



THE DIRECTOR
CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

15 December 2021

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

(U//FOUO) Pursuant to your 22 October 2021 Memorandum to Heads of Executive Departments and Agencies, this letter and the enclosed unclassified index set forth the types of information within Central Intelligence Agency (CIA) records in the collection established by The President John F. Kennedy Assassination Records Collection Act of 1992, Pub. L. 102-525, 106 Stat. 3443, 26 Oct. 1992, 44 U.S.C. § 2107 (“the JFK Act” or “the Act”) that the CIA proposes to continue withholding beyond 15 December 2022, and the basis for that withholding.

(U//FOUO) The JFK Act required the declassification and release by 26 October 2017 of all US Government records relating to the assassination of President Kennedy, unless the President exercised his “sole and nondelegable authority” to certify that the continued postponement of the public disclosure of the records “is made necessary by an identifiable harm to the military defense, intelligence operations, law enforcement, or conduct of foreign relations” and that harm “is of such gravity that it outweighs the public interest in disclosure,” thereby allowing those records to continue to be withheld beyond the statutorily-mandated release date.

(U//FOUO) All information in CIA’s JFK Act collection about President Kennedy’s assassination itself has been previously released. What remains redacted in the documents in this collection are not related to the assassination itself, but rather are primarily post-assassination documents and the details which remain classified concern intelligence sources and methods of current relevance.

(U//FOUO) After approving a six-month temporary certification in October 2017, President Trump approved affected agencies’ requests for Presidential certification on 26 April 2018. Specifically, President Trump certified the need for continued postponement of the public disclosure of certain information contained in JFK Act collection records until 26 October 2021, directing that the agencies again review all remaining redactions during the three-year period and release any information no longer warranting continued withholding at that time. President Trump further directed that any agencies seeking continued withholding of information beyond 26 October 2021 “identify to the Archivist the specific basis for concluding that records (or portions of records) satisfy the standard for continued postponement under section 5(g)(2)(D) of the Act.” Accordingly, the CIA submitted its request for your approval to continue withholding

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certain CIA information within the JFK Act records collection beyond 26 October 2021. On 22 October 2021, you directed any agency seeking approval to continue withholding information in the JFK Act records collection beyond 15 December 2022, to submit by 15 December 2021, an unclassified letter signed by the agency head providing a written description of the types of information the agency proposes continue to be withheld and the reasons for such withholding, and a specific date by when such information is to be released or reviewed for release. This constitutes that letter.

(U//FOUO) As an initial matter, I note that CIA's JFK Act records collection is comprised of information that was relevant to President Kennedy's assassination, as well as the subsequent investigation into the event. It also includes documents that have no bearing on the assassination but which were reviewed nonetheless for various reasons under the auspices of the JFK Act and ultimately incorporated into the collection. The records span several decades, with the earliest records dated in the 1940s and the latest in the 1990s.

(U//FOUO) I also note that the CIA's JFK Act collection has been released nearly in its entirety since the enactment of the JFK Act. All information in the collection about President Kennedy's assassination itself has been previously released. No document remains withheld in full. The information being withheld would identify particular CIA employees, intelligence assets and sources, specific tradecraft and intelligence methods still in use, CIA cover mechanisms and facilities, details of specific intelligence operations, foreign intelligence liaison relationships, locations of CIA installations and facilities, and still-unacknowledged covert action programs. Thus, the minimal redactions that remain are necessary to protect the most sensitive intelligence information in the CIA JFK Act records collection: people, places, and intelligence and operational details.

(U//FOUO) People. The redacted information in CIA's JFK Act collection contains information identifying CIA employees, and intelligence sources and assets. I note that, to the extent that the CIA JFK Act records collection contained identifying information about individuals relevant to the assassination, or where the information was already public or there was no evidence of harm from disclosure, such information has been previously released in earlier releases made under the Act. With respect to the remaining previously unreleased names or other identifying details, they are neither relevant to the assassination nor is there any public interest to be served by their disclosure since the disclosure of the identities of these specific individuals—separate from the content of the underlying records—adds nothing to the public's understanding of President Kennedy's assassination or the subsequent investigation into the event. Conversely, there is a strong national security interest in the continued protection of the identities of these individuals.

