

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

Information Review & Release (IRR) News for 26-30 July 2004 Executive Summary

Future Planning Calendar

(U//~~ATUO~~) **11 August 2004: Interagency Security Classification Appeals Panel (ISCAP)**: Next Liaisons' meeting at NARA in Washington, DC.

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

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

Overview of IRR Activities--Last Week

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

(U//~~ATUO~~) Testing the FOIA—Patrice Lumumba

(U//~~ATUO~~) A graduate student from Northwestern University is requesting "that a copy of a FOIA log and any relevant documents be provided to me regarding the unsolved murder of Prince Lumumba, prime minister of [the] Congo." The requester adds: "My colleagues and I will study the information provided to learn more about the tools and methods available to reporters under the Freedom of Information Act."

- *The FOIA case manager notified the requester that it is the CIA's policy to neither confirm nor deny the existence of records that might indicate a current or former operational, or analytical, interest in any particular foreign personality. [ref: Editor]. However, we can sometimes provide requesters with overt or officially released records containing information on foreign nationals, which is unrelated to any classified or covert interest (e.g., records on individuals in the context of an election, or their position on public policy matters.) Consistent with this policy, a search of our MORI database of officially released documents yielded 27 responsive documents, which were mailed to the requester.*

Editor: In this context, numerous federal courts have recognized that foreign intelligence services are 'zealous ferrets,' and that the FOIA does not require the United States Government to lighten the task of hostile governments by providing them with documentary assistance from which to piece together information concerning our foreign intelligence activities. Congress amended the FOIA in 2003 to prohibit Intelligence Community agencies from responding to any FOIA requests submitted by, or on behalf of, a foreign government.

(U//~~ATUO~~) Questioning CIA's Electronic Information Gathering

(U//~~ATUO~~) The requester writes: "The Central Intelligence Agency uses photoelectric electric applied voltage radio frequency fields for electronic information gathering for the United States Government. Does the CIA "govern the watch programs that use applied voltages on that same electric field used for the War-on-Terror?" If not... "would you please refer me to the proper government agency, or branch, of the Department of Defense that governs any and all of the photoelectric electric and electric radio frequencies for the USG—noting, that the FCC does not govern photoelectric extremely low radio frequencies and/or photoelectric extremely low electric radio frequencies."

- *The FOIA case manager informed the requester that the FOIA does not authorize, or require, Federal agencies to answer questions on behalf of requesters. However, to be helpful, the case manager invited the requester to visit CIA's Internet Web sites to better understand (a) What can be requested under the FOIA,*

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

and, (b) What kinds of Agency information are electronically available to the public (i.e., (a) <http://www.odci.gov> —and, (b) <http://www.foia.cia.gov>)

(U//~~ATUO~~) What Constitutes an 'Operational File'?

(U//~~ATUO~~) The National Security Archive is requesting all CIA documents: (1) specifying the procedures, guidelines, directives and policies for determining what documents are considered as an "Operational File," as the term is defined in 50 U.S.C. § 431; (2) concerning the designation of a record, file, file series or other grouping of records as an "Operational File," and (3) including all memoranda, analyses and reports concerning the scope, definition, or meaning of the term "Operational File," as defined above.

(b)(3)
(b)(5)

(U//~~ATUO~~) CIA Declassification Center**(U//~~FOUO~~) Visit to Ford Presidential Library**

(U//~~FOUO~~) [redacted] C/External Referral and Liaison Team, and two representatives from the Information Technology Group (ITG) visited the Ford Presidential Library on July 26-27. They installed a new, classified LaserFiche system (similar to the CIA Records Search Tool—CREST system at NARA), complete with new hardware and software. In addition, they loaded 13,930 pages of presidential material from the Remote Archive Capture (RAC) program. The archivists appreciate the new system's speed and ease of operation. [redacted]

(U//~~ATUO~~) From the Archives:**(U//~~ATUO~~) Pope John Paul II Visits Poland**

(U//~~ATUO~~) A May 1979 Current Intelligence Bulletin (CIB) reports that Polish party chief Gierk and Cardinal Wyszynski, head of the Catholic church in Poland, met for only the third time in recent years to discuss the visit of Pope John Paul II. According to the official Polish news agency, Gierk promised a "cordial" official reception for the Pope during his unprecedented Papal trip to a Communist country.

- *Comment: The reception by the Polish people was far more than cordial for the former Cardinal Karol Wojtyla. Millions turned out to see the Pope and to attend mass. The Pope's homily in Victory Square ended with a prayer--"let the spirit come down and renew the face of this land." Many Poles credit the Pope's visit as a turning point that inspired the Polish Solidarity movement, which ultimately toppled communism in Poland.* [redacted]

(U//~~ATUO~~) Interrogation—Soviet Style

(U//~~ATUO~~) From the annals of DO reports comes the following on "Soviet Methods of Interrogation," *liberally excerpted*, circa 1950

(U//~~ATUO~~) Method and conduct of the interrogation were determined by the interrogator. "The following was almost a law: the less intelligent and qualified the interrogator, the harsher and rougher was the interrogation....It was often the case that in preparing a person for interrogation there were examination records prepared by unqualified, ungrammatical case officers, which rendered the establishment of the presence of contradictions or even criminality in the evidence extremely difficult or even completely impossible....Shouts, abuse, and primitive threats helped the interrogator conceal his inability to expose the 'criminal' sitting before him. The interrogator would conduct the case in such a manner as to humiliate the prisoner as much as possible, and to convince the prisoner that his fate was entirely and completely in the interrogator's hands. In short, the interrogator would attempt to break the will of the prisoner to resistance, to self-defense, and transform him into an obedient puppet who would willingly sign any version of the interrogation."

(U//~~ATUO~~) "The MGB [redacted] interrogator had to adhere to the use of standard threats; for example, the threat to batter the prisoner into unconsciousness, the threat to ship him off to Siberia

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

with no further trial or investigation, and the threat to persecute or arrest the prisoner's relatives.... Added emphasis was furnished by the assurance that 'the MGB can do anything—either shoot or free a criminal....The prisoner might be promised lighter treatment if he were quickly and frankly to admit his guilt....The promises, of course, were almost never fulfilled, but their effect on the prisoner was great. A not unimportant promise of the interrogator to the prisoner was food and cigarettes. This promise was fulfilled if the prisoner admitted his guilt or commenced to give truthful testimony." The use of physical force was officially prohibited [except] in very important cases where it was absolutely known that a prisoner was giving false information, especially in espionage cases. The chief of the section, with the verbal sanction of the chief of the directorate, assumed responsibility, and force was used on the prisoner; i.e., he was unmercifully beaten.

(U//~~FOUO~~) "All of the above-mentioned measures were designed to obtain a confession of guilt from the prisoner and to elicit a list of his accomplices. Exceptional insistence was placed on the delivery of accomplices...The appraisal of the work of the interrogator was determined by his unmasking of the prisoner and obtaining a confession of criminal activities, and by his obtaining from the prisoner a complete list of accomplices. This is why the interrogators...were so zealous in their demands on prisoners to name all persons who were also involved in criminal activity....The entire procedure was centered around the fact that the prisoner was unaware of the major role his admission would play, because in the absence of incriminating evidence, if he refused to confess, he stood a one-in-ten chance of being freed."

(b)(3)

CC:

~~ADMINISTRATIVE - INTERNAL USE ONLY~~