

Date: 03/11/05

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

AGENCY INFORMATION

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RECORD SERIES : JFK
AGENCY FILE NUMBER : PROJFILES-DECLASS STDS

DOCUMENT INFORMATION

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TO :
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SUBJECTS : JFK ASSASSINATION
UNIT INDEX
ARRB ISSUES

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[R] - ITEM IS RESTRICTED 104-10332-10007

~~CONFIDENTIAL~~

File
(DO guidelines
names
Cuba)

7 January 1994

MEMORANDUM FOR: J. Barry Harrelson @ DA

FROM: Bryant Rogers

SUBJECT: MEETING WITH [REDACTED]

JFK Act 6 (1) (A)
JFK Act 6 (1) (B)

REFERENCE:

On 6 Jan we met with [REDACTED] from the DO to discuss HRG concerns with regard to CIA's contacts in the 60's with well known Cubans and Cuban Organizations.

The outcome of this discussion was that the DO agrees that we can release the names of those major players with whom CIA worked with as long as we stay within the 60-63 time frame, with some overlap into 1964 for continuity, when needed. We then discussed our relationships with major anti-Castro organizations. It was agreed that we could release the fact that as a funding vehicle for the US Govt, CIA provided support including funding in general terms. In some cases we may find it necessary to reveal gross ballpark figures for annual budgets. The DO would prefer that we continue to protect specific funding amounts where possible. They were specifically concerned about releasing specific amounts paid to individuals or families of Bay of Pigs members where individuals could claim that one was paid more than another. In supporting these organizations it was acknowledged by the DO that we could release generic operational activities such as publishing journals or financing goodwill tours by prominent exile Cubans to Latin America. The DO reminded us that in reviewing these relationships with Cubans and organizations, it was important to protect CIA personnel, agents and assets and any specifics on tradecraft.

When asked about Bay of Pigs training sites, Linda felt that the actual location should still be protected in spite of the fact that they have been mentioned in open literature.

With regard to DO location numbers (19 for Cuba) she thought this was OK for the 60-63 time frame but would check with LA Div. She had no problem with the release of the Bell location in cables since it was no longer used.

CC: J. Barry Harrelson @ DA
Richard D. Kovar-Y- @ DA
John F. Pereira @ DA

~~CONFIDENTIAL~~

8 November 1995

MEMORANDUM FOR: Jeremy Gunn,
ARRB Staff

FROM: Barry Harrelson,
CIS/CSI/HRG

SUBJECT: Issues re Cryptonyms, Country
Designators, Action Indicators and
Employee True Names (U)

Attached is memorandum from the DO Focal Point for the ARRB addressing the release of cryptonyms, country designators, action indicators and employee true names. The memorandum is intended to provide guidance to you and your staff and complements information provided in previous discussions. Ellie and I welcome the opportunity to discuss these issues with your staff. (U)

Attachment

Unclassified When Separated
From Attachment.

JFK Act 6 (1)(A)
JFK Act 6 (1)(B)

JFK

1/13/82

MEMORANDUM FOR: Chief, Historical Review Group

FROM: Fredrick C. Wickham, Jr.
DO, Focal Point for ARRB

SUBJECT: Position on Release of Cryptonyms, Country Designators, Action Indicators and Employee True Names

During the period since the ARRB last met, the DO has considered the four issues listed below that have not yet been addressed with the Board. These issues appear throughout the JFK collection and by stating our position up front we hope to facilitate the Board's review and to reach an agreement that will be mutually satisfying to the Board and the Agency.

Cryptonyms - Except for cryptonyms related to operational assets or activities involving Mexico or Miami, the Agency will release the main component of cryptonyms and withhold only the two-letter digraph. Treating cryptonyms in this manner will protect the nationalities of individuals and operations that are not pertinent to Oswald or the JFK investigation and render an easier reading of the written material.

Country File Designators - We will delete the first element of operational activity and operational interest files in those instances when the credibility of the narrative is not affected. The first element of the file number corresponds to the alphabetical position of the country name which is easily discernible, whereas the subsequent two elements relate to type of activity or interest and specific subject.

Action Indicator (Slug) Lines - Generally, we will release the entire action indicator line of a document. Occasionally, however, we will withhold portions when the


JFK Act 6 (1) (A)
JFK Act 6 (1) (B)

CL BY
DECL OADR
DRV HUM 4-82

SUBJECT: Position on Cryptonyms, Country Designators, Action Indicators and Employee True Names

context identifies a source or a relationship with a specific liaison service.

