

August 16, 1995

Mr. Bill Adams
P. O. Box 24945
San Jose, California 95154

Re: Your Appeal of Our FOIA Determinations

Dear Mr. Adams:

As Executive Director of the Assassination Records Review Board, I am the person responsible for the denial of your appeal.

After carefully reviewing your letter of July 23, 1995, and considering all of the issues you have raised, I have decided to deny your appeal of our response to your June 15, 1995 FOIA request.

In gathering documents for her June 29, 1995 response to your request, the Review Board's FOIA Officer overlooked the audiotape that we made of the Experts Conference. The Review Board considers the Experts conference itself to be part of the agency's deliberative process. Therefore, we are withholding the audiotapes because they are intra-agency memoranda exempt from release under 5 U.S.C. § 552(b)(5) for the same reasons mentioned in the initial response to your request—that we need to keep our strategy for locating assassination records confidential.

In the event that you are dissatisfied with the results of this appeal, judicial review is available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, which is also where we searched for the records you seek.

Sincerely,

David G. Marwell

Executive Director

August 16, 1995

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