

October 27, 1995

HAND DELIVERED

John A. Hartingh
Inspector-in-Charge
JFK Task Force
Federal Bureau of Investigation
10th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

RE: Outstanding Requests for Evidence

Dear John:

As you are aware, the ARRB has sent Request for Evidence forms for four sets of FBI records since June of this year. Most of the postponements in these records fall into one of two categories: foreign counterintelligence (FCI) or informants.

Regarding FCI postponements, we understand that for the past few months the FBI has been attempting to coordinate with the State Department its position as to how much, if any, presently postponed material may be released. The FBI also has suggested that the ARRB should receive the State Department's views before voting on FCI postponements taken under Section 6(1)(C) of the JFK Act. Although the FBI gave a general briefing on FCI issues at the Review Board's September 1995 meeting, we have not received any evidence regarding any of the FCI postponements for which there are outstanding requests for evidence (excepting only the conclusory justifications provided for some records in July 1995, which we then advised you were insufficient).

As to the second category, the FBI has provided written justifications for a number of informant postponements, and has agreed to release in full a larger number of records. While we appreciate the FBI's efforts in this regard, there remains a number of records containing only informant postponements for which we have not received justifications, despite requests for evidence that we made as long as three months ago.

We would like to continue to be accommodating regarding the scheduling of FBI postponements for

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Board review. It is clear, however, that we must accelerate our present rate of review of FBI postponements considerably if we are to fulfill our statutory mandate within the allotted time.

For this reason, we currently intend to present to the Review Board at its November 13-14 meeting all records containing only informant postponements for which there now are outstanding requests for evidence. Please provide any further evidence or arguments you wish the Review Board to consider regarding these postponements by November 7.

At the Review Board's January 30-31, 1996 meeting, we intend to present all remaining records for which there now are outstanding requests for evidence (except for records with foreign-liaison postponements), as well as other records for which we soon will provide Request for Evidence forms.

We are contacting the State Department to extend the opportunity to provide the Review Board with its views regarding FCI postponements.

Thank you for your continuing cooperation.

Sincerely yours,

David G. Marwell
Executive Director