

FINAL REPORT of the ASSASSINATION RECORDS REVIEW BOARD

CONTENTS

Executive Summary

Preface

Chapter 1: The Problem of Secrecy

- A. The Problem of Secrecy
- B. Prior Investigative Efforts
 - 1. The President's Commission to Investigate the Assassination of President John F. Kennedy (Warren Commission)
 - 2. The President's Commission on Intelligence Activities Within the United States (Rockefeller Commission)
 - 3. The Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (Church Committee)
 - 4. The Select Committee on Intelligence of the House of Representatives (Pike Committee)
 - 5. The Select Committee on Assassinations of the House of Representatives (HSCA)
 - 6. Additional Congressional Investigations
 - 7. Records Held by Executive Branch Agencies
 - 8. Investigative Records in the Custody of Non-Federal Sources
- C. Despite the Investigations, People Question the Government's Conclusions
- D. The Solution: The JFK Act
- E. Legislative History of the JFK Act
- F. Key Provisions of the JFK Act

Chapter 2: Establishment of the Review Board and Definition of "Assassination Record"

- A. Introduction
- B. Delay in Start Up
 - 1. JFK Act Deadlines
 - a. Ninety days for President to appoint Review Board members
 - b. 300 days for government offices to review, identify, and organize assassination records
 - c. 300 days for NARA to establish JFK Collection
 - d. Three years for Board to complete work
 - 2. Passage of H.R. 1553
- C. Defining Assassination Record
 - 1. Statutory Definition of "Assassination Record"
 - 2. Congressional Intent Concerning Definition

3. Review Board's early deliberations and draft definition
 4. Comments from Public
 - a. Notice and Comment
 - b. Public Hearings
 5. Definition
 - a. Scope of assassination record
 - b. Scope of additional records and information
 - c. Sources of assassination records and additional records and information
 - d. Types of materials included in scope of assassination records and additional records and information
 - e. Assassination records released in their entirety
 - f. Originals and copies
- D. Conclusion

Chapter 3: Public Activities of the Review Board

- A. Introduction
- B. Public Hearings
- C. Public Meetings
- D. Experts Conferences
- E. Outreach
 1. Outreach to Academics
 2. Outreach to Students
 3. Outreach to Assassination Researchers
 4. Media
- F. Conclusion

Chapter 4: Developing the Review Process

- A. Introduction
- B. JFK Act Requirements for Processing Documents
- C. Basic Elements of the Review Process
- D. Electronic Identification Aids
- E. Tracking the Review of Assassination Records
 1. Review Track Database
 2. Fast Track Database
- F. Consent Releases
- G. Board Procedures
- H. Miscellaneous Bottlenecks and Problems in the Review Process
 1. Duplicates
 2. Equities and Referrals
 - a. Managing referrals
 - b. Dunning letters
 - c. Review Board Joint Declassification Sessions
- I. Document Processing After Review Board Votes

J. Conclusion

Chapter 5: The Standards for Review: Review Board “Common Law”

A. Introduction and Background

1. Current Guidelines for Release of Assassination-Related
2. Key Distinctions Between Standards of Release Under the FOIA, the Executive Order, and the JFK Act
 - a. JFK Act presumes disclosure of assassination records
 - b. JFK Act requires agencies to provide clear and convincing evidence
 - c. JFK Act requires the Review Board to balance evidence for postponement against public interest in release
 - d. Segregability and substitute language
3. Federal Agency Record Groups and the Standards Applied to Them
 - a. The FBI’s “core and related” files
 - b. The CIA’s Lee Harvey Oswald “201” file
 - c. The FBI’s “House Select Committee on Assassination” (HSCA) subject files
 - d. The CIA’s “segregated collection” files
 - e. FBI records on the Congressional Committees that investigated the assassination
 - f. Requests for additional information

B. Declassification Standards

1. Standard of Proof: Clear and Convincing Evidence
 - a. Review Board guidelines
 - b. Commentary
 - i. “Rule of Reason”
 - A. “NBR” Guidelines: Records that Review Board judged were “not believed relevant” to the assassination
 - B. Segregated Collection Guidelines

2. Intelligence Agents

- a. CIA officers
 - i. Review Board guidelines
 - ii. Commentary
- b. “John Scelso” (pseudonym)
 - i. Review Board guidelines
 - ii. Commentary
- c. Information that identifies CIA officers
 - i. Review Board guidelines
 - ii. Commentary
- d. Names of National Security Agency employees
 - i. Review Board guidelines
 - ii. Commentary