(U//FOUO) Regarding the names of CIA personnel, the CIA's intelligence officers are unquestionably one of the CIA's most valuable intelligence methods. Even for employees not undercover, CIA generally protects the identities of its officers to the greatest extent possible. Revealing the identities of specific CIA officers, even if their affiliation with the CIA was in the past, is likely to subject those officers and their family members to increased risk to their personal safety. In addition, revealing the identities of CIA officers and their CIA affiliation

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may jeopardize ongoing intelligence operations or compromise previously unknown past operations by disclosing the specific types of individuals that the CIA recruits and hires or by allowing our adversaries to link specific operations or assets to the CIA via a particular officer's identity. It is critical that the names of the CIA officers be protected to prevent harm to the CIA's ability to carry out its intelligence operations.

(U//FOUO) Similarly, it is vital that the unreleased identities of CIA's intelligence assets and sources contained in the JFK Act collection remain protected. Human assets and sources are the bedrock of the CIA's clandestine intelligence collection mission, and the continued confidentiality of human sources and assets—regardless of the age of the information or whether the individuals are deceased—is critical to the CIA's intelligence mission. Such information must be protected both in order to protect the specific named individuals and their families from any harm to which they may be subjected as a result of their affiliation with the CIA, as well as to ensure that, more broadly, the CIA will be able to continue to recruit vital assets and sources in the future. If current or prospective sources or assets learn that the CIA was required to reveal identifying information about its intelligence assets and sources despite the CIA's assurances of confidentiality, such individuals are likely to refuse to work with the CIA, seriously impairing the CIA's ability to conduct intelligence operations in the future.

(U//FOUO) CIA Locations. The CIA JFK Act records collection contains specific references to CIA locations worldwide, most of which are still in use and which have not been previously acknowledged, or which have been acknowledged only for a discrete period of time in the past. The locations in which CIA maintains its facilities—and the ability of CIA officers to perform their intelligence-gathering mission in near obscurity—are another of CIA's most critical intelligence methods. The disclosure of locations in which CIA maintains a presence will cause harm to intelligence operations by subjecting Agency officers to increased surveillance, harassment, and provocations that will significantly heighten the personal risk that CIA officers face in the conduct of their duties and significantly diminish the ability of CIA to carry out clandestine operations in the field. It is of vital importance to the CIA that the locations in which CIA maintains a presence be protected to the broadest extent possible. In many CIA records throughout the collection, the underlying content of the record has been released, with only references to specific locations remaining redacted. The public disclosure of such information would result in harm to intelligence operations that outweighs any public interest in disclosure of the information.

(U//FOUO) Intelligence and Operational Details. The CIA JFK Act records collection includes specific intelligence operational details, such as tradecraft and intelligence methods, CIA cover mechanisms and facilities, information about particular intelligence operations, foreign intelligence liaison relationships and joint operations, and still-unacknowledged covert action programs. The disclosure of this information will highlight to the public—and to our allies and adversaries—the specific means by which CIA conducts its clandestine intelligence missions and will confirm the existence of specific, currently undisclosed intelligence operations.

(U//FOUO) For example, many of the specific intelligence methods and tradecraft referenced in the JFK Act collection remain actively in use or are still viable for use. The public

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disclosure of this information is highly likely to harm the CIA's ability to carry out its intelligence operations by revealing the nature and scope of CIA's clandestine operations and capabilities, thereby allowing adversaries to develop appropriate countermeasures. References to CIA's cover mechanisms contained in the collection are of particular concern. The importance of the continued viability of the CIA's cover mechanisms to the CIA's ability to carry out its core intelligence mission, and to ensuring the safety of CIA officers and their families worldwide, cannot be overstated. I am aware of no public interest in disclosure that outweighs the serious and tangible harm to intelligence operations that will ensue from disclosure of such information.

