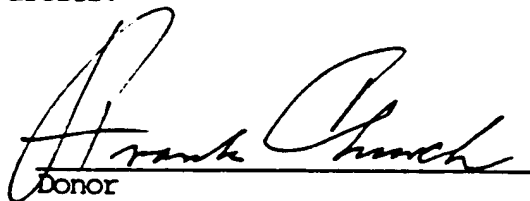
5) Notwithstanding any other provision hereinabove set forth, in the case of materials which are security classified pursuant to law or executive order, access shall also be subject to the procedures

-3-

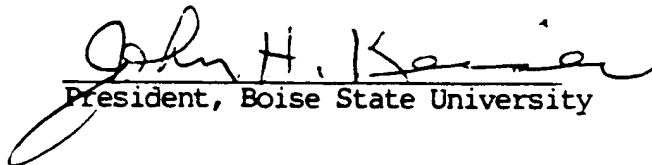
established by law or executive order governing the availability of such information.

It is understood that further specification or modification may become advisable with respect to the Collection and provisions for access to it. Any such specification or modification, if agreed upon between the donor or his executor and donee, shall be set forth in writing signed by both parties.

Date March 7, 1984


Donor

Date March 23, 1984


President, Boise State University

ASSIGNMENT OF COPYRIGHT

I, Frank Church, expressly give and assign to Boise State University, as part of my gift of the Senator Frank Church Collection and subject to the terms thereof, my entire copyright interest, including all of my literary property rights of whatsoever kind in those documents and other writings included in the gift property of which I am the author and have any such literary property rights.

Date March 7, 1984

Frank Church
Donor

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Add:

Date March 23, 1984

John H. Keenan
President, Boise State University