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May 23, 1996

The President  
The White House  
Washington, D.C.

Dear Mr. President:

I have the honor of enclosing herein a copy of "The Assassination Records Review Board Response to the May 10, 1996 Petition for Postponement by the Federal Bureau of Investigation." The Bureau is appealing the Review Board's formal determinations to release information in thirteen records related to the assassination of President Kennedy. The Department of State is joining the Bureau's Petition.

Although the Review Board is mindful of the extent to which the Bureau has released information under the The President John F. Kennedy Assassination Records Collection Act of 1992, it is our belief that, with respect to the thirteen records at issue, the Bureau and the State Department have chosen to assert general policy preferences rather than to provide the "clear and convincing evidence" that is required by the Act.

We believe that when the redactions at issue are carefully analyzed, with due regard to the information that is already a matter of public record, it will be clear that there are no meaningful "national security" or "foreign relations" concerns that warrant suppression of the information from the public.

Under the controlling legislation, you have the:

sole and nondelegable authority to require the disclosure or post-ponement of such record[s] or information under the standards set forth in section 6, and the President shall provide the Review Board with an

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unclassified written certification specifying the President's decision within 30 days after the Review Board's determination and notice to the executive branch agency as required under this Act, stating the justification for the President's decision, including the applicable grounds for postponement under section 6 . . . .

The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107, Sect. 9(d)(1) (Supp. V 1994).

We would be pleased to provide you and the White House Staff with any additional information that you require.

Sincerely,

David G. Marwell  
Executive Director

Enclosure

cc: The Hon. Warren M. Christopher  
The Secretary of State  
U.S. Department of State  
Washington, D.C.

The Hon. Louis J. Freeh  
The Director  
The Federal Bureau of Investigation

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Washington, D.C.

The Hon. Jamie S. Gorelick  
The Deputy Attorney General  
U.S. Department of Justice  
Washington, D.C.

The Hon. Peter Tarnoff  
Under Secretary of State for Political Affairs  
U.S. Department of State  
Washington, D.C.

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