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***Information Review & Release (IRR) News for 17-21 May 2004
Executive Summary***

Future Planning Calendar

(U//~~ATUO~~) **25 May 2004: Interagency Security Classification Appeals Panel (ISCAP)**: Next Principals' meeting at EEOB in Washington, DC.

(U//~~ATUO~~) **16 June 2004: Interagency Security Classification Appeals Panel (ISCAP)**: Next Liaisons' meeting at NARA in Washington, DC.

(U//~~ATUO~~) **14-15 June 2004: Historical Review Panel**: Next semi-annual meeting.

(U//~~ATUO~~) **31 December 2006**: The Automatic Declassification Date per Executive Order 12958, as amended.

Overview of IRR Activities--Last Week

(U//~~ATUO~~) ERWG Meets at NARA II

(U//~~ATUO~~) The External Referral Working Group (ERWG) met on 19 May 2004 at the National Archives at College Park, Maryland. The Information Security Oversight Office (ISOO) updated 49 representatives from 18 federal agencies on its declassification plan approval process. Thirty-five agencies have no, or few, records older than 25 years; ISOO will conduct audit visits to the remaining agencies. The visiting ISOO team will evaluate each agency's program management, budget, declassification process, staffing plans beyond 2006, 2009 and 2011, and actual hours spent reviewing material. The team is interested in the number of documents reviewed, declassified, referred, and exempted between 1 October 2003 and the visit date. The National Geospatial Intelligence Agency (NGA) hosted ISOO's first visit. It characterized its three hour interview as "painless."

(U//~~ATUO~~) The ISOO also reported on its new Referral Standard proposal. ERWG members will be invited to comment on ISOO's draft before it is sent to the Classification Management Working Group (CMWG). The ISOO expects that the standard will be ready for implementation by 1 October 2004. Next, the CIA reported that bidders' proposals for developing the Document Declassification Support System (DDSS) will be evaluated in the June-July timeframe—just prior to awarding a contract. The DDSS will replace a defunct equity notification database. NARA then discussed its new procedures for recording declassification decisions at its Joint Referral Center (JRC-at College Park). Using assigned review queues, agencies may only 'review' material containing their own equity. Only an authorized user may mark the 'Final Determination' for a document. For records with multiple referrals, agencies can only 'record a decision' on their own equity. NARA is responsible for the final disposition of the record. Lastly, NARA assured members that its Archives Declassification Review and Redaction System (ADRRS) possesses the search capabilities necessary for generating statistics on pages referred and reviewed. System familiarization and process trials will occur prior to JRC's startup in September.

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(U//~~ATUO~~) FOIA Requests

(U//~~ATUO~~) CD Release of STAR GATE Collection

(U//~~ATUO~~) The FOIA Branch is now alerting interested requesters about the availability of a newly released set of 14 compact disks containing the STAR GATE Collection. The CDs cost \$140, and contain 11,895 documents, totaling 89,901 pages. Pursuant to a 1996 Congressional mandate, the CIA was provided formerly highly sensitive Intelligence Community records concerned with parapsychological phenomena, mainly "remote viewing"—known as Project STAR GATE. Based on Congressional Direction, the predecessor of the CIA Declassification Center, the

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Records Declassification Program, began a program of review with the intention of declassifying as much as possible. These records, now referred to as the "STAR GATE Collection," include information made available to CIA on projects that incorporate the terms STAR GATE, GRILL FLAME, CENTER LANE, SUN STREAK, STUNT PILOT, PHOENIX, and SCANATE. This is the largest single collection released to date on compact disk.

[Redacted]

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(b)(5)**(U//~~ATUO~~) Tapping CIA's 'All-Purpose Information Desk'**

(U//~~ATUO~~) A requester from a western state wants records on an incident involving a low-level spraying by aircraft of a relative's property on 17 March at 5:30 p.m. Another requester, in the Midwest, asks for documents on the ownership of a particular property between 1967 and 1978.

- *Some members of the public have a touching faith in the ability of the Agency to know and explain everything that happens everywhere. FOIA case managers explain the mission of the Agency, and direct requesters to sources or public institutions that would more logically be able to address their questions.* [Redacted]

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(U//~~ATUO~~) Request for Microsoft-CIA Communications

(U//~~ATUO~~) *Newsday's* Staff Writer/Technology seeks "access to and copies of any documents regarding advice or recommendations from Microsoft to your agency or from your agency to Microsoft regarding any aspect of homeland security, terrorism, computer viruses, computer security measures or computer surveillance." The request also seeks any communications between both parties regarding technical specifications of Microsoft products. The requester adds: "The public has an urgent need for information about the security of computers because they are a key part of the infrastructure."

