

MEMORANDUM

April 10, 1996

To: David Marwell, Jeremy Gunn, Phil Golrick

From: Joan Zimmerman

Subject: Privacy Issues in HSCA Documents Referred to USSS

Section 6(3): "The public disclosure of the assassination record could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest."

1. Several names in these documents are already in the public domain.
2. The USSS has the burden of showing that the invasion of privacy overshadows the presumption of release:

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

3. The names appear in reports by Eileen Dinneen: some are based on protective surveys that have been destroyed. The destruction of the protective surveys highlights the significance of the information preserved in Dinneen's reports.

- Researchers will be able to gain some sense of Secret Service protective activities for President Kennedy for the March-December, 1963 period through the Dinneen reports. If some names are redacted but others are not, researchers may very well question the usefulness of partial releases. All (perceived) potential threats to President Kennedy should be part of the historical record.

4. We received two file folders with threat sheets; John Machado released the third folder, i.e. it is open in full at College Park. What is the difference between the names in the released folder and the names in the other two folders?

- USSS will need to demonstrate that names on threat sheets in the two postponed folders require a higher degree of privacy than the names in the released folder.

- Note Section 2 of the JFK Act: "All records should be eventually disclosed to enable the public to

become fully informed about the history surrounding the assassination." Would the Secret Service be amenable to release in 5 years?

Update April 12, 1996: I have located over 50% of the names the USSS wishes to postpone in open documents. That is, 73 out of 126 total names have been released already. Some were released by Board determinations; a greater number were released by the USSS.

Zimmerman e:\ssprivacy
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