3. Intelligence Sources and Methods and Other Matters Relating to the National Security of the United States

- a. CIA sources
 - i. Review Board guidelines
 - ii. Commentary
- b. CIA pseudonyms
 - i. Review Board guidelines
 - ii. Commentary
- c. CIA crypts
 - i. Review Board guidelines
 - ii. Commentary
- d. CIA slug line
 - i. Review Board guidelines
 - ii. Commentary
- e. CIA surveillance methods
 - i. Review Board guidelines
 - ii. Commentary
- f. CIA installations
 - i. Review Board guidelines
 - ii. Commentary
- g. CIA prefixes (cable, dispatch, field report)
 - i. Review Board guidelines
 - ii. Commentary
- h. CIA job titles
 - i. Review Board guidelines
 - ii. Commentary
- i. CIA file numbers
 - i. Review Board guidelines
 - ii. Commentary
- j. CIA domestic facilities
 - i. Review Board guidelines
 - ii. Commentary
- k. CIA official cover
 - i. Review Board guidelines
 - ii. Commentary
- l. Alias documentation
 - i. Review Board guidelines
 - ii. Commentary
- m. Foreign intelligence cooperation
 - i. Review Board guidelines
 - ii. Commentary
- n. Human sources in FBI foreign counterintelligence (assets)
 - i. Review Board guidelines
 - ii. Commentary
- o. FBI foreign counterintelligence activities
 - i. Review Board guidelines
 - ii. Commentary and overview of foreign counterintelligence

appeals

A. The FBI's May 1996 Appeals to the President

B. Post-appeal decision making

p. Information that reveals the FBI's investigative interest in a diplomatic establishment or diplomatic personnel

i. Review Board guidelines

ii. Commentary

q. Technical sources in FBI foreign counterintelligence

i. Review Board guidelines

ii. Commentary

r. Other classified file numbers relating to FBI foreign counterintelligence

i. Review Board guidelines

ii. Commentary

s. FBI mail cover in foreign counterintelligence investigations

i. Review Board guidelines

ii. Commentary

t. FBI tracing of funds in foreign counterintelligence investigations

i. Review Board guidelines

ii. Commentary

u. FBI physical surveillance

i. Review Board guidelines

ii. Commentary

v. Operational details concerning Department of Defense operations

i. Review Board guidelines

ii. Commentary

w. National Security Agency sources and methods

i. Review Board guidelines

ii. Commentary

x. National Security Agency intercept traffic

i. Review Board guidelines

ii. Commentary

4. Personal Privacy

a. Personal privacy generally

i. Review Board guidelines

ii. Commentary

b. Prisoner of War issues

i. Review Board guidelines

ii. Commentary

c. Names of individuals in Secret Service "threat sheets"

i. Review Board guidelines

ii. Commentary

5. Informant Postponements

a. Informant postponements generally

i. Review Board guidelines

ii. Commentary

- A. A note on the statutory framework for review of FBI informant postponements
 - B. History of Review Board's decision making on informant postponements
 - C. Effect of prior disclosures
 - b. Individuals who provided information to the FBI, but who did not have an ongoing confidential relationship with the FBI
 - i. Review Board guidelines
 - ii. Commentary
 - c. Individuals who gave the FBI information to which they had access by virtue of their employment
 - i. Review Board guidelines
 - ii. Commentary
 - d. Deceased informants
 - i. Review Board guidelines
 - ii. Commentary
 - e. "Negative Contacts": Informants who provided no assassination-related information to the FBI
 - i. Review Board guidelines
 - ii. Commentary
 - f. "Positive Contacts": Informants who provide at least some assassination-related information to the FBI
 - i. Review Board guidelines
 - ii. Commentary
 - g. FBI informant symbol numbers and file numbers
 - i. Review Board guidelines
 - ii. Commentary
- 6. Confidential Relationships Between Government Agents and Cooperating Foreign Governments
 - a. Foreign liaison postponements in FBI files
 - i. Review Board guidelines
 - ii. Commentary
- 7. Presidential Protection
- C. JFK Act Exemptions
 - 1. Tax Return Information
 - 2. Records Under Seal
- D. Appeals to the President as of September 30, 1998
- E. Conclusion

Chapter 6: The Quest for Additional Information and Records in Federal Government Agencies

- A. Records Related To Lee Harvey Oswald
 - 1. Pre-assassination records
 - a. CIA

- i. Security File
 - ii. Records in the Defector File
 - iii. HTLINGUAL records
 - b. FBI
 - c. Secret Service
 - d. IRS/Social Security Administration
 - e. INS records on Lee and Marina Oswald
- 2. Military records
 - a. U.S. Marine Corps records
 - i. U.S. Marine Headquarters copy of enlisted personnel file and medical file
 - ii. Additional relevant U.S. Marine Corps unit diaries
 - b. Military identification card
 - c. Possible ONI post-defection investigation
- 3. In the U.S.S.R.
 - a. CIA operations in Moscow
 - b. American Embassy personnel
 - c. Search for American Embassy records
 - d. DCD/OO alleged debriefing of LHO
- 4. In Mexico City
 - a. Technical surveillance
 - i. Audio and photographic
 - ii. Tapes, transcripts, and pictures in existence
 - b. Cable traffic
 - c. Win Scott files
 - d. Sylvia Duran
 - e. Legat administrative files
 - f. Anne Goodpasture deposition

