

## NEWS RELEASE

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### FBI WITHDRAWS PRESIDENTIAL APPEAL OF DOCUMENTS RELEASED BY JFK ASSASSINATION RECORDS REVIEW BOARD

The Assassination Records Review Board, an independent Federal agency, announced today that the FBI has withdrawn appeals to the President opposing Review Board decisions to release previously classified information in 21 documents pertaining to the investigation of Lee Harvey Oswald and the assassination of President John F. Kennedy.

The Review Board previously had voted to release the FBI documents and the FBI had appealed the Board's decision to President Clinton.

"The FBI's decision to withdraw the appeals is particularly gratifying since it had so vigorously opposed the release of this information," said John R. Tunheim, Board Chairman and U.S. District Court Judge for the District of Minnesota. "Although the FBI decision to withdraw its appeals applies only to two sets of documents, I am hopeful that subsequent FBI appeals will also be reconsidered."

The FBI has just notified the White House that it was withdrawing appeals opposing the release of information in ten different records that had previously been classified as "Secret." The documents include a May 1960 report discussing the investigation of Lee Harvey Oswald and his family while Oswald was residing in Russia, foreign government reactions to the Kennedy assassination, coverage of the assassination by foreign correspondents, critics of the Warren

Commission and former Orleans Parish District Attorney Jim Garrison's investigation of Clay Shaw. (Shaw was later acquitted of conspiracy charges by an Orleans Parish jury.)

The records have been the subject of intensive written briefings to the President by the Review Board and the FBI. "Although the Bureau initially had vigorously opposed release of the information, the Review Board clearly demonstrated that the information should be released to the public," Tunheim said.

The FBI had previously argued that releasing the information would prejudice current foreign counterintelligence operations and harm foreign relations. The Assassination Records Review Board found that public interest in the information outweighed the evidence that the FBI offered to prevent release of the information.

In a letter to Presidential Counsel Jack Quinn, FBI General Counsel Howard Shapiro said the appeals were withdrawn "after carefully considering the matters raised by the Assassination Records Review Board." In addition, Shapiro said, the FBI "will also review our position with respect to all other pending appeals . . . in the not-too-distant future."

"Despite the difficulties we have faced and the lengthy delay in resolving these issues, the Board has succeeded in its mission of getting information into the public domain," Tunheim said.

"The FBI decision to withdraw the appeals clearly demonstrates the spirit of cooperation between the Bureau and the Assassination Records Review Board," said Tunheim. "The FBI has been one of the leading agencies in releasing previously classified documents relating to the Kennedy assassination. On top of the tens of thousands of records voluntarily released, the FBI has independently released nearly 2,000 previously postponed documents in addition to the more than

1,300 documents voted on by the Review Board.”

The Review Board voted March 19, 1996, to release information in several previously classified FBI documents. The FBI appealed the decision regarding 13 of the documents (including duplicates) on May 10, 1996. On May 28, 1996, the FBI also appealed an April 17 Review Board vote concerning release of information in eight additional FBI documents (including duplicates) with only source symbol numbers redacted. Since then, the FBI has filed appeal notices pertaining to Review Board decisions on more than 110 additional records (including duplicates). Many of these additional records involve issues similar to those presented in the withdrawn appeals.

The documents will be transferred to the National Archives to be placed into The President John F. Kennedy Assassination Records Collection.

The Review Board was established by the President John F. Kennedy Assassination Records Collection Act, which was signed into law by President George Bush. The five members of the Board were appointed by President Clinton, confirmed by the U.S. Senate and sworn in on April 11, 1994. The law gives the Review Board the mandate and the authority to identify, secure and make available all records related to the assassination of President Kennedy. It is the responsibility of the Board to determine which records are to be made public immediately and which ones will have postponed release dates. The Review Board has until October 1, 1997 to fulfill its mandate.