

## Introduction

The President John F. Kennedy Assassination Records Collection Act of 1992 requires in §9(f)(2) that the Assassination Records Review Board submit a report to the Congress, the President, as well as various executive branch agencies on an annual basis beginning one year after enactment of the Act. Technically, the first such report was due on October 26, 1993. Because of delays in nomination and confirmation, there was no Board in existence on the first anniversary of the enactment of the act. The second anniversary of the enactment of the act finds a Board with senior staff in place and concrete plans for its first full year in existence.

## The Board

### The Staff

Although the Board has not been able to begin the actual process of reviewing documents, much progress has been made. The recruitment and selection of a professional senior staff was an important goal that the Board was able to meet by early November.

### Chronology

October 26, 1992	Act is signed
April 11, 1994:	Board is sworn in.
April 12, 1994:	First Public Meeting
July 12, 1994:	Public Meeting
August 15, 1994:	Executive Director Begins
October 11, 1994:	Public Hearing in Washington, DC
October 26, 1994	Technical Amendment is signed
November 18, 1994:	Public Hearing, Dallas, TX

### Compliance

The Board is not yet in a position to comment authoritatively on issues of compliance. Several Agencies have impressed the Board with the degree of effort and resources that they are devoting to the review effort. The Board visited the FBI, CIA, Department of State, and LBJ Library and witnessed well-organized efforts to review assassination records. At the same time, it is worth noting that other agencies, notably the US Army, have yet to release any records. As soon as the Board is able to begin the review process in earnest, it will be in a position to report with some precision.

### Definition of Assassination Record

A threshold question for the Board involves the definition of an assassination record. Important not only as guidance for federal agencies, this definition will set the parameters for much of the Board's future work. The Board intends to issue a draft definition by the end of the year.

## **Plans for the Coming Year**

### Public Hearings

The Board plans to continue to hold public hearings around the country. Possible venues under discussion for FY 1995 are: Boston, New Orleans, Miami, and Los Angeles.

## Review

By January, the Board will have sufficient staff with the necessary clearances to begin the process of reviewing documents.

## **Financial Report**

Funding for the Board's FY 1994 operation came from a \$250,000 obligation from the White House's Unanticipated Needs Budget. In late September, the Board received an appropriation of \$2.15 Million for FY 1995.

### **FY 1994: Financial Report (In Thousands)**

Salary and Benefits Salary and Benefits for Board and Executive Director	46
Travel Cost of travel relating to confirmation of Board and Board meetings	23
Communication Purchase and Installation of Telephone System	15
Services from Other Government Agencies Administrative support from GSA. Cost of renovation and security upgrade of offices at 600 E Street, NW.	121
Equipment Computer and Office Equipment	36
Other Services and Supplies Court Reporting Services, Recruitment Advertisements, General Office Supplies	9
<b>TOTAL</b>	<b>250</b>

## SEC. 6. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS.

Disclosure of assassination records or particular information in assassination records to the public may be postponed subject to the limitations of this Act if there is clear and convincing evidence that—

(1) the threat to the military defense, intelligence operations, or conduct of foreign relations of the United States posed by the public disclosure of the assassination is of such gravity that it outweighs the public interest, and such public disclosure would reveal—

(A) an intelligence agent whose identity currently requires protection; 74 Instances

(B) an intelligence source or method which is currently utilized, or reasonably expected to be utilized, by the United States Government and which has not been officially disclosed, the disclosure of which would interfere with the conduct of intelligence activities; 686 Instances

(C) any other matter currently relating to the military defense, intelligence operations or conduct of foreign relations of the United States, the disclosure of which would demonstrably impair the national security of the United States; 860 Instances

(2) the public disclosure of the assassination record would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person; 2242 Instances

(3) the public disclosure of the assassination record could reasonably be expected to constitute an unwarranted invasion of privacy, and that invasion of privacy is so substantial that it outweighs the public interest; 587 Instances

(4) the public disclosure of the assassination record would compromise the existence of an understanding of confidentiality currently requiring protection between a Government agent and a cooperating individual or a foreign government, and public disclosure would be so harmful that it outweighs the public interest; 2396 Instances

(5) the public disclosure of the assassination record would reveal a security or protective procedure currently utilized, or reasonably expected to be utilized, by the Secret Service or another Government agency responsible for protecting Government officials, and public disclosure would be so harmful that it outweighs the public interest. 7 Instances  
Donor Restriction: 44 Instances

Referred: 10,517 Instances

Open in Full: 94,051 Instances

Sect. 11. (a) **Precedence Over Other Law.** ...[the Act] shall take precedence over any other law (except section 6103 of the Internal Revenue Code), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government. 41 Instances

Not assassination-related: 118 Instances

Mandatory Review Material: 24 Instances

Other Work Copies: 8 Instances

TOTAL : 113036

RC1 = 74

RC2 = 686

RC3 = 860

RC4 = 2242

RC5 = 587

RC6 = 2396

RC7 = 7

RC8 = 44

RC9 = 10517

RC10 = 94051

RC11 = 41

RC12 = 118

RC13 = 24

RC14 = 8