B. Records On Cuba

- 1. CIA records
- 2. Military records
 - a. Joint Staff Secretariat
 - b. Army
 - c. Office of the Secretary of Defense
 - d. Joint Chiefs of Staff history
- 3. Presidential library collections
 - a. JFK Library records
 - b. LBJ Library
- 4. Church Committee Records

C. Records On Vietnam

- 1. CIA records
- 2. Military records
 - a. Joint Staff Secretariat
 - b. Office of the Secretary of Defense

- c. Joint Chiefs of Staff history
 - 3. Presidential library collections
 - a. JFK Library
 - b. LBJ Library
 - 4. Church Committee testimonies
- D. Records of Senior Agency Officials
 - 1. CIA
 - a. Allen Dulles
 - b. John McCone
 - c. Charles Cabell and Marshall Carter
 - d. Richard Bissell, William Colby, and Richard Helms
 - e. James J. Angleton
 - f. Lawrence Houston
 - g. William Harvey
 - 2. FBI
 - a. Hoover and Tolson Records, including “Official and Confidential” files, chronological files, and phone logs
 - b. Miscellaneous administrative files from the Director’s Office.
 - c. John P. Mohr Records.
 - 3. Secret Service
 - 4. Office of the Secretary of Defense
 - 5. Office of Naval Intelligence
 - 6. Army
 - 7. National Security Agency
 - 8. State Department
 - 9. Department of Justice
 - a. Office of Information and Privacy
 - b. Criminal Division
 - 10. Treasury
 - 11. IRS
- E. Pro and Anti-Castro Cuban Matters
 - 1. Fair Play for Cuba Committee
 - a. FBI field office files.
 - b. CIA records on Richard Gibson.
 - c. Department of Justice Criminal Division files on FPCC.
 - 2. Cuban COINTELPRO
 - 3. Anti-Castro Activities
 - 4. Cuban Intelligence Activities in the U.S.; Cuban Situation
 - 5. Anti-Castro Cuban groups, including DRE, Alpha 66, SFNE, JURE, FRD, CRC, and Commandos-L
 - 6. Threats against the life of Fidel Castro
 - a. CIA DS&T records
 - b. FBI file captioned “Threats Against the Life of Fidel Castro”
 - 7. American Gambling Interests in Cuba

8. Sergio Arcacha-Smith, Antonio Veciana and Bernardo de Torres

F. Records on Organized Crime

1. Sam Giancana
2. FBI Electronic Surveillance of Carlos Marcello: BriLab
3. Department of Justice Criminal Division Records

G. Warren Commission Staff and Critics

1. FBI files on Warren Commission staff
2. CIA and FBI files on Warren Commission critics
 - a. Mark Lane
 - b. Harold Weisberg
 - c. Josiah Thompson
 - d. Edward J. Epstein
 - e. Paul Hoch
 - f. David S. Lifton
 - g. Sylvia Meagher

H. Name Searches

1. John Abt
2. Edward Becker
3. Carlos Bringuier
4. George Bush
5. Ed Butler and Information Council of the Americas (INCA)
6. Claude Barnes Capehart
7. Lawrence Cusack
8. Adele Edisen, Winston de Monsabert, Jose Rivera
9. Billie Sol Estes
10. Judith Campbell Exner
11. H.L. Hunt and family and Clint Murchison and family
12. Joseph P. Kennedy
13. Oswald LeWinter
14. Marita Lorenz
15. John Thomas Masen
16. John Anthony McVickar
17. Elizabeth Catlett Mora
18. Gordon Duane Novel
19. Orest Pena
20. Carlos Quiroga
21. Charles Small
22. Clarence Daniel Smelley
23. Richard Snyder
24. Marty Underwood
25. General Edwin Walker/Minutemen

I. Miscellaneous

1. CIA
 - a. The U-2 connection and the fake manuals
 - b. The “Family Jewels”
2. FBI
 - a. “Research Matters” file on John F. Kennedy
 - b. Liaison with other federal agencies
 - i. Secret Service/Protection of the President
 - ii. CIA
 - iii. NSA
 - iv. Customs
 - v. ATF
3. Secret Service
 - a. Protective survey reports
 - b. Shift reports
 - c. Eileen Dinneen memoranda
4. Department of State
5. Army
 - a. U.S. Army’s Investigative Records Repository (IRR)
 - b. Army Security Agency records and files
 - c. Army Inspector General 1973 report on domestic surveillance abuses in the U.S.
6. White House Communications Agency
7. Presidential Library Materials
 - a. William Manchester interviews
 - b. Jacqueline B. Kennedy tapes at the JFK and LBJ Libraries

