

The National Security Archive

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Washington, D.C. 20037

2000 SEP -7 AM 8:05

IN ALL CORRESPONDENCE PLEASE REFER
TO ARCHIVE FILE NO. 20000583CIA092

Kathryn I. Dyer
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

APPROVED FOR RELEASE
DATE: 02-23-2010

F-2000-01885

Dear Ms. Dyer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, *et seq.* (as amended), I hereby request disclosure of the documents described on the attached page of this letter for inspection and possible copying. If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable nonexempt portions of documents which contain information you regard as exempt. To permit me to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

I am requesting expedited consideration of this request under Section 552(a)(6) of the Freedom of Information act (as amended). In accordance with the language of that section, I feel that there is a compelling need for the expedited release of these documents due to the fact that the final release of documents under the presidential Chile Declassification Project is slated for September 14th, 2000, and there is widespread public interest in these documents. Moreover, there has been a recent surge in public attention to these documents due to the CIA director George Tenet's reluctance to declassify them. The issue has been the subject of numerous press articles and editorials, in the Washington Post, New York Times, Baltimore Sun, St. Louis Dispatch and elsewhere. Many newspapers have published stories describing the declassification controversy, and some have editorialized strongly in favor of a more thorough public release of CIA documents related to Chile. In an editorial on August 22, 2000, the Washington Post stated that "the CIA's reticence has harmed the perceived credibility of the declassification effort" and that "the CIA should not have the last word." On August 29, 2000, a New York Times editorial titled "A CIA Cover-Up on Chile" stated that "there is no good reason to withhold documents that would help Chileans and Americans understand their past." At the National Security Archive, we will disseminate the declassified information both through articles and interviews by Peter Kornbluh, as well as on our website, www.gwu.edu/~nsarchiv, which already contains declassified

documents on Chile, as well as a posting on the controversy over the CIA's refusal to declassify the covert record on Chile. I certify that the above is absolutely true and correct to the best of my knowledge and belief.

This request is made on behalf of the National Security Archive, a nonprofit public interest research institute and library in Washington, D.C. The Archive is a tax-exempt nonprofit organization whose purpose is to enrich public policy debate by making widely available records on important areas of major public concern on foreign, defense and intelligence policy. Documents obtained by the Archive, including the records requested in this letter, are carefully analyzed, indexed, organized into collections and published. Archive document collections are also available for inspection and copying at the Archive by scholars, journalists, members of Congress and their staffs, present and former public officials, other public interest organizations, and the general public. Information in these documents is disseminated across the country through distribution of our published collections to research libraries and through the Archive's other publishing and media activities. I am conducting research on the subject of this request as part of an Archive research team which includes experts on the subject and which already has done extensive research and determined that the requested materials are necessary to our project.

Please also waive all fees in connection with this request. In *National Security Archive v. U.S. Department of Defense*, 880 F.2d 1381 (D.C. Cir. 1989), *cert. denied*, 110 S Ct. 1478 (1990), the Archive was declared entitled to a waiver of all search and review fees under the FOIA as a "representative of the news media." This request also qualifies for a waiver of duplication fees because disclosure of the information in the requested documents is in the public interest since release to us of these records, which directly relate to the formation of U.S. policy on the subject, is likely to contribute significantly to greater public understanding of the operations or activities of the government in making that policy. Should you decline to waive or reduce all duplication fees, we are prepared to pay normal reproduction costs if I decide to copy the records produced, but please describe your specific reasons in writing and notify us before incurring costs over \$100.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call me at (202) 994-7000. I look forward to receiving your response within the ten-day statutory time period.

Sincerely,

A rectangular box with a thin black border, used to redact the signature of Peter Kornbluh.

Peter Kornbluh
Senior Analyst

FOIA Requester: Kornbluh, Peter

FOIA Sequence Number: 20000583CIA092

Date of Request: 08/31/2000

NSA Record Number: 21503

Subject of Request:

1) All documents, including but not limited to all memoranda, reports, evaluations, submitted by officials in the Directorate of Operations to the office of the director, George Tenet which argued that documents gathered and reviewed and redacted on covert operations in Chile for declassification on September 14, 2000 should be withheld.

2) All memoranda of conversation, meeting minutes, notes, e-mail messages, agendas or other records relating to meetings between officials of the Directorate of Operations and Director Tenet and/or his deputies in August, 2000, to discuss recommendations to withhold hundreds of documents on U.S. covert operations in Chile.

3) All memoranda of conversation, telcons, e-mail messages, meeting minutes, notes, agendas or other records relating to phone conversations, e-mail exchanges, or meetings between the Director and/or his deputies and National Security Advisor Samuel Berger in August, 2000, regarding the CIA decision to withhold hundreds of documents on U.S. covert operations in Chile.

Note: I request that all documents be reviewed in their entirety, and that no information be omitted on the grounds of "non-relevance".