

The Department of the Treasury (excluding IRS, Customs, BATF, and Secret Service)

“Main Treasury” had identified no assassination records under the JFK Act prior to being contacted by the Review Board. Review Board staff members have requested access to specified Treasury records and, last fiscal year, identified approximately 2 cubic feet of assassination records held at the Federal Records Center at Suitland, Maryland. To date, Treasury has not transferred any of these records to the National Archives for inclusion in the JFK Collection.

Internal Revenue Service

Section 11(a) of the JFK Act states that the transmission and disclosure provisions of the JFK Act do *not* take precedence over Section 6103 of the Internal Revenue Code, which affords confidentiality to tax return and related information. Accordingly, Federal law exempts much of the information in IRS investigative files from inclusion in the JFK Assassination Records Collection.

Within these legal constraints, the IRS and the Review Board have worked together to ensure that the Collection is as complete as possible. For example, the IRS has agreed that tax return information may become part of the JFK Collection if the taxpayer (or his surviving spouse or descendant) consents in writing to disclosure of the information.

The Customs Service

The Customs Service is in the final stages of its work with the Review Board to implement the JFK Act.

Under generally applicable retention policies, most Customs Service records are authorized for destruction after twenty years. However, the Review Board staff identified over 100 boxes of Customs Service records from the 1950's through the 1970's at the Washington National Records Center at Suitland, Maryland. This year, Customs officials and Review Board staff members reviewed over 100 boxes containing these records, and identified a small number of assassination records. In August 1996, Customs advised the Review Board that it has concluded its search of field offices and that those offices that had located assassination records had sent them to Customs headquarters for review under the JFK Act.

Customs is now preparing electronic identification aids for all of its assassination records and will transfer the records to the National Archives when these aids are completed. Customs has advised that it does not anticipate seeking postponements in any of these records. Finally, Customs has approved release in full of all assassination records referred to it by other agencies.

The Bureau of Alcohol, Tobacco and Firearms

To date, BATF has sent no records to NARA for inclusion in the JFK Assassination Records Collection. After some initial difficulties in establishing a point of contact, BATF responded to the Review Board's inquiries by stating that it had searched its records and found nothing related to the assassination of President Kennedy. The Review Board followed up with specific requests targeting particular individuals and events of interest to the Warren Commission and HSCA investigations, as well as to private researchers. In response to these requests, BATF identified one assassination record. BATF advises that other responsive records it once may have had were probably destroyed prior to the passage of the JFK Act pursuant to records disposition schedules generally applicable to BATF investigative files.

The Department of Justice (excluding INS, FBI, and DEA)

The Review Board has established points of contact within the Criminal Division, the Civil Rights Division, and the Office of Information and Privacy (for records of the DOJ leadership). Each of these offices has transferred records to the National Archives for inclusion in the JFK Assassination Records Collection, including over 3500 fully opened records of DOJ leadership offices, the transfer of which was completed during Fiscal Year 1996. DOJ has also allowed the Review Board staff to review copies of DOJ records microfilmed for the John F. Kennedy Presidential Library in order to determine to what extent these records may fall within the purview of the JFK Act. We understand that some of these records now exist only on microfilm. DOJ has also responded promptly to Review Board requests for information and referrals of records from the HSCA and other agencies.

The Immigration and Naturalization Service

[Jeremy to provide]

The Federal Bureau of Investigation

The Review Board has worked with FBI documents continuously throughout Fiscal Year 1996. To date, the Review Board has voted on postponements claimed in over 1300 FBI records. (The FBI has appealed to the President the Review Board's decisions on 139 of these records, dealing almost exclusively with "foreign counterintelligence" postponements.) The FBI also has agreed to release in full an additional 1600 assassination records that previously were available only in redacted form, rather than submit to the Review Board evidence in support of its redactions. When it has chosen to ask the Review Board to uphold claimed postponements, the FBI has significantly improved in making timely and pertinent evidence submissions.

By a large margin, the FBI has identified more assassination records than any other Federal agency. As a result, although the FBI has devoted substantial resources to implementing the JFK Act, there is still in excess of 200,000 pages of assassination records that remain unprocessed. At the present rate, the FBI will not have completed its processing of these records until after the Review Board winds down at the end of Fiscal Year 1997. In view of these resource and time constraints, the Review Board is taking steps to ensure that it focuses on those FBI records of greatest use and interest to the public. Within the body of unprocessed assassination records, the Review Board staff is identifying subjects of highest interest, so that the FBI can process these subjects next. The FBI has fully cooperated in this effort.

The Review Board staff has also continued its efforts to locate assassination records not previously identified as such by the FBI. The FBI has assisted this effort by giving Review Board members access to requested files.

Drug Enforcement Administration

The DEA has not, on its own initiative, identified any records of its own for inclusion in the JFK Assassination Records Collection. However, the DEA has responded cooperatively to Review Board requests to locate and retrieve files potentially containing assassination records. The Review Board staff is reviewing retrieved records so that the Review Board may determine how the JFK Act should be implemented with respect to these records. To date, this effort has concentrated on files responsive to HSCA requests for information, but records potentially relating to the assassination that post-date the HSCA have also been identified. Under its generally applicable records disposal policies, the DEA destroys investigative files after twenty-five years. As a result, we have not identified any records potentially related to the assassination dating before the 1970's.

United States Postal Service

The Postal Service has identified as responsive to the JFK Act a number of records, principally relating to postal inspectors' investigation of the mail-order purchase of the rifle that, the authorities concluded, was used to kill President Kennedy. However, the Postal Service has not yet transferred any of these records to the National Archives for inclusion in the Collection.