

HAND DELIVERED

June 26, 1996

Mr. William Leary
Senior Director
Records and Access Management
National Security Council
Old Executive Office Building, Room 392
Washington, D.C. 20500

Dear Mr. Leary:

We have received the FBI's letter to you dated June 20, 1996. As you are aware, the FBI's letter notices its intent to appeal the Review Board's May 14, 1996 formal determinations regarding release of a number of assassination records. We also believe that it is more efficient for the Bureau and the Review Board not to brief the similar issues presented by the newly appealed records at this time.

We share the FBI's hope that the President's resolution of the issues posed by the FBI's first two "foreign counterintelligence" appeals will make it possible for the Bureau and the Review Board to agree on how the JFK Act should be applied to the records identified in the FBI's June 20 letter. However, in the event that any of those records might still require the President's attention, we understand that the FBI and we will have an opportunity at a later date to present arguments in favor of our respective positions.

We also note that the June 20 letter identifies one record (124-10067-10448) for which the FBI has told us it may provide additional evidence at the next Review Board meeting in support of a request that the Review Board reconsider its earlier determination to open in full. We do not understand the June 20 letter to be inconsistent with the FBI's choosing to seek such reconsideration.

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Thank you for your ongoing attention.

Sincerely yours,

David G. Marwell

Executive Director

cc: The Honorable Louis J. Freeh
Director, Federal Bureau of Investigation