

# **EXHIBIT H**

Central Intelligence Agency



Washington, D.C. 20505

JUN 21 2004

Professor Larry Berman  
44565 South El Macero Drive  
El Macero, CA 95618

Reference: F-2004-00962

Dear Professor Berman:

This is in response to your 6 May 2004 letter in which you appealed the 15 April 2004 determination of this agency in response to your 3 March 2004 Freedom of Information Act request for a copy of The President's Daily Brief (PDB) from August 6, 1965, August 8, 1965, March 31, 1968, and April 2, 1968.

Specifically, you appealed our determination to deny your request on the basis of Freedom of Information Act exemptions (b)(1), (b)(3), and (b)(5).

In accordance with Agency regulations set forth in part 1900 of title 32 of the Code of Federal Regulations (C.F.R.), the Agency Release Panel has considered your appeal and determined that the records must continue to be withheld in their entirety on the basis of Freedom of Information Act exemptions (b)(1), (b)(3), and (b)(5). Therefore, pursuant to subparagraph 1900.41 of title 32 of the C.F.R., the Agency Release Panel has denied your appeal.

In accordance with the provisions of the Freedom of Information Act, you have the right to seek judicial review of this determination in a United States district court.

We appreciate your patience while your appeal was being considered.

Sincerely,

A handwritten signature in cursive script that reads "Alan W. Tate".

Alan W. Tate  
Acting Executive Secretary  
Agency Release Panel

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