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June 1995

Note to: Brian

Subject: Status of ARRB decision on 16 documents

1. As of COB Friday, no official word if the DO is going to appeal or not. Bill McNair called late Friday and ask for set of the documents (apparently they did not keep a set when [redacted] took them over). Told him OGC had a set; we are preparing a set for him to pick-up this a.m.

2. The decision date to notify President of "appeal" is COB Wed. If needed Bob Eatinger, OGC, will call Krislov, White House Counsel's Office, and ask for more time. Either way, we need ~~our~~ package for the DCI ready no later then early Tue.

3. Attached are notes on the 16 documents prepared by Chuck Briggs. I basically agree with his comments, however, the only "appeal issue" is names. Inactive crypts that do not identity an agent/asset or a liaison relationship should be released. Writing in substitutions or codes would be a major undertaking.

4. The names in these 16 documents can probably be released with no harm provided the individual are notified; they are part of the story. However, this collections contains hundreds of names of included who served/retired under cover. Even if these 16 documents are released in full the WH should be notified that we will be appealing future releases of names of such individuals.

Barry,

Re-reviewing the 16 documents which the ARRB says should be released in full led me to the following (see the attached for my rationale):

Agree with Release in Full (RIF): 8

RIF if retiree over status is changeable: 2

RIF if ARRB will not accept substitute code for crypts: 5

Continue sanitized release, protecting pseudonym: 1

The substitute suggestion for crypts applies to documents #7, 17, 18, 19, and 21. The pseudo protection argument applies to document #5; it also applies to #19 except that Bob Shaw has surfaced his CIA connection himself although the DO insisted on his being our hold list. Bob was a minor major player in the file and should be told that his name needs to be released.

In this unique JFK law instance (and with the many cryptonym identifications in the public domain, whether official, inadvertent, by Agee or conspiracy buffs), the best tactic to ensure credibility and ARRB cooperation in protecting truly sensitive information would seem to be to release Mexico City crypts if the ARRB is adamant.

Charles A. Briggs