MEMORANDUM FOR DESIGNATED AGENCY HEADS  
(SEEN ATTACHED DISTRIBUTION LIST)

FROM: Robert C. Damus
      Acting General Counsel

SUBJECT: Proposed Executive Order Entitled "Disclosure of Materials Concerning the Assassination of President John F. Kennedy"

Attached is a proposed Executive order entitled "Disclosure of Materials Concerning the Assassination of President John F. Kennedy."

It was prepared by the Department of Justice, in accordance with the provisions of Executive Order No. 11050, as amended.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. If you have any comments or objections, they should be received no later than close of business Thursday, May 7, 1992. Please be advised that agencies that do not respond by the May 7, 1992 deadline will be recorded as not objecting to the proposal.

Inquiries or comments may be submitted by telephone to Mr. Hal Gibbons, or Ms. Bess Weaver of this office (phone: 335-5511; fax: 335-5517).

Thank you.

Attachments - Distribution List

Proposed Executive Order

cc: Tom Grady
    Jim Gibson
    Janet Hale
    Jim Murr
    Jack Hodges
    Howard
    .....
    Tom Scully
EXECUTIVE ORDER

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DISCLOSURE OF MATERIALS CONCERNING THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to ensure that the American people have expeditious access to materials concerning the assassination of President John F. Kennedy, it is hereby ordered as follows:

Section 1. Definitions. For purposes of this order:
(a) "Agency" means an Executive agency as defined in 5 U.S.C. § 552(2).

(b) "Assassination material" means a record or particular information therein that pertains to the assassination of President John F. Kennedy or to the investigations thereof that has not been made available to the public prior to the effective date of this order, but such term does not include:

(1) any record or particular information therein that pertains solely to personal matters or other administrative affairs of the President's Commission on the Assassination of President John F. Kennedy (the Warren Commission) or any other agency;

(2) any materials, including the autopsy materials, donated by the Kennedy family to the National Archives pursuant to a deed of gift regulating access to those materials; or
(3) any record or particular information therein the
disclosure of which is prohibited by federal law.

(c) "Record" means a book, paper, map, photograph, machine
readable material, or other documentary material, regardless of
physical form or characteristics.

(d) "Review Panel" means the Interagency Review Panel on
John F. Kennedy Assassination Materials established by section
2(b) of this order.

Sec. 2. Interagency Review Panel on John F. Kennedy
Assassination Materials.

(a) There is hereby established an interagency panel to be
known as the "Interagency Review Panel on John F. Kennedy
Assassination Materials." The Review Panel shall be composed of
the following officers or their designees:

(1) the Attorney General;
(2) the Secretary of State;
(3) the Secretary of the Treasury;
(4) the Secretary of Defense;
(5) the Director of Central Intelligence;
(6) the Assistant to the President for National
Security Affairs.

(b) The Review Panel shall establish such procedures as are
necessary to discharge the duties assigned to it by section 4 of
this order.
Sec. 3. Review and Disclosure by Agencies.

(a) Within 90 days of the effective date of this order, each agency shall review all assassination materials in its custody and shall, in accordance with section 6 of this order, disclose such materials unless the agency determines in writing that such disclosure reasonably could be expected to:

(1) threaten the national security, military defense, intelligence or law enforcement operations, or conduct of foreign relations of the United States;

(2) constitute a clearly unwarranted invasion of privacy of a living person who has not agreed to such disclosure; or

(3) endanger the life or physical safety of any person.

(b) If an agency has reasonable cause to believe that any assassination materials in its custody contain information that originated with another agency, it shall, before disclosing such materials, consult with the originating agency. Such materials shall, in accordance with section 6 of this order, be disclosed unless the originating agency objects in writing to such disclosure on the grounds specified in subsection (a) of this section.

(c) All assassination materials not disclosed pursuant to subsection (a) or (b) of this section shall be made available to the review Panel.
sec. 6. Review and Disclosure by the Interagency Review Panel.

(a) The Review Panel shall review all assassination materials made available to it pursuant to section 3(e) of this order and shall, in accordance with section 6 of this order, disclose such materials unless it determines that such disclosure would:

(1) threaten the national security, military defense, intelligence or law enforcement operations, or conduct of foreign relations of the United States;

(2) constitute a clearly unwarranted invasion of privacy of a living person who has not agreed to such disclosure; or

(3) endanger the life or physical safety of any person.

(b) Upon completion of its review, the Review Panel shall submit to the President a report concerning its activities.

Sec. 7. Redaction and Partial Disclosure. Sections 3 and 4 of this order shall be construed to require the disclosure of any reasonably segregable portion of any particular assassination material after deleting the portions that would otherwise prevent disclosure of such material.

Sec. 8. Transfer to Archivist. When an agency or the Review Panel determines that certain assassination materials should be disclosed pursuant to section 3 or 4 of this order, it
shall transfer such materials or legible copies thereof to the
Archivist of the United States, who shall, under such procedures
as he shall establish by regulation, disclose them to the general
public.

Sec. 7. **Conflicts with Other Executive Orders.** This order
shall, with respect to assassination materials as defined in
section 1(b) of this order, supersede all other Executive orders
concerning the classification and safeguarding of national
security information.

Sec. 8. **Judicial Review.** Nothing in this order shall be
construed to create any right or benefit, substantive or
procedural, enforceable by a party against the United States, its
agencies or instrumentalities, its officers or employees, or any
other person.

Sec. 9. **Effective Date.** This order shall become effective
Honorable William P. Barr
United States Attorney General

Honorable Nicholas F. Brady
Secretary
Department of the Treasury

Honorable Richard B. Cheney
Secretary
Department of Defense

Honorable James A. Baker
Secretary
Department of St

Honorable Edward J. Derwiniski
Secretary
Department of Veterans Affairs

Honorable William H. Webster
Director
Central Intelligence Agency

Mr. Richard G. Austin
Administrator
General Services Administration

Honorable Don W. Wilson
Archivist of the United States
National Archives and Records Administration

Honorable Charles Kolb
Deputy Assistant to the President
for Domestic Policy

Honorable LTG. Brent Scowcroft (Ret.)
Assistant to the President
for National Security Affairs