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DATE: 11-14-2017

JFK Assassination System
Identification Form

Date: 3/31/201

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[Commissioner J.P.R. Murray] (S)

your agency's review of the enclosed assassination records and consideration of whether the information can be released.

If your agency has no objection to the release of its information in the enclosed records, please notify the FBI so that we may take steps to release the records to the Archives. If your agency determines that the information cannot be released, please provide an explanation that the FBI may present the evidence to the Board for their approval. The Act requires the FBI to present "clear and convincing evidence" of a harm that would outweigh the need for public disclosure to the Board for any information that we request to protect from disclosure. Such evidence to protect information is explained in the Act as, "the public disclosure of the assassination record would compromise the existence of an understanding of confidentiality currently requiring protection between a Government agent and a cooperating individual or a foreign government, and public disclosure would be so harmful that it outweighs the public interest." Upon receipt of your instructions and explanation for the protection from disclosure, the FBI will provide the information to the Board and request that they sustain the request for withholding the information from disclosure.

Please be aware that the Act requires that *all* information in the assassination collection at Archives (even in the closed section) be released to the public in the year 2017, *including information that the Board agrees to protect*. The Act has provisions to extend postponements (protection of information from disclosure) past 2017 with the certification of the President of the United States that the information continues to meet the requirements for postponement. The FBI will periodically review the postponed material for the need of this certification.

As you know, the FBI normally protects information from your agency pursuant to applicable Executive Orders and the Freedom of Information and Privacy Acts exemptions. However, the Act is a unique Federal law that applies only to JFK assassination records. Please note, it is our opinion that release of information in the JFK assassination records should not in the future affect the FBI's standard policy of protecting your agency's information in other investigations or in other contexts.

The FBI is committed to the opening of all information related to the assassination to the United States public, but appreciates that certain information is sensitive and not proper for release. Therefore, the FBI requests your consideration and understanding of this matter and the continuance of your outstanding association with our agency.

Thank you, in advance, for your cooperation. Please direct any questions to our Legat Office representative or to Carol L. Keeley, Acting Unit Chief of the Historical and Executive Review Unit of the FBI, 935 Pennsylvania Avenue, N.W., Washington, D.C. 20535, (202) 324-0671.

Sincerely yours,

Louis J. Freeh
Director

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DATE: 11-14-2017

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