

January 17, 1995

TO: Robert Loeb/Peter Maier, Civil Division -- Appellate
Richard Brown, Federal Programs Branch
Richard Huff, Office of Information and Privacy

FROM: Sheryl Walter, Assassination Records Review Board -- OGC

RE: Assassination Archives and Research Center v. U.S. Dep't of Justice
(D.C. Cir. No. 93-5310) -- New Marita Lorenz documents

Attached is a copy of documents on Marita Lorenz that I received earlier this month from the Executive Office for U. S. Attorneys. They appear responsive to the FOIA request that is the subject of the above-captioned case argued in December before the D.C. Circuit. However, as far as I can determine they were not among the documents found during the search conducted for responsive records to that request. The cover sheet seems to suggest that the FBI referred them under FOIA as part of another FOIA request, but I have learned that actually they were referred as part of the FBI's review of documents under the JFK Act. (The "requester" name entered (Debbie Beatty) is the name of an FBI- JFK task force reviewer.) The cover sheet also shows that the EOUSA recommends that the documents be released in full. It is unclear when these documents will be sent to the Archives by the FBI, as the originating agency, as part of the JFK Collection.

The scope of the search is not an issue on appeal. But, given that these documents have surfaced now it may be worthwhile to release them to the requester as a gesture of good faith rather than wait until they are sent to the Archives. I have sent them to Nancy Healey at FBI, who is looking into the matter as well. Please let me know if you have any questions or thoughts on this.

cc: Nancy Healey, FBI-OGC