

# MEMORANDUM

April 16, 1996

To: David Marwell, Phil Golrick, Jeremy Gunn

From: Joan Zimmerman

Subject: USSS Appeal-April 15, 1996

1. The Secret Service claims a 6(3) postponement for "certain names that appear in...180-10065-10379..., 180-10087-10302..., and 180-10103-10465." These are the threat sheets and two reports by Eileen Dinneen.

The Board voted to open these three documents (and the Thomas Vallee report) in full at the March 18-19, 1995 meeting. The Secret Service has apparently dropped its appeal of the evaluation in the Vallee report. The Secret Service has now been directed to confer with ARRB. Jane Vezeris's letter is asking the Board to reconsider its vote to open these documents. In particular, the Secret Service is asking the Board to postpone "certain names," but the specific individuals are not identified by the Secret Service nor has the Service provided any evidence to justify the postponement of these names.

The Board has options:

a. Refuse to reconsider

--the Secret Service will appeal and we will prepare a written explanation showing that the Secret Service has not met the criteria for postponement under a 6(3).  
The Secret Service has not offered any specific evidence as the basis for postponement. Several names have already been released by the Service and by Board determinations.

b. Agree to reconsider

-- ask the Secret Service to provide specific information that would meet the standard for postponement for each individual whose privacy the Secret Service wishes to protect  
--ask the Secret Service why the names in the first of three threat sheet folders were released but not the other two. Why was the privacy standard different?  
--point out that the following names have already been released:  
1. In Dinneen to Dick Billings (October 19, 1978) 180-1010310465: 54 names are already released out of 89 total redactions  
2. In Dinneen Review of JFK Trip Files 180-10087-10302: 19 names are already released out of a total of 36 redactions

The Vezeris letter alludes to protective techniques used by the Secret Service yet none of this information is redacted in any of the documents. Only the names of individuals are redacted so the issue of a 6(5) postponement is not relevant.

The Secret Service is arguing that the names are not relevant to the Kennedy assassination. The JFK Act presumes release if there is no unwarranted invasion of privacy. Add to this: the JFK trip files report is based on the protective surveys that the Secret Service destroyed. TheARRB would have to instruct the Secret Service to provide specific information:

- USSS must demonstrate a privacy interest for each individual named in the documents
- the USSS must demonstrate how that privacy interest would be violated by release
- If the individual is dead, the USSS must demonstrate an unwarranted invasion of personal privacy

I recommended release because the Secret Service did not offer any specific evidence to justify postponements. The Board can either refuse to reconsider or inform the Secret Service of the standard required by the JFK Act. The second course implies that the Board would possibly change its vote if new evidence were brought to its attention.