

MODEL SERVICEWIDE DIRECTIVE, INSTRUCTION, OR NOTICE

SUBJECT: President John F. Kennedy Assassination Records Collection Act of 1992

TO: Distribution List

(To be determined by each Service Secretary. Care should be taken to ensure that the distribution list is all-inclusive, covering each command and component in the issuing service's chain of command.)

FROM: SECRETARY OF THE _____.

BACKGROUND:

The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107, created a procedure whereby all government records related to the assassination of President Kennedy will be collected and transferred to the National Archives. Under the JFK Act, all government offices and agencies were instructed to gather all relevant records, to review them for the purpose of declassifying, and to transfer them to the Archives.

The JFK Act also created the JFK Assassination Records Review Board, which is now comprised of five persons who were nominated by the President and confirmed by the Senate last year. (Two Review Board members have backgrounds in military intelligence.) The Review Board's responsibility is to oversee the collection of records and to conduct an independent review of those records that contain national-security classified information. Under the JFK Act, all governmental records concerning the assassination carry a presumption that they will be disclosed immediately to the public. The Review Board is empowered to determine what constitutes an assassination record, and will make formal determinations specifying which documents (or parts of documents) still classified shall be released to the public.

The final guidance on interpreting and implementing the President John F. Kennedy Assassination Records Collection Act of 1992, is contained in 36 C.F.R. § 1400.

POLICY:

- A. All government records related to the assassination of President Kennedy shall be preserved for historical and governmental purposes.

- B. All Kennedy assassination related records maintained by the Department of the _____ (Navy, Air Force, etc.) are to be identified and processed for inclusion in the JFK Records Collection at the National Archives.
- C. For this purpose, the term "record" includes papers, maps and other documentary material; photographs; motion pictures; sound and video recordings; machine readable information in any form; and artifacts.
- D. An assassination record includes, but is not limited to, all records, public or private, regardless of how labeled or identified, that document, describe, report on, analyze or interpret activities, persons or events reasonably related to the assassination of President John F. Kennedy and previous investigations of or inquiries into the assassination.
- E. Grounds for "postponement": release of information in assassination records may be postponed provided there is clear and convincing evidence that one of several specified restrictions applies. See 44 U.S.C. § 2107.6. The required level of clearance for all ARRB Board Members and Staff analysts and investigators is Top Secret, SCI. While it is true that ultimately, some assassination records or portions thereof may be withheld from public release following a Review Board determination, NONE may be withheld from the Assassination Records Review Board.

ACTION:

- A. Each _____ [Navy and Marine Corps, Air Force, etc.] activity, command and component shall identify and organize all of its records relating to the assassination of President Kennedy, and in the process shall take the following actions:
- (1) Identify whether each record originated in that activity or elsewhere;
 - (2) Identify whether the record was previously disclosed to the public;
 - (3) Identify whether any information contained in the record is of such sensitivity, in accordance with the grounds for postponements explained above, that the activity recommends that the record be postponed from public disclosure pending a Review Board (ARRB) determination. (If not, mark each record "Recommend release in full." If postponement is recommended pending an ARRB determination, indicate the grounds for the postponement recommendation in accordance with the schedule referred to above.);
 - (4) Ensure that no assassination record is destroyed, altered, or mutilated in any way;

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- (5) Ensure the physical integrity of each record;
 - (6) Prepare an SF 135 for each record and submit each record to (enter appropriate Navy, Marine Corps or Air Force headquarters office code designation) for assembly and review.
 - (7) (ENTER APPROPRIATE HIGHER - LEVEL ACTIVITY) will collect subject records and prepare them for transmission to the Archivist of the United States for inclusion in the JFK Records Collection. Subject action will include preparing identification aids to assist in retrieval, and proper safeguarding of those records postponed from disclosure pending a Review Board determination.
- B. All activities on this distribution list shall make reports no later than October 30th, 1995. One time negative reports are required.
- C. _____ [IDENTIFY HIGHER - LEVEL ACTIVITY OR COMMAND] shall submit all assassination records and notifications of postponements to the National Archives and Records Administration (NARA) by November 15, 1995.
- D. The Assassination Records Review Board has the sole final authority: to determine “whether a record constitutes an assassination record” and to “issue guidance to assist in articulating the scope or universe of assassination records.” All commands, components and activities of the _____ [Navy and Marine Corps, Air Force, etc.] shall cooperate to the fullest extent with any additional requests for records related to the assassination of President Kennedy which emanate from the Review Board. Such requests will reflect the Review Board’s attempt to compile the most complete historical record possible of the assassination of President John F. Kennedy.
- E: Searches for records shall include, at a minimum:
- (1) All records reasonably related to the assassination of President Kennedy, including the autopsy and funeral arrangements for the deceased President;
 - (2) All records related to Lee Harvey Oswald;
 - (3) All records related to any type of military response to the assassination of President Kennedy on November 22, 1963, including, without limitation, any change in

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DEFCON status; THREATCON status; any state of alert; and/or any emergency communications to commands worldwide regarding the assassination;

- (4) All records related to military units which performed, or assisted with, Presidential protection duties during the month of November 1963;
- (5) All records related to Air Force One, Air Force Two and the transportation of Presidents Kennedy and Johnson on November 22, 1963;
- (6) All records related to the Department of Defense or U.S. military covert plans and/or operations conducted against Cuba from 1960- 1963, inclusive; and
- (7) All records recording domestic surveillance of foreign national emigre groups in the United States.

END OF MODEL SERVICEWIDE

INSTRUCTION