

Draft Memorandum of Understanding between the
President of the United States and the
Assassination Records Review Board

Whereas the President of the United States (the “President”) and the Assassination Records Review Board (the “Review Board” or the “ARRB”) are obligated to comply with the terms of the President John F. Kennedy Assassination Records Collection Act, P.L. 102-526, §§ 1 to 14 [etc],
***** and

Whereas, the JFK Act obligates the ARRB . . . , and

terms from statute and legislative history

Whereas the JFK Act requires that the Review Board make a “final determination”

Whereas the JFK Act contemplates that “the President has the sole and nondelegable authority to require the disclosure or postponement of such record or information under the standards set forth in section 6, and the President must provide the Review Board with an unclassified written certification specifying his decision within 30 days after the Review.”¹

Whereas the JFK Act obligates the President to make decisions within 30 days of being notified of a decision by the Review Board

Whereas there is a need to establish efficient procedures to ensure that both the President and the ARRB properly comply with the letter and the spirit of the JFK Act;

Therefore the President and the ARRB have reached the following understanding and agreement:

First, decisions announced on timely basis to both agencies and the President;

Second, forms made available immediately

Third, the White House will send to the ARRB, through proper channels, clearances for all persons who will be participating in the review process;

Fourth, properly cleared White House staff members will be given access to all

¹Senate Report 46.

documents on which the Board has reached a decision and such access shall be available as soon as the Review makes its Final Determination