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**ComposedDate:** 06/06/1996

**ComposedDate\_Time:** 7:38:56 PM

**Subject:** Letter in 3 forms:  
1. g.\president.01 2. 3. see below. JUNE 7, 1996 THE PRESIDENT THE WHITE HOUSE WASHINGTON, D.C. Dear Mr. President: The Assassination Records Review Board has received the FBI's letter of June 5, 1996 (FBI Letter), which addresses our Response to the May 10, 1996 Petition For Postponement (Review Board Response). We believe that our Response fully addresses most of the points in the FBI Letter, but wish to add a few observations. First, the FBI Letter does not dispute that the Bureau itself, in the 1960s, publicly disclosed that its counterintelligence activities targeted the Communist-bloc establishments that are now at issue. Second, the FBI Letter does not provide clear and convincing evidence that disclosure would interfere with the conduct of intelligence activities . . . JFK Act, 44 U.S.C. § 2107(6)(1)(B). The JFK Act obligates the Bureau to prove that continued postponement of the appealed information is necessary to avoid harming current intelligence-gathering. Rather than responding to the Review Boards invitation to demonstrate current operational value in the redacted information, the Bureau asserted a vague harm that could be asserted with equal plausibility about any intelligence-related document. For example: Today's adversaries can and will benefit from finding out what our interests and priorities were back then since they can use such information to cogently estimate what our interests and priorities are now. FBI Letter at 5. Rather than offering this general assertion, the Bureau should have shown how the adversary could benefit from the disclosure. Third, the FBI Letter does not respond to our showing that releasing the contested references to four of the five sources or methods at issue -- money tracing capabilities (Exhibits 1-6, Review Board Response at 4-6); lookout logs (Exhibit 7, Review Board Response at 7-9); mail cover (Exhibits 8-9, Review Board Response at 10-12); and fingerprint and typewriting analysis (Exhibit 13, Review Board Response at 19) -- would not reveal any genuinely secret techniques. With regard to electronic surveillance (Exhibits 10-12), the FBI attacks our response for citing disclosures that are not official or specific. FBI Letter at 4. The first objection simply ignores our citations to official sources such as the Church Committee (see Review Board Response at 13) and already-released FBI and CIA records of various intercepts (see id. at 16, 17 n.33; Exhibit 17). The objection based on generality is beside the point. The JFK Act does not require the Review Board to prove that the interception of a specific communication has already been officially disclosed. Rather, the agency seeking postponement must prove that disclosing such an intercept would harm current intelligence activities or foreign relations. The general disclosure of the FBI's extensive use of electronic surveillance against foreign establishments is relevant because it underscores the need for the FBI to show what harm would flow from disclosing a particular intercept. The Bureau has not attempted to show any

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