

Creation of the Review Board: Necessary for Independence and Enforceability

The United States Congress created the Assassination Records Review Board after careful consideration by relevant committees and a determination that existing conditions did not allow for the timely, efficient and cost-effective disclosure of records related to the assassination of President Kennedy. In fact, it is stated in the law that "... the Freedom of Information Act, as implemented by the executive branch, has prevented the timely public disclosure of records relating to the assassination ..." (emphasis added). In addition, Executive Order No. 12958 on "Classified National Security Information" specifically excludes from the automatic declassification provision matters such as intelligence sources and methods, and the identification of informant, which form the core of the Kennedy assassination records which remain classified. Finally, the Senate Committee on Governmental Affairs stated that the creation of a Review Board was required to ensure an "independent and enforceable mechanism for disclosure under uniform standards for review."