



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503  
August 31, 1992

JFK  
Assn

92 AUG 31 PM 2:06

MEMORANDUM FOR DESIGNATED AGENCY HEADS  
(SEE ATTACHED DISTRIBUTION LIST)

FROM: Robert G. Damus *RGD*  
Acting General Counsel

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

Attached is a revised 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. 11010, as amended.  
The order was originally circulated for agency comment on May 7,  
1992. The attached revision reflects the changes made as a  
result of the May 7th circulation.

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 Friday, September 4, 1992. Please be advised that  
agencies that do not respond by the September 4, 1992 deadline  
will be recorded as not objecting to the proposal.

Comments or inquiries may be submitted by telephone to Mr.  
Mac Reed or Ms. Bess Weaver of this office (Phone: 202-395-5601;  
Fax: 202-395-7294).

Thank you.

Attachments - Distribution List  
Proposed Executive Order

- cc: Bob Grady
- Kim Gibson
- Janet Hale
- Jim Hurr
- Frank Hodzoll
- Bob Howard
- Jim MacRae
- Tom Scully

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Assistant to the President  
for National Security Affairs

DRAFT 8/26/92

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 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(f).

(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 and 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 personnel 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 Kennedy autopsy materials, donated to the National Archives pursuant to a deed of gift

regulating access to these materials, or copies or reproductions made from such materials; or

(3) any record or particular information therein the disclosure of which is prohibited by federal law.

(c) "Record" means a record as defined in 44 U.S.C. § 3301.

(d) "Review Panel" means the Interagency Review Panel on John F. Kennedy Assassination Materials established by section 2(a) 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; and
- (7) the Archivist of the United States.

(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. 2. Review and Disclosure by Agencies.

(a) Within 180 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) cause damage to the national security, law enforcement operations, or conduct of foreign relations of the United States;

(2) constitute a clearly unwarranted invasion of the 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 subsections (a) or (b) of this section shall be made available to the Review Panel.

SEC. 4. Review and Disclosure by the Intergency Review Panel.

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

(1) cause damage to the national security, law enforcement operations, or conduct of foreign relations of the United States;

(2) constitute a clearly unwarranted invasion of the 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. 5. 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. 6. 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 to the Archivist of the United

States, who shall, under such procedures as he shall establish by regulation, disclose them to the general public as expeditiously as practicable.

Sec. 7. Relation to Other Executive Orders. No Executive order concerning the classification and safeguarding of national security information shall constitute a basis for withholding assassination materials that are required to be disclosed pursuant to sections 3 or 4 of this order.

Sec. 8. Cooperation with Congress.

(a) During the period described in section 3(a) of this order, each agency shall, in cooperation with Congress, identify any assassination materials subject to the control of Congress that were originally provided to Congress by that agency. To the extent practicable, such materials shall be reviewed for disclosure pursuant to sections 3 and 4 of this order.

(b) Each agency and the Review Panel shall cooperate fully with any request by Congress to review any other assassination materials subject to the control of Congress.

Sec. 9. 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.

SEN: 01/20/82 10:00 AM

Sec. 10. Effective Date. This order shall be published in the Federal Register and shall be effective upon publication.

- 6 -