

*During our last meeting, the staff provided the Board with a Privacy Issue Matrix in an attempt to elicit concrete guidance on privacy issues. To my surprise, the Board concluded that there was no type of privacy information that they would postpone with the exception of social security numbers and some information obtained pursuant to a traditional privileged relationship. Indeed, the Board concluded that they would release medical information about individuals who by any standard are only marginally connected to the assassination. There can be no argument that this information would either broaden or enrich the historical record of the assassination. It could be argued that the Board has scrapped the privacy provision of the act.*

*It seems to me that the crux of the issue rests with the public interest balancing test. It appears as though the board has concluded that once a record is designated an assassination record, the public interest in it is constant and of an extremely high level. This view leads, in my opinion, to a rigid mechanical system that will lead the Board to decisions that were not intended by the Congress. Our legislation is designed to permit the release of information that relates to the assassination of President Kennedy and we are provided with broad powers to do this. The mandate and these powers are sufficient to overcome strongly held and passionately defended policies and traditions of the law enforcement and intelligence communities. The process is predicated on a public interest in the information that outweighs the interests of the agencies to protect it.*

*Last week's meeting on privacy has left me with an unsettled feeling. If I understood the Board's guidance, the privacy restriction has essentially been removed from the act. We attempted to provide categories of privacy information, and the Board basically indicated that no such*

*categorization would work. The Board indicated that medical information unrelated to the assassination concerning an individual who was likewise unrelated to the assassination should be released. The reasoning behind this position seems to be tied to the Board's interpretation that public interest in all information contained in assassination records -- no matter how tangential -- is constant. It strikes me that this interpretation will lead us down a very specific path that was not -- I believe -- envisioned by the Congress.*