J. Conclusion

Chapter 7: Pursuit of Records and Information from Non-Federal Sources

- #### A. Pursuit of Records and Papers from Private Citizens and Organizations
1. Gary Aguilar: Interviews with Drs. Humes and Boswell
 2. Richard Barnes: AP Wire Copy
 3. Dr. George Burkley
 4. Edward Scannell Butler: Materials from the Information Council of the Americas
 5. Mrs. Marion Ebersole: Records of Dr. John J. Ebersole
 6. President Gerald Ford: Desk Diaries
 7. Justice Abe Fortas
 8. Captain J.W. “Will” Fritz
 9. Jim Garrison
 10. James P. Hosty Jr.
 11. Wesley Liebler
 12. David Lifton: Medical Evidence

13. Holland McCombs
 14. Richard Case Nagell
 15. New Orleans Metropolitan Crime Commission
 16. Gerald Posner
 17. Frank Ragano
 18. J. Lee Rankin: Warren Commission Papers
 19. Clay Shaw: Personal Papers and Diary
 20. Walter Sheridan
 21. Martin Underwood
 22. Edward Wegmann
 23. Dallas Sixth Floor Museum Records
 24. Thomas W. Wilson
- B. Pursuit of Audio-Visual Material from Private Citizens and Organizations
1. Tom Alyea: Film from Inside the Texas School Book Depository
 2. Charles Bronson: Film of Dealey Plaza
 3. CBS Outtakes
 4. Robert Groden
 5. Lt. Everett Kay: Audio Surveillance Tape
 6. Vincent Palamara: Interviews with Secret Service Personnel
 7. David Powers: Film of Motorcade
 8. David Taplin: November 24, 1963, Coverage of Dallas Police Department
 9. Stephen Tyler
 10. Janet Veazey: KTVT Outtakes
 11. Moses Weitzman
 12. Robert White: Evelyn Lincoln Materials
- C. Pursuit of State and Local Government Records
1. New Orleans District Attorney Files
 2. Dallas City and County Records
- D. Pursuit of Records from Foreign Governments
1. Russia
 2. Belarus
 3. Cuba
 4. Mexico
 5. Other Governments
- E. Conclusion

Chapter 8: Federal Government Agency Compliance with JFK Act

- A. Introduction
- B. Federal Agency Compliance with the JFK Act
 1. Central Intelligence Agency
 2. Federal Bureau of Investigation
 3. Secret Service
 4. National Security Agency
 5. Department of State

6. Department of Justice
 - a. Office of Information & Privacy
 - b. Criminal Division
 - c. Civil Division
 - d. Civil Rights Division
 - e. Office of Legal Counsel
7. Department of the Treasury
 - a. Main Treasury
 - b. Bureau of Alcohol Tobacco & Firearms
 - c. Customs Service
 - d. Internal Revenue Service
8. National Security Council
9. President's Foreign Intelligence Advisory Board
10. Immigration & Naturalization Service
11. Office of the Secretary of Defense
12. Defense Intelligence Agency
13. Department of the Army
 - a. Central Security Facility
 - b. Armed Forces Institute of Pathology
14. Department of the Navy
 - a. Office of Naval Intelligence
 - b. National Naval Medical Center in Bethesda
15. Department of the Air Force
16. Joint Chiefs of Staff
17. White House Communications Agency
18. Postal Service
19. Drug Enforcement Administration
20. Library of Congress
21. NARA, including Presidential Libraries
 - a. NARA, Washington, D.C.
 - b. NARA -- Southwest Region, Fort Worth, Texas
 - c. Gerald R. Ford Library
 - d. John F. Kennedy Library
 - e. Lyndon B. Johnson Library
22. General Services Administration
23. U.S. Congress Records
 - a. House Select Committee on Assassinations
 - b. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (the Church Committee)
 - c. House Select Committee on Intelligence (the Pike Committee)
 - d. House Judiciary's Subcommittee on Civil & Constitutional Rights
 - e. House Government Operations Subcommittee on Government Information and Individual Rights
 - f. House Committee on Un-American Activities
 - g. Other Congressional Records

Recommendations of the Review Board

APPENDICES

Appendix A: Board Members' Biographies

Appendix B: Board Staff

Appendix C: *President John F. Kennedy Assassination Records Collection Act of 1992*

Appendix D: Assassination Records Review Board Guidance for Interpretations and Implementation of the President John F. Kennedy Assassination Records Collection Act of 1992 (JFK Act)

Appendix E: List of Review Board Meetings

Appendix F: Summary of Review Board Votes on Records

ACKNOWLEDGMENTS