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*The Secret Service's Appeal to the President*

The Secret Service appealed the Review Board's April 13, 1998 decision to release four documents that contained names and personal information of individuals whom the Secret Service's Protective Research Section considered to be potential threats to President Kennedy, Vice President Johnson, and their families, between March and December 1963. (Secret Service 5/26/98 and June 1, 1998 Appeal Briefs). These records were created in 1978 by Eileen Dinneen, a staff member of the House Select Committee on Assassinations, for the purpose of evaluating how the Protective Research Section collected and evaluated information on individuals who were potentially threatening to the President. Dinneen's documents identified the names of the individuals, and contained condensed information about their personal background and affiliations. In some cases, the documents contained brief information about an individual's mental health history. Although the Secret Service did not oppose the release of the text of these documents, it argued that many of the names should be postponed pursuant to Section 6(3) of the JFK Act as an "unwarranted invasion of personal privacy."

The Review Board afforded the Secret Service the opportunity to present clear and convincing evidence as to why the names in the documents should be postponed. Through written submissions and oral presentations, the Secret Service primarily offered policy reasons in support of its arguments for postponement of the names. After carefully considering the Secret Service's arguments, the Review Board determined that the Secret Service had to meet its statutory burden of proof by "clear and convincing evidence" that these names should be postponed.

The Secret Service appealed the Review Board's decision to the President. In its Reply to the Secret Service's Appeal, the Review Board argued that the Secret Service failed to meet its statutory burden of proof with respect to the postponement of these names, and urged the President to release these historically significant documents in full. (Review Board's Reply Memorandum to the President, May 22, 1998, and Surreply Memorandum,

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June 15, 1998).

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