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Overview

Five federal investigations have dealt to some degree with the assassination of President Kennedy, and yet the public continues to question the facts of the assassination as well as the motives and actions of its government. The demand for the complete opening of all relevant records continues unabated. As a result of this demand, and in an effort to create a responsible, cost-effective, and efficient system for the release of these records, the Congress passed The President John F. Kennedy Assassination Records Collection Act of 1992 ("the Act"), which mandated the creation of the Assassination Records Review Board (ARRB).

The ARRB was created to oversee the identification and public release of records related to the assassination of President John F. Kennedy. The five-member Board was appointed by President Clinton, confirmed by the United States Senate, and sworn in on April 11, 1994.

The Board, consisting of five distinguished citizens, representing the legal, historical, and archival professions, serving in a part-time capacity, is currently supported by a senior staff consisting of an executive director, a general counsel, a chief of review and analysis, an administrative officer, and a press and public affairs officer. In addition to the senior staff, the Board currently employs eight analysts, two administrative support personnel, and a part-time computer specialist. The Board has either made offers to or plans to hire the following additional personnel: three investigators, two additional administrative support personnel, and ten

additional analysts.

Mission and Goals

The Senate report of The President John F. Kennedy Assassination Records Collection Act of 1992 stated that "the underlying principles" guiding the legislation were "efficiency and cost effectiveness" as well as independence and public confidence.

The Review Board will ensure that all assassination records are identified, secured, and, to the extent possible, released during its existence. The structure set up by the Act will achieve the cost effectiveness goal the Congress outlined by eliminating the need for the processing of Freedom of Information Act requests and the costly litigation that often accompanies them. In addition, with the Act's stated presumption that all assassination records will be publicly disclosed, the cost of federal agencies keeping hundreds of thousands of documents unnecessarily classified will be eliminated.

The Review Board was created because of the failure of federal agencies to release records relating to the assassination in a timely manner. The Board is necessary to ensure an independent and enforceable mechanism for disclosure under uniform standards for review.

Beyond the Review Board achieving its prescribed goals of efficiency and cost effectiveness, it has a far more important non-economic benefit. The disturbing phenomenon of public mistrust in our government began, some argue, with the assassination of President Kennedy and its cloudy aftermath and is tied to the perception that the government is keeping

important facts from the American people about the motives and actions of its institutions and personnel. A poll in late 1994 showed the percentage of Americans who "trust the government in Washington" has dropped from 76 percent in 1964, shortly after the death of President Kennedy, to 19 percent today. As the President stated in the draft Executive Order on Classified National Security Information, "Our democratic principles require that the American people be informed concerning the activities of their Government." The Assassination Records Review Board has the opportunity not only to make publicly available records that may clarify the facts surrounding the assassination, but also, along the way, the opportunity to reverse this trend of mistrust and redefine the meaning of, and need for, secrecy in government. In this sense, the Review Board is an important agent in the reinvention of government.

Assessment of Key Functions

The Review Board is a key element in a larger process of Agency record review and release established by the Act. All federal agencies are required to identify records in their possession that may relate to the assassination and to determine whether these records may be disclosed immediately or whether disclosure should be postponed. The Review Board evaluates all agency decisions to postpone the release of records. Once the Board completes its review of agency recommendation for postponement, all records, including those that have postponed release dates, will be transferred to NARA to be housed in the John F. Kennedy Assassination Record Group. The Act requires that all assassination records must be released by 2017, with the exception of records certified for continued postponement by the President.

In addition, the Board has been given the responsibility and broad powers to identify and secure any additional assassination records held by federal, state, and local government.

Option 1

A premature termination of the ARRB would have a disastrous effect on public confidence. Such an action would fuel speculation about motive and compound the very issues that gave rise to the legislation in the first place. Rather than clarifying and settling troubling issues, a termination of the ARRB would amplify and aggravate them. To achieve the goals of the ACT, there is no alternative to the ARRB. The Review Board was conceived of as an alternative to ineffective, and insufficient past efforts. The conditions that gave rise to the ARRB still exist, and the mandate that we have been given is arguably more timely and important than it was at the time the legislation was passed in 1992. In the short life of the ARRB, the competing interests of the public's right to know about the activities of its government on the one hand, and the legitimate requirements the government to protect sensitive information on the other, have presented themselves in clear and compelling ways. The Board's responsibility to balance these interests is as complex as it is important.

Option2