True Names of Staff Employees - In most instances we will release names of employees who have retired in an overt status and were serving in Headquarters when cited in a document. We will continue to protect the true names of employees cited as serving in a field position. References to field personnel in true name are uncommon, however, since pseudonyms are normally used in correspondence between Headquarters and the field.

for 
Fredrick C. Wickham, Jr.

JFK Act 6 (1)(A)
JFK Act 6 (1)(B)



Assassination Records Review Board
600 E Street NW • 2nd Floor • Washington, DC 20530
(202) 724-0088 • Fax: (202) 724-0457

November 9, 1995

HAND DELIVERED

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT

Mr. John Pereira, Director
Historical Review Group
Center for the Study of Intelligence
Central Intelligence Agency
Washington, D.C., 20505

Re: ARRB requests for evidence

Dear John:

I thought that it might be helpful to you if I were to provide you with our current assessment of the status of our review of the Agency's assassination records and point to where we would like to proceed in the future.

I would like to begin by acknowledging the efforts made by the Historical Review Group to facilitate our review of records. It has been, as you know, a difficult and time-consuming process both for the Agency and the Review Board. We very much appreciate the personal cooperation of you and your staff.

We continue to be concerned by the slow progress that has been made. Although we perceive that the task has been more difficult and time-consuming than Congress anticipated, we have found that the careful education process in which we have been involved has helped educate us with respect to your concerns and, we hope, has helped demonstrate to you the Review Board's concerns.

We must, however, begin to pick up the pace. In many circumstances we are reviewing and then re-reviewing the same documents over and over again. We are also frequently put in the position of not being provided with evidence in a timely manner so that we can make our presentations to the Board. While many of these difficulties are understandable -- and perhaps even inherent to the start-up of the process in which we are engaged -- we must expedite the process. Rather than dealing with dozens of records at Board meetings, we need to move towards a schedule where hundreds of records will be reviewed at Board meetings. From our perspective, it seems that it is essential that the Agency be prepared to allocate significant additional resources to the process of reviewing the records and making evidence available to the Board.

Mr. John Pereira
November 9, 1995
Page 2

We also believe that the Agency still is not providing the type of evidence that will be the most convincing to the Board. Where issues exist that the Board has not yet addressed, and where the Agency would like to see postponements upheld, *specific* information must be provided to support a postponement. General statements, while useful in identifying the underlying issues involved, do not provide the Board with the complete knowledge and understanding of the issue that is necessary to make an informed judgment regarding release of the information.

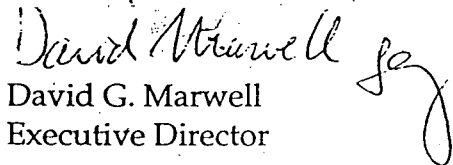
The Board is looking forward to receiving the CIA's evidence in support of the postponement of true names. As you know, we have planned for some time to devote the December (12 and 13) meeting to this important issue.

Additionally, you will find enclosed with this letter the next in our series of information requests, covering boxes 7-9 of the Oswald collection. We are submitting these requests now in an attempt to give HRG as much advance notice as possible of which records we will be reviewing for the January 4 meeting. Evidence for records to be reviewed January 4 should be provided no later than December 13, 1995.

We hope that during HRG's review of the January documents, the standards outlined in this letter will be kept in mind. If at any point an issue is deemed so sensitive that a briefing is required, ARRB staff will meet with you at your convenience.

Thank you for your attention to this matter.

Sincerely yours,


David G. Marwell
Executive Director

Enclosures

~~SECRET~~

11 December 1995

NOTE FOR THE FILE

SUBJECT: Briefing of JFK Board Staff: Cover

1. On 1 December, Barry Gibson, Deputy Chief of the Office of Central Cover, briefed the Executive Director of the Assassinations Records Review Board and other Board staff members. Also participating from CIA were [redacted] and Eleanor Neiman of IMS; [redacted] OGC; and Barry Harrelson and I from HRG.

2. The focus of the briefing was on the need to protect the names of former Agency employees that appeared in the JFK records. Gibson discussed the risks involved for people who retired under cover if they were identified in the public record as former CIA employees. He discussed the efforts made by his office to obtain written statements from the more than 100 individuals whose names appear.

