

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

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.