

January 29, 1996

BY FACSIMILE AND U.S. MAIL

Dr. Louis Bellardo, Acting Director  
Office of Presidential Libraries  
National Archives and Records Administration  
7th and Pennsylvania Avenue, N.W.  
Washington, D.C. 20408

Dear Dr. Bellardo:

We are in receipt of a letter to you from John Machado of the Secret Service dated January 5, 1996. Mr. Machado urges "that your office immediately begin the process of reclaiming or closing" certain records related to presidential protection that he identifies in his letter.

Before you consider taking any steps to close the identified records, you should be aware that the President John F. Kennedy Act of 1992, 44 U.S.C. § 2107, provides that "[n]o assassination record made available or disclosed to the public prior to the date of enactment of this Act [Oct. 26, 1992] may be withheld, redacted, postponed for public disclosure, or reclassified." (Section 5(a)(3)).

It is our understanding that the records in question were opened at the LBJ Library at some point during the 1970s which, if true, would mean that they could not be closed under controlling Federal law. This would be true even if Mr. Machado were correct that the records had been opened inadvertently.

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We would appreciate your keeping us fully advised of any developments in this matter.

Sincerely yours,

T. Jeremy Gunn  
General Counsel

cc: Mr. John Machado, USSS  
Elizabeth Pugh, Esq., NARA (w/copy of Machado letter)  
Donald Personette, Esq., USSS (w/copy of Machado letter)  
Mr. David G. Marwell, ARRB  
Mr. Steven Tilley, NARA  
Ms. Tina Houston, LBJ Library