3. The purpose of the briefing was to assist the Board in its review of names when it meets on 12-13 December. The Agency was asked in particular to present, in writing, evidence of risk for each of the names that will be discussed at the Board's meeting.

[redacted]

John F. Pereira

JFK Act 6 (1)(A)
JFK Act 6 (1)(B)

CL BY: 0185904
CL REASON: COV 2-87 1-5C
DECL ON: XI
DRV FROM: A+B 70-9

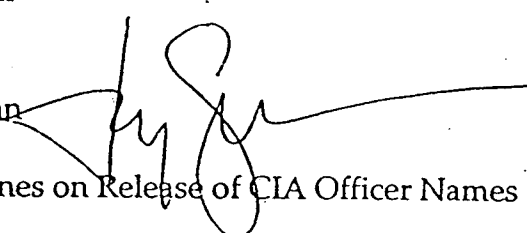
~~SECRET~~

MEMORANDUM

March 20, 1996

To: Review Board

cc: David Marwell
CIA Team

From: T. Jeremy Gunn 

Subject: Board Guidelines on Release of CIA Officer Names

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF THIS DOCUMENT

The Staff understands the Review Board to accept the following general guidelines on the release of true names of CIA officers:

When the true name of a CIA officer (*i.e.* past or present employee of CIA) appears in a document, the Board will bring to its review a presumption that the true name will be released. In order to overcome this presumption of release, CIA must provide evidence demonstrating that release of the name would be harmful. In order to meet its burden of proving harm, CIA must tailor the evidence to satisfy one of the three categories identified in Part I (below). However, when the name of an officer is of such importance that the public interest would not be served in postponing a name, the Board may release the true name consistent with the principles identified in Part II (below).

Part I. Categories of Officers.

1. **Living officers.** For living (present or former) officers, CIA must prove that: (a) the officer is living outside the United States (or reasonably is expected to reside or travel outside the United States in the foreseeable future); (b) the officer is either working or is retired under cover; *and* (c) the officer objects to the release of his or her true name. If CIA satisfies this burden, the Board presumptively (see Part II below) will release a pseudonym and postpone the officer's true name until the year 2010.

2. **Where current status of former officer is unknown.** Where CIA has been unable to contact the former officer because his or her location is unknown, CIA must present a good faith showing that reasonable attempts have been made to locate the officer. If the Board is convinced that CIA has made a good faith showing that it was unable to locate the former officer, the Board will postpone the true name until June 1, 1997. However, the Board may postpone the true

name beyond June 1, 1997, if CIA provides to the Board, prior to May 1, 1997, additional evidence that satisfies the criteria of either category 1 (above) or category 3 (below).

3. Names having effect on current intelligence interests. If CIA believes that the release of a true name may compromise currently existing intelligence operations or might otherwise cause an identifiable harm, it must provide evidence that: (a) the officer currently is engaged in clandestine activities; (b) the release of the true name would compromise ongoing intelligence operations or would compromise operations with current intelligence value; (c) the release of the true name would reasonably be expected to cause significant harm to a living person (including family members), *or* (d) the release of the true name would cause a significant harm to the national security or the foreign relations of the United States. If CIA satisfies this burden, the Board presumptively (see Part II below) will release a pseudonym and postpone the true name until 2010 or until such other date as CIA reasonably shows to be a date on which the release could be made without causing harm.

Part II. Names of Officers Who Are Important to the Assassination Story.

The Board presumptively will postpone the release of names consistent with categories 1-3 of Part I. However, for certain persons whose names appear in a context that is important to the assassination story, the Board may nevertheless vote to release the true name. In all such instances, the Board will notify CIA of the importance of such a person and provide CIA with the opportunity to provide additional information in support of postponing the release of the names. These names shall be reviewed on a case-by-case basis, with due consideration being given to the importance of the person to the assassination story and such evidence of harm as CIA may provide.

From the Desk of

NOTE FOR: Barry R. Gibson @ DO
FROM: @ DO
DATE: 03/04/96 09:26:53 AM
SUBJECT: JFK - Central Cover appeal

JFK Act 6 (1) (A)
JFK Act 6 (1) (B)

The General Counsel and I met with the JFK Review Board on Friday and discussed, among other things, how to deal with the potential public release of the identities of former employees retired under cover. The Board clearly wants to do the right thing here, but they feel they are not getting enough information to make that decision.

