

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

AGENCY INFORMATION

AGENCY : CIA
RECORD NUMBER : 104-10331-10245
RECORD SERIES : JFK
AGENCY FILE NUMBER : PROJFILES-CORRESPONDENCE

Released under the John F.
Kennedy Assassination Records
Collection Act of 1992 (44 USC
2107 Note). Case#:NW 53217
Date: 06-22-2017

DOCUMENT INFORMATION

AGENCY ORIGINATOR : CIA
FROM : ASST. GENERAL COUNSEL
TO : ALCORN. LAW OFFICES OF FENSTERWALD
TITLE : LETTER: THIS LETTER REponds TO YOUR REQUEST OF MARCH
1, 1994/REIMBURSEMENT
DATE : 09/25/1995
PAGES : 1

SUBJECTS : FOIA
JFK ASSASSINATION

DOCUMENT TYPE : PAPER
CLASSIFICATION : UNCLASSIFIED
RESTRICTIONS : 1A
CURRENT STATUS : RELEASED IN PART PUBLIC - RELEASED WITH DELETIONS
DATE OF LAST REVIEW : 04/29/03
COMMENTS : JFK-M-16 : F10 : 2000.02.10.09:18:30:717044

[R] - ITEM IS RESTRICTED 104-10331-10245

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

Office of General Counsel

OGC-95-52661

25 September 1995

Daniel Alcorn, Esquire
Law Offices of Fensterwald & Alcorn
1952 Gallows Road, Suite 307
Vienna, VA 22182

Dear Mr. Alcorn:

This letter responds to your request of March 1, 1994, reiterated in letters dated May 6, 1994, and January 11, 1995, that the Central Intelligence Agency reimburse the Assassination Archives and Research Center ("Center") \$3,744.00 to cover your services after the Agency requested from James Lesar permission to retrieve and replace certain documents in which it had inadvertently released the name of a former human intelligence source. In the end, it was determined that the information was no longer reasonably retrievable due to widespread dissemination and all documents were returned. We regret that we are unable to reimburse the Center.

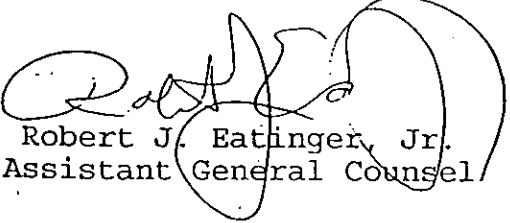
You cite in your January 11, 1995 letter the Freedom of Information Act (FOIA) as authority for CIA to reimburse the Center for your fees. As you know, our request to the Center was not made in the context of a FOIA lawsuit. While the documents had been released to the Center as part of a settlement agreement of a FOIA litigation, no litigation ensued or was necessary for the Center to respond to our request. The Agency advised Mr. Lesar and then you that it was concerned for the personal safety of this person and his family. The Center chose to seek your services in responding to our request.

Please contact me at (703) 874-3105 if you have any questions.

Sincerely,

Distribution:

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Robert J. Eatinger, Jr.
Assistant General Counsel