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The JFK Assassination Files

CONGRESS IS now considering legislation designed to open the files on President John F. Kennedy's assassination, but one of the four House committees to which the bill has been referred has unnecessarily complicated and weakened the effort. At the request of the archivist of the United States, Don W. Wilson, the Judiciary Committee adopted an amendment that would exempt from the assassination material to be released "all records and other material that have been donated to the National Archives pursuant to a deed of gift regulating access to the material." In theory, this would allow the custodians of the Kennedy, Johnson and Ford presidential materials—and in some cases even members of presidential families—to withhold documents at will. The Senate bill has no comparable amendment, nor does the version of the bill reported by the House Government Operations Committee.

Before 1981, presidential papers and even the working papers and reports of presidential commissions were considered the personal property of the chief executive to be disposed of however he wished. Almost all the records bearing on the Kennedy assassination were made during this time

and were given to libraries under specified conditions governing access. House leaders expect that notwithstanding the Judiciary Committee amendment, the Ford and Johnson papers will probably be made available for release, as will the Kennedy material except for matters relating to the autopsy. Access to that is now restricted to congressional investigators and other experts approved by the Kennedy family.

Nevertheless, the House bill that finally goes to the floor should not contain the loophole. The presumption should be that all material on this matter of great public concern be made available to the public without restriction or prior approval.

A few valid reasons for preserving secrecy—to protect the name of an agent still at risk, for example—are spelled out in the bill, and they should be invoked only by the independent review board, which would be created by statute. The whole point of this legislation is to open up the record for examination by scholars, conspiracy theorists and any interested citizen. Allowing families or government archivists to keep a single document under wraps without explanation or cause undercuts the disclosure effort and makes the bill a sham.