- *The FOIA case manager denied the request using an operational Glomar -neither confirming nor denying the existence or nonexistence of such records.* [Redacted]

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(U//~~ATUO~~) CIA Declassification Center**(U//~~ATUO~~) From The Archives:****(U//~~ATUO~~) FOIA's Impact on Intelligence**

(U//~~ATUO~~) Excerpts from a lengthy statement by DDCI Frank Carlucci before a 1979 public hearing of the HPSCI (House Permanent Select Committee on Intelligence) Subcommittee on Legislation: "Unfortunately, the Freedom of Information Act has emerged as a focal point of the often-heard allegation that the CIA cannot keep a secret; that is, cannot properly protect its information from public disclosure. It has, therefore, assumed a larger than life role as a symbol of this nation's difficulty in keeping confidences inviolate....Hardly a day goes by that there is not a sensational news article describing CIA information released under FOIA. The fact that much of it is repetitious and most of it is history is lost on our agent network. Foreign agents, some very important, have either refused to accept or have terminated a relationship on the grounds that, in their minds--and it is unimportant whether they are right or not--but in their minds the CIA is no longer able to absolutely guarantee that information which they provide the U.S. Government is sacrosanct....The FOIA also has had a negative effect on our relationships with foreign intelligence services. Recently, the chief of a major foreign intelligence service sat in my office and flatly stated he could not fully cooperate as long as CIA is subject to the Freedom of Information Act....Of course, it is also possible that a sophisticated foreign intelligence service could piece together, from the bits and pieces of released information, a larger portion of the entire picture regarding a particular intelligence activity or operation."

(U//~~ATUO~~) "FOIA processing is, of course, carried out by human beings. This raises the possibility of human error and faulty judgment as to what may and may not be released in one or another situation. Mistakes, although few and far between, have been made and will, I fear, continue to occur no matter how much care we exert in processing requests....[Nonetheless, we] recognize the importance of maintaining the general FOIA concept. We do not seek a total exemption from FOIA. What we really seek is a more effective way to insure (sic) our sources that we are doing what the 1949 CIA Enabling Act directs us to do; that is, protect them. We think we can achieve this

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objective, at least partially, by perfecting the relevant CIA Act provisions in a manner fully consistent with the spirit and letter of national security exemptions already in the Freedom of Information Act. At the same time we are also conscious of the competing needs of our U.S. citizens whose support and confidence we must maintain. It is for this reason that we believe our files should continue to be accessible to American citizens and permanent resident aliens, subject to existing FOIA exemptions, to the extent that information concerning such persons may be contained in our files. [...Concluding,...] FOIA has called into question around the world our ability to keep a secret. Its application in its current form to CIA is inappropriate, unnecessary in the light of current oversight mechanisms, and harmful."

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(U//~~ATUO~~) Covert Action in the Revolutionary War

(U//~~ATUO~~) Responding to a 1977 query by the National Security Council (NSC), CIA's Historical Intelligence Collection (HIC) provided a short history of French involvement in the American Revolutionary War. The HIC document notes that French minister plenipotentiaries to the Continental Congress hired a "number of Americans to write articles" supporting French proposals, successfully induced the majority of the Congress "to take actions France believed necessary for the prosecution of the war," and paid a member of Congress for access to the secret proceedings of the Continental Congress. French envoy, Ann-Cesar, Chevalier de la Luzerne, appointed Haym Salomon as banker for the French Government to the colonies. Salomon was an influential banker who advanced monetary gifts and loans to the patriots—and at General Washington's request had engaged in intelligence collection and sabotage against British interests. French intelligence activities—as well as the soldiers, ships, and arms provided in support of the American Revolution—were costly: One scholar equates the sums expended by France on the American Revolution as having a 1970s' value of two and one half *billion* dollars.

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(U//~~ATUO~~) Strategic Mules

(U//~~ATUO~~) From a White House Memorandum for General Scowcroft (Situation Room—the Evening Notes, January 13, 1976)—Ghana to Tap Swiss Military Reserves: A Ghanaian military delegation is in Switzerland shopping for 2,000 prime movers for towing artillery. The sale could gross as much as \$3.2 million for the Swiss. Accra hopes to modernize its army by retiring the buffalos currently used to move cannon and replacing them with high-performance mules. Swiss mules, the offspring of Jura mares and male Italian asses, reportedly are unmatched in endurance, performance, and health. The price tag is in the neighborhood of \$1,600 per unit. Swiss suppliers are afraid, however, that they will be unable to fill the Ghanaian order. The Swiss army has a prior claim on the nation's mule supply and, at the rate of production, it may take ten years of feverish activity to satisfy Accra's demands.

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