

MEMORANDUM

January 4, 1996

To: Col. Tim Wray

From: David G. Marwell
Executive Director

cc: T. Jeremy Gunn
General Counsel

On behalf of the Assassination Records Review Board, I want to welcome you to your new position as Chief of the Military team. [This sentence should be deleted if there is any question about whether he will sign.]

As we have discussed, your continued employment with the Review Board is conditional on your ultimately obtaining an SCI clearance from the Central Intelligence Agency. Section 8(b)(3)(B)(ii) of the John F. Kennedy Assassination Records Collection Act provides that:

If a person hired on a conditional basis under clause [8(b)(3)(B)(I)]¹ is denied or otherwise does not qualify for all security clearances necessary to carry out the responsibilities of the position for which conditional employment has been offered, the Review Board shall immediately terminate the person's employment.

Although all staff members ultimately are expected to be cleared for SCI material, it is particularly important that you, as Chief of the Military team, have access to SCI material. Your having an SCI clearance is, therefore, necessary for you to carry out the responsibilities of the position for which you were hired. As of today's date, you are now cleared up through Top Secret, but not for SCI. In order for the Review Board to comply with its responsibilities, I will be submitting shortly [have submitted?] your SBI file to the Central Intelligence Agency for its adjudication of your SCI status.

If the CIA declines to issue an SCI clearance to you, the Review Board, consistent with its responsibilities under Section 8(b)(3)(B)(ii) of the JFK Act, will need to terminate your employment immediately. Although the Review Board hopes that such clearance will readily be granted by the CIA, you should be aware that the Review Board does

¹This clause pertains to the hiring of Review Board staff prior to the time that their clearances have been completed.

not control the outcome of the CIA's adjudication and that the Review Board must fulfill its responsibilities in the event that the clearance is not issued.

I ask that you sign this memorandum to signify your understanding that, in the event the CIA does not issue an SCI clearance to you, the Review Board would be obligated to terminate your employment immediately.

I acknowledge having received and read this memorandum and understand that in order for me to continue with my conditional employment with the Assassination Records Review Board, I will need to be issued an SCI clearance by the Central Intelligence Agency. I further understand that if such clearance is not granted by the Central Intelligence Agency, I will be terminated from my employment with the Review Board.

_____ (signature)
Col. Tim Wray
U.S. Army (Ret.)

Date: _____