

MEMORANDUM

June 12, 1995

To: Jeremy Gunn
 Laura Denk
 Kevin Tiernan
 Joan Zimmerman
From: Phil Golrick
Subject: FBI Postponement Criteria
File: 4.16.2.6

On my reading of Terry O'Connor's letter to David Marwell, dated June 5, 1995, it is the FBI's present policy to protect "the identities of persons who gave the FBI information to which they had access by virtue of their employment," regardless of whether "their providing the information . . . involve[d] a breach of trust," provided that the person in question requested confidentiality. Moreover, Terry's letter implies that, even where a request for confidentiality is not explicit on the face of the document, the identities of such persons will be withheld in cases where their providing the information to the FBI involved a "breach of trust" (e.g., a phone company employee who gives out an unlisted number).

If this indeed is the FBI's present policy, it extends to this class of people more protection than the FBI affords to individuals who provided information that they obtained outside of their employment, whose identities are not protected absent an express request for confidentiality.

Terry's June 5 articulation of FBI policy in this regard also seems to conflict with the FBI's prior instructions to members of its JFK Task Force. For example:

"When reviewing information received from an individual requesting confidentiality, consider the type of information they are providing and whether we can justify the protection of that individual to the Review Board. Phone company employees requesting confidentiality will be protected where they are providing confidential information like unlisted phone numbers or billing information. If they are providing phone listings release their names." (Processing Instructions Meeting 1/5/94).