

February 11, 1997

Ms. Jane E. Vezeris
Deputy Assistant Director
Office of Administration
United States Secret Service
1800 G Street, N.W.
Washington, D.C. 20223

Re: Responsibilities for Attaching Record Identification Forms (RIFs)

Dear Ms. Vezeris:

I am writing in response to issues that have been raised regarding responsibilities of agencies for attaching Record Identification Forms (RIFs) to their records in the JFK Collection at NARA.

As you will recall, David Marwell's letter of October 21, 1996, indicated that the Review Board had designated certain US Secret Service protective surveys "assassination records" and requested that you prepare record identification forms and disks in accordance with the procedures outlined in our May 29, 1996 letter. Subsequently, John Machado contacted Joan Zimmerman to say that the protective surveys were no longer in the possession of the Secret Service and that since the surveys had been transferred to NARA, the Service was not responsible for preparing RIFs. This view is reflected in your December 20, 1996 letter to David Marwell (regarding 45 Secret Service records). This issue of preparation of record identification forms and disks has also come up with regard to Secret Service records that were part of the Warren Commission holdings. For your convenience, I am attaching a copy of your December 20 letter.

Your letter states: "It is my understanding that the Secret Service does not prepare the RIF's or data disks for these documents since these records have already been transferred to the National Archives."

Although I personally am not aware of all of the circumstances surrounding the documents -- and I would be pleased to learn of any clarifications that would be appropriate -- it is my understanding that these documents were sent to NARA at some point within the last two years and that they have not yet been made available to the public. It is also my understanding that when Congress enacted the JFK Act, the protective surveys were still in the custody and possession of the Secret Service.

With respect to the Secret Service's Warren Commission records, it is my understanding that there are several that also were not available to the public as of 1992, although I am less clear on the details of

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this issue.

To resolve the question of the comparative responsibilities of the agencies for attaching RIFs, we turn to the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) (JFK Act). According to the statute, all assassination records need to have RIFs *unless* the records were fully available to the public without redactions prior to October 26, 1992. *See* JFK Act, Section 5(d)(3). Although there are many Secret Service records that were fully available prior to that time, the 45 records at issue are, as far as I understand, not among that group. Accordingly, RIFs need to be prepared for these documents.

With respect to the responsibility for attaching RIFs, I read the JFK Act as providing (albeit not as clearly as one would wish), that such duties devolve upon the agency that initially created the records, *i.e.*, the Secret Service. *See* Section 5(d)(2).

In order to assist the Secret Service, the Review Board staff is willing, in this particular instance, to prepare the RIFs for the 45 Secret Service records that were recently transferred provided that the documents contain no redactions. (We do not wish to be responsible for any mistaken releases or postponements.) If this particular resolution is satisfactory to you, please confirm that the records may be open in full and we will prepare the forms. If you wish to continue your request for postponements in 12 of the protective surveys, we would ask you to prepare the RIFs and disks. We assume that you would use your "154" series to describe these records, which will make them more accessible to researchers who are interested in Secret Service records. Other protective surveys now in the collection already have "154" numbering and your use of this number will make the survey collection more coherent and consistent. In the future we will assume that all agencies will prepare RIFs for their records unless the statutory preconditions are satisfied.

With respect to the Warren Commission records, it would seem most appropriate for the Secret Service to have discussions with NARA regarding which records were opened fully prior to October, 1992. Once that has been resolved, the RIFs should be prepared by the Secret Service and the documents at NARA should be stamped open.

It is very important to the Review Board that we complete the declassification and opening of the Warren Commission records as soon as possible (and no later than March 20, 1997), and we would very much appreciate your help in taking care of this matter.

Please let me know if there are any questions that we can answer.

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Sincerely,

T. Jeremy Gunn
General Counsel

cc: Steven R. Tilley, NARA
Mr. Donald Personette, USSS

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