

JAKE OF THE UTAM  
JOHN M. CHAFFE, W.J.  
RICHARD G. LUGAN, IND.  
MALCOLM WALLACE, WYO.  
DAVID DUMENNEGER, MINN.  
WILLIAM V. NOTH, JR., DEL.  
WILLIAM B. COHEN, MAINE

DANIEL K. INOUYE, HAWAII  
BENNY M. JACKSON, WASH.  
PATRICK J. LEAHY, VT.  
ELIOT RUTSDEN, TEX.

# United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, D.C. 20510

HOWARD M. BAKER, JR., TENN., EX OFFICIO  
ROBERT C. BYRD, W. VA., EX OFFICIO

ROBERT R. SIMMONS, STAFF DIRECTOR  
GARY J. SCHMITT, MINORITY STAFF DIRECTOR

April 11, 1983

The Honorable Ronald Reagan  
President of the United States  
The White House  
Washington, D.C. 20500

Dear Mr. President:

For some time now, I have felt that the Intelligence Community deserved relief from the provisions of the Freedom of Information Act (FOIA). This is why I cosponsored two bills on the subject in the 97th Congress. Unfortunately, neither bill passed.

It seems to me self-defeating to apply a law which calls for "openness" in government to those agencies which by their very nature should be secret. Why should a rogue former agent like Philip Agee be allowed to tie up the CIA with literally hundreds of FOIA requests? Why should the Ayatollah Khomeini be allowed to submit FOIA requests to the CIA on the Shah of Iran? Why should convicted criminals be allowed to use FOIA to identify FBI informants? Why does the CIA have to respond to FOIA requests from the KGB?

Mr. President, the answer to these questions lies in the law. The Freedom of Information Act requires these things to happen, and they are happening!

As you know, the Republican Party Platform for 1980 stated, "We will support amendments to the Freedom of Information Act...to reduce costly and capricious requests to the intelligence agencies." However, when the Administration submitted its FOIA proposals to Congress in the fall of 1981, provisions relating to the Intelligence Community were deleted at the last minute without warning. I am told that this was a "political" decision made by the White House. While I am sure that the reasons for doing this were good ones, it really left us in the lurch here on the Hill.

My question is, will you and your Administration support some form of legislative relief to the Intelligence Community from the Freedom of Information Act in the 98th Congress?

The Honorable Ronald Reagan  
Page Two  
April 11, 1983

Mr. President, I am prepared to introduce some FOIA legislation in the next few weeks that will give relief to the Agency from having to do massive searches of all their files. I have worked it out with Bill Casey, and it will be a moderate approach to one of their most overwhelming problems under FOIA. I am told that even the ACLU does not oppose this bill! But I will need your support and that of the Justice Department if we are to succeed. Do I have this support? If so, who on your staff should we be working with?

I look forward to hearing from you soon on this matter.

Warm regards, & respect

  
Barry Goldwater  
Chairman