(U//FOUO) Similarly, the disclosure of information about CIA's foreign intelligence liaison relationships is highly likely to damage such arrangements. Liaison relationships are extremely sensitive and rely on a mutual understanding that the existence and details of the arrangement will be kept secret. If the CIA cannot credibly promise foreign liaison services that their intelligence information and sensitive arrangements with the CIA will be protected from disclosure, the Agency cannot expect the same level of confidentiality and protection in return. Moreover, if CIA cannot ensure that foreign intelligence information will be protected from disclosure, foreign liaison partners may choose to limit or terminate cooperation with the CIA, significantly impairing CIA's ability to perform its foreign intelligence gathering mission.

(U//FOUO) Finally, CIA's JFK Act collection contains previously unreleased information regarding unacknowledged CIA operations in support of covert actions worldwide. Covert action is an important tool for United States foreign policy. It allows the US Government to influence events abroad without the role or involvement of the United States being apparent and with no intent to be acknowledged. In order for covert action to remain a useful and viable tool, it is critical to protect the secrecy of CIA operations in support of covert actions to the broadest extent possible. Regardless of the age of these documents, the public disclosure of this information would compromise the fact of certain Presidentially-approved and sanctioned covert actions, and is likely to impair the US Government's ability to accomplish the objectives of the covert action and the CIA's operations in support of these programs.

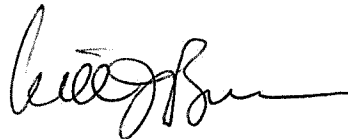
(U//FOUO) The public disclosure of the foregoing information poses a substantial threat to the intelligence operations of the United States and, therefore, to the national security. Conversely, the release of such information would shed little to no light on the public's understanding of President Kennedy's assassination. As I noted above, all information in the collection about President Kennedy's assassination itself has been previously released. Nearly all information in documents about the subsequent investigation into the shooting has also been released; what little information remains redacted in these documents primarily contains intelligence sources and methods not related to the assassination itself. As a whole, the vast majority of information that remains redacted in the collection is contained in the documents that have no bearing on the assassination itself but were ultimately included in CIA's JFK Act collection for various reasons under the auspices of the JFK Act. As a result, the harm to intelligence operations from the disclosure of this information, without question, outweighs the public's interest in disclosure.

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(U//FOUO) In accordance with your 22 October 2021 memorandum, the CIA has considered when the foregoing information may no longer require continued postponement, but is unable to provide a specific proposed release date. In the alternative, the CIA proposes to conduct a new review of all of the withheld information five years from the next release date, or by 15 December 2027. I have determined that it is not feasible to conduct a piecemeal review of individual records or of different types of information within the collection in varying increments of time, as the information must be reviewed in the aggregate in order for there to be a complete and fully informed assessment of harm. Any assassination records, or information within such a record, deemed appropriate for release after such a ten-year review would then be forwarded to the Archivist of the United States for public release. The basis for this proposed time period is that, as described in detail above, the previously unreleased information at issue represents the most sensitive information in the collection. For the reasons described above, it is vital to the continued success of US intelligence operations that the information remain protected to the extent possible. Such information is not likely to be rendered less sensitive by the passage of only a handful of years.

(U//FOUO) In sum, the CIA recognizes the ongoing interest in ensuring that records pertaining to the assassination of President Kennedy are publicly disclosed. To that end, the CIA's request for continued postponement of the public disclosure of certain records in the CIA's JFK Act collection is as precise and narrow as possible, seeking to protect only the information whose disclosure will harm the intelligence operations and national security of the United States, while releasing the remaining information. Therefore, in accordance with the requirements of the JFK Act, I respectfully request that you certify the need for the continued postponement of the public disclosure of the categories of sensitive CIA information as described above and in the enclosed materials.

Respectfully,

A handwritten signature in black ink, appearing to read "William J. Burns", written in a cursive style.

William J. Burns

Enclosure as stated