Jeremy Gunn (JFK Board's General Counsel) will soon provided me with some of the Board's suggestions on how to deal with this which I will pass on to you (including how to deal with Whitten). I would at the very least like to be able suggest that we attempt contact again (either through CIA or the Board) with those retirees who have not yet responded to our letter. Of course, any suggestions you have at this point will be extremely helpful. My sense is that this issue of protecting retirees is something everyone at CIA will want to appeal just on the principal of it, but that we should do everything possible to avoid an appeal. [Until we work out an agreement with the Board, you should continue to prepare that appeal you are drafting]

In the meantime, can you please provided me the following figures:

1. The # of people we sent letters to regarding the potential Board releases. (isn't it 150?) and the following breakdown if available:

- # living abroad
- # of those retired under cover vs. those whose cover has been rolled back or lifted
- # of those who still work for us in covert/overt capacity

2. The # of responses we received to date.
3. The # of responses to date requesting that we don't release.
4. The # of responses to date saying that they didn't care.

I realize you are all out of the office these days, but I would appreciate getting this as soon as you can. Thanks.

CC: J. Barry Harrelson
Eleanor E. Neiman @ DO
Frederick Wickham @ DO

8 March 1996

MEMORANDUM FOR: J. Barry Harellson
John Pereira

FROM: [redacted]
DCI/OGC/LD

SUBJECT: JFK - March 18 Board Meeting

REFERENCE:

JFK Act 6 (1) (A)
JFK Act 6 (1) (B)

ADMINISTRATIVE - INTERNAL USE ONLY

From the Desk of [redacted]

NOTE FOR:

[redacted] @ DCI
[redacted] @ DCI
[redacted] @ DCI

FROM: [redacted]
DATE: 03/08/96 02:50:39 PM
SUBJECT: JFK - March 18 Board Meeting

I have been informed that [redacted] will be attending the next JFK Board meeting. If this is the case, it would seem that Jeff should go as well.

Two issues need to be discussed with the Board: stations and cover employees.

1. Jeff and the Board agreed in principal to a "window" in which all stations would be opened (1960-64). Of course, if there are particular stations which need to be exempted from this the Board will consider it upon the presentation of substantive evidence.

- HRG and the Board think this is a good idea that would enable them to avoid raising potential appeals every month. [redacted] needs to be signed onto this idea.

- Jeff, last month, presented additional information on [redacted]. Jeff and Dave should be prepared to answer questions or provide more information so that the Board will agree to protect these stations.

2. The Board recently released the names of [redacted] cover employees. An appeal is being prepared (or so I am told). The thirty days runs on March 18. We need to finalize with the Board how to handle this issue. At the last meeting the Board agreed that this was a really important decision, but that they were not getting the information they need to make the right decision. At the last meeting, the Board intimated that they might be willing to delay this release, if CIA and the Board could come to a mutually agreeable way to deal with cover employees. I understood from Jeff that this is an issue that CIA will appeal on just the principal. If this is true, the Board should understand what our ultimate position is on this, but that we are willing to cooperate with them to find a suitable alternative (using pseudos or generic descriptions like "case officer")

3. I will be out all next week but Barry Harellson/HRG (30292) and John Pereira/CSI (30373) will be happy to fill you in on the details. Barry will be contacting [redacted] next week to find out how the March 18 meeting will be handled.

29 July 1996

MEMORANDUM FOR: Chief Historical Review Group

FROM: Fredrick C. Wickham, Jr.
DO, Focal Point for ARRB

SUBJECT: Proposal for Dealing with Employees' Names

1. Cover mechanisms are an integral part of conducting clandestine operations. We are concerned about individuals that continue to be dependent on particular cover legends and on the organizations that cooperatively work with us to provide those cover legends. The following proposal is offered to streamline the process of handling names and minimize the potential damage an inappropriate release could cause.

A. Incomplete and Unidentifiable names:

a. We will release the occurrence of a name when a common last name appears by itself or in conjunction with a common first name such that it does not tend to specifically identify the individual.

b. We will release the occurrence of a name if it remains unidentified after a reasonable search is conducted.

B. Identifiable names for employees that retired overtly:

In most cases, overt employees' names will be released, but in some cases overt employees may have a portion of their employment remain under cover. Such cases will require the same review as that of an employee who remained under cover into retirement.

