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(U) To date over 500 CIA employee names, mostly DO, have been protected and are subject to review by the Board in May 1997. Most of these individuals have little or no connection to the JFK assassination story. This is far more names than had been anticipated when we agreed in March 1996 to the case-by-case approach. [FYI Note: I estimate that approximately 1800 names have been released to date in the JFK review].

(S) In addition, the decisions made by the Board at the May meeting will set a precedent for the potentially hundreds of names to come. We have reviewed only the Oswald 201 file and 12 boxes of the JFK sequestered collection. At this point it is impossible to determine the total number of employees mentioned in the JFK collection. For example in Box 48, there is a Position Control Register (155 pages) listing all employees in Far East Division including the Tokyo station.

Recommendation

(AIOU) That the Agency re-visit the name issue with the ARRB based on the following considerations:

- * It should be recognized that there are two separate aspects of the public interest involved in this matter, and that it is necessary to achieve a reasonable balance between them. On the one hand, it is clear that it is now in the public interest to release as much of our JFK collection as is possible. On the other hand, it is equally clear that it is in the public interest for this Agency to maintain its essential security practices in order to be able to serve the Nation effectively in accordance with its enabling legislation.
- * It is not in the public's interest for one of the fundamental principles of an intelligence agency--protecting the identity of covert employees--to continue to be eroded. While it is not always possible to show harm by the release of any one individual's name, the magnitude of the JFK release clearly has the potential to do harm to the Agency as an institution and to national security. There is no way to measure the possible effect of these releases on future employees and operations.
- * Since most of the individuals involved have little or no connection with the JFK assassination, the release of their true names does not add to the story. The substitution of pseudonyms would meet the historian's need to track who is saying what, etc.

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- * The Agency recognizes that there are employees who are part of the JFK story (many of their names have already been released). We propose that the ARRB staff and HRG work together to establish a list of individuals who are important to the story. These names would be released unless the Agency is able to provide the required evidence of current harm.

This approach would serve both the public's and the Agency's interests. It would also allow the Agency to focus its resources on completing the review and responding to the special requests of the Board, instead of spending an inordinate amount of time and money on individuals of marginal or no interest to the JFK story.

(C) [Note: There is also the issue of State Department equities and the impact of officially acknowledging as CIA hundreds of officers who were under official State cover.]

Proposed Action

(AIOU) We have a little over two months to resolve this issue and be ready for the ARRB meeting, May 12-13. I propose that I set up a meeting with Fred and Linda this week. If they agree, then I suggest a memo to the DO and the General Counsel presenting the issues. Support from top management including a willingness to raise the issue with the acting/new DCI and possibly the White House is critical to success. I see OGC (Linda) being tasked with preparing a memo for the Board similar to the one prepared on sources.

(AIOU) The Board has meetings scheduled for 13-14 March, 2-3 April and 23-24 April. I recommend that we begin discussions with ARRB staff as soon as possible with the goal of having the memo ready no later than the 2-3 April meeting. We should also be prepared to discuss the issue directly with the Board since we are asking them to reconsider a decision in which we initially concurred.

(AIOU) It is important that the DO continue to develop evidence on the individuals who are scheduled for review in May. The worst possible scenario is not succeeding with the new proposal, and not being ready to defend those individuals who need protection.



Attachments: As stated

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