

August 11, 1995

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I have the honor of submitting to you the enclosed Reply of the Assassination Records Review Board to the Federal Bureau of Investigation's August 8, 1995 Appeal of Formal Determinations under The President John F. Kennedy Assassination Records Collection Act of 1992.

There are two principal points made in our Reply. First, the Federal Bureau of Investigation has failed to provide the "clear and convincing evidence" required by the JFK Act; and second, much of the information that the Bureau now wishes to redact has already been officially released by the Bureau. We respectfully request that you carefully consider the merits of the arguments raised in our Reply.

In making its formal determinations, the Board carefully considered the assassination records in question and determined that the public interest in the release of all of the information contained in them outweighed the insufficient evidence that the FBI had offered in support of continued secrecy. The Review Board has, and will, postpone the release of information in cases where the statutorily mandated "clear and convincing evidence " is supplied and that evidence outweighs the public interest in disclosure.

A copy of the enclosed Reply, classified SECRET, is being submitted under separate cover to Marvin Krislov, Associate Counsel at The White House.

Sincerely yours,

David G. Marwell
Executive Director

Enclosure

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August 11, 1995
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cc with enclosure: Secretary Warren Christopher
U.S. Department of State

Deputy Attorney General Jamie Gorelick
U.S. Department of Justice

Director Louis J. Freeh
Federal Bureau of Investigation

Marvin Krislov, Esq.
Associate Counsel to the President
The White House

cc without enc.: Members of the Board

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