SUBJECT: Proposal for Dealing with Employees' Names

C. Identifiable names for employees that retired covertly:

a. We will make a reasonable attempt to locate a current address and contact the person. If the person objects to the release of his or her name for reasons associated with current life style issues, we will object to the release of the name. If the person does not have objections based upon personal circumstances we will review the name for organizational issues. (See para C. c.)

b. If reasonable efforts fail to locate the current address, but it can be determined that the individual is still receiving a pension, insurance or other benefit based upon cover legend, we will need to continue to protect the name since source of income or benefits can not be altered without prior notification to the individual. If we fail to identify a pension or other active benefit, we will review the name for organizational issues. (See para C. c.)

c. We will make a reasonable attempt to review the name to look for identifiable harm to the person's safety, family, ongoing operational activities, national security or foreign relations. Assuming that none of the previous concerns are identified, we will review the potential damage to the cover mechanism or cover provider by the specific occurrence of the name if released.

2. Because families of deceased employees could be the beneficiary of pensions or insurance provided under the employees cover legend, we must review them the same as we would the employee. We also have second and third generation officers following in the footsteps of their parents that could be negatively impacted by the revelation.

3. Our efforts to locate current addresses will include all internal record systems maintained by Office of Personnel Security, Retirement Branch and Insurance Branch. We will include a checklist reflecting completion of these searches

SUBJECT: Proposal for Dealing with Employees' Names

within the documentation when requesting continued protection of the name.

4. We considered options of contacting IRS or OPM during our attempts to locate current addressing information, but based upon the fact that these offices would be unwitting of the cover arrangement for the individual, it was determined to be an unreasonable risk to the cover of these officers.



JFK Act 6 (1)(A)
JFK Act 6 (1)(B)

Fredrick C. Wickham, Jr.

SUBJECT: Proposal for Dealing with Employees' Names

IMS/RPG Fwickham:mjk (29 July 1996)

Distribution:

Orig & 1 - Addressee
1 - C/OCC
1 - IMS/ESG/ALB
1 - IMS/ESG/IRB
1 - IMS/ESG/HCS
1 - IMS/ESG-OIT/MSG/RDP
1 - ESG Chrono

Doc 6 doc. doc

CIA SPECIAL COLLECTIONS
RELEASE IN FULL
2000

11 February 1997

MEMORANDUM FOR THE RECORD

FROM: Gary M. Breneman, IC

SUBJECT: Comparison of ARRB and DO Memoranda re
Treatment of CIA Officer Names in JFK
Collection

1. This memorandum is in response to an assignment to compare a 20 March 1996 ARRB memorandum written by T. Jeremy Gunn and The Directorate of Operations response dated 20 July 1966, authored by Fredrick C. Wickham, Jr. Both deal with the treatment of CIA officer true names which appear in the JFK collection -- when they will be postponed and when they will be released.

2. First the ARRB Memorandum. Gunn describes in legal terms the Board's position on the postponement or release of CIA officers' true names. He makes a proffer which states that there is a presumption in favor of release akin to a legal evidentiary rule which causes a burden to shift to the other party (CIA) to prove something. In this instance, it is factual evidence/proof sufficient to shift the burden not only back to neutral but to the other side of neutral which permits postponement.

3. The Gunn memorandum then sets out the criteria required to meet the burden under several situations.

A. For officers who are still alive he states that the proofs required to postpone release of a name are three in number and all three must be met:

i. The officer must be living outside of the U.S.

OR,

(R)easonably be expected to travel outside of the U.S. in the foreseeable future;

AND,

ii. The officer is either working ... (presumably a current staff officer, contract employee, or independent contractor) ... or is retired under cover;

AND,

iii. The officer objects to the release of his or her true name.

COMMENT: Mr. Gunn's criteria are a little confusing and reach beyond the Board's authority. First, note again that the three elements are joined by an ❖ AND ❖ meaning all elements must be met to satisfy a postponement. Second, the first requirement of living or traveling outside of the U.S. is not tied to ❖ cover.❖ Many officers who do not work under cover all of the time are, in fact, provided cover for overseas TDY's. Thus, any officer who might ❖ reasonably' be expected to travel outside of the U.S. would warrant postponement of his true name. This would

seem to include every CIA employee, contract employee and independent contractor past and present.

