

August 21, 1996

Ms. Lola Secora
FOIA Officer
United States Information Agency
Room M-29
301 4th Street, SW
Washington, DC 20547

Re: Review of House Select Committee on Assassinations (HSCA) Record 180-10108-10061 Under the President John F. Kennedy Assassination Records Collection Act, 44 U.S.C. § 2107 (Supp. V 1994) (JFK Act)

Dear Ms. Secora:

Pursuant to your discussion with Joe Freeman of our staff, I am writing to confirm that the Review Board is scheduled to review the attached record at its meeting of September 27, 1996. Any evidence your agency wishes to provide on behalf of requested postponements in the record should be forwarded to the Review Board not later than September 20, 1996.

Our Board will require specific evidence on behalf of postponements based on privacy concerns. Section 6 of the JFK Act contains the specific standards that would permit privacy-related postponements to be sustained by our Board. (These standards differ markedly from FOIA). In Section 11 of the JFK Act, Congress determined that the JFK Act takes precedence over other laws relating to the release of government records. The JFK Act also contains a strong presumption for release of assassination records.

Records or parts of records that might otherwise be protected under the Privacy Act, therefore, might be released under the JFK Act. Under the JFK Act, our Board is obligated to release information unless there is "clear and convincing evidence" supporting its postponement. Accordingly, evidence submitted on behalf of requested postponements should include a description of what type harm you believe would befall relevant individuals if the information you are seeking to postpone were to be released.

Thank you in advance for your cooperation. Should you have any questions, please feel free to contact Joe Freeman.

Sincerely,

David G. Marwell
Executive Director

Enclosure: HSCA record 180-10108-10061