

Office of the Clerk  
U.S. House of Representatives  
Washington, D.C. 20515

March 2, 1981

Honorable William H. Webster  
Federal Bureau of Investigation  
J. Edgar Hoover Building  
Washington, D.C. 20535

Dear Mr. Webster:

I am writing to you concerning a subject of considerable concern to me as the legislative branch officer charged with maintaining and preserving non-current House documents and records under the rules and precedents of the House of Representatives. Specifically, I call your attention to requests filed with the Bureau under the Freedom of Information Act for correspondence, records or any communications between the Bureau and the former House Select Committee on Assassinations ("HSCA").

By letter dated March 26, 1979 to the Honorable Griffin Bell, former Chairman Stokes specifically identified the problem which would result from requests under the Freedom of Information Act for material generated by the Bureau in response to specific requests by HSCA during its investigation. That letter requested that "this congressional material and related information in a form connected to the Committee not be disclosed outside your Department."

My purpose in writing is to reaffirm the congressional intent expressed by Chairman Stokes at the conclusion of HSCA's work in my capacity as archival and custodial agent for the House of HSCA's records. In this connection, my General Counsel has generally reviewed the congressional materials and has determined that none of the congressional materials can be released consistent with the letter from Chairman Stokes asserting the exemption for Congress under 5 U.S.C. §551(1)(A)(1976). This is our position notwithstanding the recent decision of a panel of the United States

Court of Appeals in Holy Spirit Association For The Unifica-  
tion of World Christianity v. Central Intelligence Agency,  
Nos. 79-2143, 2202 (D.C. Cir. Dec. 23, 1980), petition for  
rehearing filed, (Jan. 21, 1981). We strongly believe that  
Chairman Stoke's letter, together with our reaffirmation by  
this letter, comes squarely within the standards articulated  
in the Holy Spirit case, because they predate both the  
request and any litigation which might arise therefrom, two  
factors cited by the panel in Holy Spirit as absent.

As constitutional officer of the House charged with  
preservation of House records, I cannot overemphasize the  
importance of maintaining the strictest confidentiality over  
records generated by the Bureau, as well as copies of  
congressional materials retained by the Bureau, in connection  
with HSCA. While I believe that these letters adequately  
serve to support the withholding of any of these documents  
under FOIA, I would appreciate being informed of any such  
requests. In this regard, please have appropriate personnel  
in the processing sections contact my General Counsel concern-  
ing requests for HSCA materials.

Sincerely



EDMUND L. HENSHAW, JR., Clerk  
U.S. House of Representatives

\*Henshaw  
(to me...)