With respect to the third element, Mr. Gunn and the Board are simply in error. To my knowledge they have no authority to require that an individual be consulted concerning his or her wishes to maintain cover, thus having his or her true name postponed, or to give up his cover, thus having the name released. This decision does not lie in the first instance with the individual but is an institutional decision which lies solely within the purview of the Agency and the executive branch of the government. CIA as an executive agency charged with the creation, maintenance, and dissolution of cover mechanisms is the only entity competent to make such a decision. It alone knows if release of an officer's true name will compromise an existing cover mechanism which will, in turn, expose others who share or have shared the same cover. It alone knows if release of an officer's name will expose CIA sponsorship (a cover entity) of a sensitive activity. It alone knows if release of an officer's name will violate a promise of confidentiality to a commercial cover sponsor which could cause both embarrassment and possibly, financial hardship to the sponsor and, in turn, substantially hinder the Agency's ability to secure subsequent commercial cover sponsors.

Turning next to the wishes of a particular officer (either current or retired) vis a vis staying with his or her cover, these thoughts come to mind. For current

employees, the decision is again not entirely theirs. If, after careful review, the Agency does not have a strong position on the employee maintaining the cover, the officer should be permitted to decide. He or she should be counseled however, that an action to remove cover could have an adverse impact on future assignments or TDYs. With respect to retirees, if, after careful review, the Agency does not object to the removal from cover, the individual should be permitted to decide. Note, that the responses to this inquiry will be mixed. As a historical note, the Agency over the years has been on an ever-swinging pendulum with respect to ~~cover~~ cover into retirement, ~~cover~~ cover for life, ~~etc.~~ etc. There will be officers who petitioned hard unsuccessfully to have their cover removed when they retired and will gladly consent to lifting the cover. There will be those officers who do not want their cover lifted under any circumstance.

By way of summary, it is CIA not the Board and not the individual officer who makes the initial decision concerning the maintenance or lifting of cover.

B. Former officers, status unknown. While the heading to this section would seem to suggest the CIA does not know the cover/non-cover status of some of its former officers, the section does not really deal with this issue. Rather, within the section, Mr. Gunn simply recognizes the fact the CIA may not be able to find all of its former officers to ask if they want to be opened up or remain under

cover. The test required by Mr. Gunn to satisfy the Board and thus continue postponement until 1 June of this year is a ~~good faith showing that reasonable attempts~~ were made to locate the officer and failed.

The section contains the additional provision which advises the Board may continue a postponement beyond 1 June of this year (i.e., until 2010) if the CIA provides the board with evidence which satisfies the criteria of either category 1 or category 3. Such ~~additional evidence~~ must be provided by 1 May 1977.

The requirements or tests of this section for the Agency are not onerous but should be set-out as a series of uniform actions or check-off's taken in the attempt to locate each ~~current status unknown~~ officer. The record of these actions could then be presented to the ARRB in support of a request for continued to postponement. The DO Memorandum mentions of the possibility of asking the IRS or the OPM for assistance in this regard and this should probably be done. I recall however, that the Service will assist, through cleared contacts at the National Office, but only to the extent of determining the whereabouts of the individual and then contacting him and ask that he be in touch with his former employer. I have no current knowledge of cleared contacts at the OPM but they existed in the past and I assume they continue.

C. Names having effect on current intelligence interests. The Gunn letter appears to subscribe a higher

level of concern to this section and its criteria than the previous two, not recognizing the plain fact that the criteria of all three sections are inextricable. It sets out four separate criteria which, if CIA satisfies its burden, i.e. provides sufficient evidence to prove any one of them, will operate to postpone a true name until the year 2010. Note again, the criteria required are four separate ones, each separated by a comma and between numbers 3 and 4 and "OR." They are:

i. The officer must be currently engaged in clandestine activities; OR,

ii. The release of the officer's name would compromise ongoing intelligence operations or operations with current intelligence value (presumably, the latter permits a review into the officer's past activities, agent relationships, and cover positions); OR,

iii. The release of the officer's true name would reasonably be expected to cause significant harm to a living person (including family members); (read broadly, this provision would include, the individual, former agents, anyone who shared the same cover or cover position, i.e. a

[REDACTED]

OR,

iv. The release of the officer's name would cause a significant harm to the national security or the foreign relations of the U.S. (a criteria which is broad enough to drive the proverbial Mack truck through).

4. In Part II, the Gunn memorandum takes back part of what it gave in the previous section. It sets up a test of importance to the assassination story vs. evidence of harm. Essentially, it advises that the Board will weigh the CIA's evidence but, if within its view, the true name being considered for postponement is important to the assassination story, the Board will release it. This means for those few individuals who may be viewed as important to the story, truly substantial evidence must be brought to bear. Absent such evidence, the Board will release, and the only recourse left to the Agency would be an appeal to the President.

