

<p>FOIA</p> <p>(b) This section does not apply to matters that are—</p> <p>(1)(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;</p> <p>(2) related solely to the internal personnel rules and practices of an agency;</p> <p>(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;</p> <p>(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;</p> <p>(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;</p> <p>(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;</p>	<p>EO</p> <p>(b)An agency head may exempt from automatic declassification under paragraph (a), above, specific information, the release of which should be expected to:</p> <p>(1) reveal the identity of a confidential human source, or reveal information about the application of an intelligence source or method, or reveal the identity of a human intelligence source when the unauthorized disclosure of that source would clearly and demonstrably damage the national security interests of the United States;</p> <p>(2) reveal information that would assist in the development or use of weapons of mass destruction;</p> <p>(3) reveal information that would impair U.S. cryptologic systems or activities;</p> <p>(4) reveal information that would impair the application of state of the art technology within a U.S. weapon system;</p> <p>(5) reveal actual U.S. military war plans that remain in effect;</p> <p>(6) reveal information that would seriously and demonstrably impair relations between the United States and a foreign government, or seriously and demonstrably undermine ongoing diplomatic activities of the United States;</p> <p>(7) reveal information that would clearly and demonstrably impair the current ability of United States Government officials to protect the President, Vice President, and other officials for whom protection services, in the interest of national security, are authorized;</p>	<p>JFK Act</p> <p>SEC. 6. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS.</p> <p>Disclosure of assassination records or particular information in assassination records to the public may be postponed subject to the limitations of this Act if there is clear and convincing evidence that—</p> <p>(1) the threat to the military defense, intelligence operations, or conduct of foreign relations of the United States posed by the public disclosure of the assassination is of such gravity that it outweighs the public interest, and such public disclosure would reveal—</p> <p>(A) an intelligence agent whose identity current requires protection;</p> <p>(B) an intelligence source or method which is currently utilized, or reasonably expected to be utilized, by the United States Government and which has not been officially disclosed, the disclosure of which would interfere with the conduct of intelligence activities; or</p> <p>(C) any other matter currently relating to the military defense, intelligence operations or conduct of foreign relations of the United States, the disclosure of which would demonstrably impair the national security of the United States;</p> <p>(2) the public disclosure of the assassination record would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;</p> <p>(3) the public disclosure of the assassination record could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest;</p>
<p>(7) records or information compiled for law</p>	<p>(8) reveal information that would seriously and</p>	<p>(4) the public disclosure of the assassination</p>

<p>enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;</p> <p>(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or</p> <p>(9) geological and geophysical information and data, including maps, concerning wells.</p>	<p>demonstrably impair current national security emergency preparedness plans; or</p> <p>(9) violate a statute, treaty, or international agreement.</p>	<p>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; or</p> <p>(5) the public disclosure of the assassination record would reveal a security or protective procedure currently utilized, or reasonably expected to be utilized, by the Secret Service or another Government agency responsible for protecting Government officials, and public disclosure would be so harmful that it outweighs the public interest.</p>
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