

Update for David
Legal Matters

We have been working to ensure that the Review Board is in compliance with relevant federal law as soon as possible.

Sunshine Act. We have the tentative permission from OMB to publish our Notice of Proposed Rulemaking on the Sunshine Act, although we are awaiting final confirmation on Monday. We hope to have the proposed rules at the Federal Register by Monday afternoon. This is the regulation with which we must comply most promptly.

Definition of Assassination Records. We are still awaiting final approval from OMB.

FOIA regulations. The staff sent draft proposed FOIA regulations to the Review Board and to OMB. Anna called in with some helpful suggestions. All of her suggestions that can legally be included have been added to a new draft. Laura's work has been particularly valuable to us. The staff is awaiting the return of the notation-voting forms from the Review Board members.

Privacy Act regulations. Jeremy is in consultation with several government offices in pursuit of recommendations concerning some of the more difficult problems we have in complying with the Privacy Act. Jeremy completed a draft of proposed Privacy Act regulations has been completed and will be distributed to the Board in New Orleans once we obtain further advice from OMB and the Justice Department.

Board Voting and Quorum Procedures. The Board is being sent some proposals for voting and quorum procedures that the Board may discuss, amend, and adopt in New Orleans. It will be helpful if the Board can adopt procedures to govern its future deliberations.

Declassification authority. Jeremy has written to Steve Garfinkel at the ISOO to obtain authority for the Review Board to declassify documents. Having such power would facilitate a more orderly transfer of records to the National Archives.