5. **The Directorate of Operations Memorandum.** The basic concern with the steps for handling names as contained within the memorandum is as follows. For officers who retired under cover, the first step will be to contact them and ask if they want their true name released. Per the comments on page three supra, this should be the last step of the review, not the first.

A. **Other Comments.** The resources and data bases which will be researched for each name should be clearly established and followed in a uniform manner. Deviation from a set, orderly process will open CIA determinations to criticism, objections and dismissal, i.e. release of a name that should be postponed.

B. In addition to the data bases described -- retirement records, annuity pay records, the office of

security, insurance lists -- consideration might be given to the Northwest Federal Credit Union, and overt data bases such as Phonedec. Like the IRS and OPM, the credit union might not be able from a legal standpoint to provide an address. However, it would probably be prepared to contact an individual and ask that he be in touch.

C. A comment must be made about the idea of universally releasing the true names of overt employees. To the extent that any current employee, even overt employee, may be sent overseas on TDY under light cover, the release of his or her true name via these JFK documents which will receive widespread review could jeopardize his overseas mission and possibly, place his life in danger.

6. These thoughts are intended to be talking points as we commence to sort out the manner in which we will deal with the true names. Clearly, we need to begin to quickly identify those names which can be released, those on which there is some question, and those few on which we really need to dig in our heels.

6. I would be glad to discuss with you any of the issues raised herein.

Gary M. Breneman

wak file

5 March, 1997

Memorandum For: Chief/HRG

From: Barry Harrelson

Subject: Name Issue / Status of Review

Reference: Meetings with ARRB staff (Marwell & Gunn)
4 March 1997

Name Issue

I met with Gunn and Marwell (separate meetings) to discuss the reopening of the names issue per my memo to you. Both Gunn and Marwell reacted positively. They found the proposal to be reasonable one and they are willing to work with us in approaching the Board. However, both said they could not predict the Boards reaction. Per Marwell, one member of the Board (Anna Nelson) seems to believe that if a person worked for the CIA it should be known.

Apparently our timing is excellent. Marwell is planning to propose to the Board that they change the process from the focus on individual postponements to documents. Under the new approach his staff would have the authority to negotiate with the Agency on the release of documents, and only issues/documents of disagreement would be placed before the Board. Marwell is convinced that even with an additional year they will not finish the project with the current approach. He sees our proposal on the names as an example of how the process would work.

Marwell recommends that we include examples of documents containing names of little or no connection to the story. Bob Skwirot (he was in the meeting with Marwell) said that there were a number of names that appeared in only one document and that the number of names had reached 590. Marwell wants to start immediately on preparing a joint list of important/releasable individuals.

Action: Advise DO, OGC, upper management of our proposal to reopen the name issue (how?). Need to decide what level would sign the memo to the Board, and who would prepare the memo. If you agree I can send a copy of my memo to you to Linda and Fred for background use.

HRG and DO team will collect examples of documents and prepare (with ARRB staff) a list of individuals. The DO should focus on any person on the list that needs protection and prepare the evidence ASAP (i.e. not wait for the issue to be resolved).

New ARRB Review Process

Marwell and I spent some time discussing how a new process would work. He would like to test the process for the April meeting. The following is a rough outline with my comments:

1) HRG reviewers would review the documents the same as they do now (postponements would be blue highlighted). [no change in our procedures]

2) ARRB staff would review the blue highlighted document.

a) If they agree, they would stamp the document "ARRB approved" and return it to HRG to process for NARA.

b) If they disagree they would highlight in yellow (creating green highlighting). If the two staffs cannot resolve the issue, then the document would go before the Board.

[Major change: ARRB staff would no longer record all the proposed postponements, no DO damage review, no detailed determination letter requiring HRG reviewers to use the "grid" to determine what happen.]

3) Non-issue documents would be sent to the ARRB staff when ready for NARA. At that time the ARRB staff would prepare a simplified final determination notice and letter to the Agencies.

[No action would be required; HRG would file the final determination notice with the document].

4) "Green" highlighted documents that go to the Board would be handled the same as today.

[The expectation is that a lot less documents would require Board action.]

Comments: With some fine tuning, I think this process could work, and we would be able to complete the re-review of documents released in 1993 and 1994 by Oct. 1998. Completing the entire project will depend on how quickly the "non-related" material and the "addition records" are reviewed by the ARRB staff.

