

***Information Review & Release (IRR) News for 26 February - 2 March 2001
Executive Summary***

Immediate Calendar:

~~(U//ATUO)~~ **15 March 2001: Interagency Security Classification Appeals Panel (ISCAP):** Next Liaisons' meeting at NARA, Washington, DC.

Future Planning Calendar:

~~(U//ATUO)~~ **19 April 2001: Interagency Security Classification Appeals Panel (ISCAP):** Next Principals' meeting at EOB, Washington, DC.

~~(U//ATUO)~~ **June 2001: Historical Review Panel (HRP):** Next meeting at CIA.

~~(U//ATUO)~~ **October 2001:** The Automatic Declassification Date per Executive Order 12958, as amended, for unreviewed general material older than 25 years.

~~(U//ATUO)~~ **April 2003:** The Automatic Declassification Date per Executive Order 12958, as amended, for unreviewed intelligence-related or multi-agency records.

Overview of IRR Activities Last Week:

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

~~(U//ATUO)~~ **NBC News Requests Information on New Attorney General John Ashcroft**

~~(U//ATUO)~~ A requester with the Washington bureau of NBC News requested "copies of correspondence received by CIA from former Senator John Ashcroft from 1 January 1995 to 31 December 2000, and any correspondence produced by CIA in response to Senator Ashcroft."

- (b)(3)
(b)(5)
- CIA accepted the request

~~(U//ATUO)~~ **National Security Archive Continues Interest in Colombia**

~~(U//ATUO)~~ Among the recent requests received from the National Security Archive on Colombia include information pertaining to "the investigation of General Rito Alejo Rio's alleged support and tolerance of paramilitary activity in the Uraba Region of Colombia in 1996 and 1997 [and] the forced retirement of Colombian Army Colonel Carlos Velasquez on January 1, 1997."

- (b)(3)
(b)(5)
- CIA accepted the request

~~(U//ATUO)~~ **Frequent Requester Asks for a Copy of Studies in Intelligence Article**

~~(U//ATUO)~~ Attorney Mark Zaid requested a copy of a 1976 article from the CIA journal *Studies in Intelligence* titled "Glimpse into the History of Secret Writing," by Michael Carlson.

- The FOIA case officer provided a copy of the article from the Management of Officially Released Information (MORI) database of previously released material.

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~~(U//ATUO)~~ **Requester Interested in U-2 Pilot Francis Gary Powers**

~~(U//ATUO)~~ A requester asked for information on "any airborne or airborne-related activity on April 10, 1964, directly or indirectly related to the CIA and involving U-2 pilot Francis Gary Powers flying a U-2 spy plane between Burbank, California and Merced, California during the morning and afternoon hours of the aforesaid date."

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- CIA accepted the request

~~(U//AFO)~~ **FOIA Litigation of Interest to CIA**

~~(U//AFO)~~ **Madison Project Sues DOJ for Release of DCI's Memorandum of Law in ISCAP Case**

~~(U//AFO)~~ Mark Zaid of the James Madison Project reported that he filed a civil suit under the Freedom of Information Act against the Department of Justice for withholding records, including the DCI's memorandum of law, pertaining to an opinion rendered by the DoJ's Office of Legal Counsel (OLC) under Executive Order 12958 on ISCAP's jurisdiction over the DCI's classification decisions regarding intelligence sources and methods. From Mr. Zaid's email to the Information Security Oversight Office: "You might be interested to know that today (27 February) the James Madison Project filed a new FOIA case against the Department of Justice for withholding records pertaining to the CIA's failed attempt to extricate itself from the authority of the ISCAP. As you know, the DOJ's Office of Legal Counsel released its legal opinion last month to both JMP and FAS after 16 months of waiting. The CIA withheld one footnote from the legal opinion, but DOJ withheld 121 related documents and also referred documents to NARA, DoD, CIA and other DOJ components. The case was assigned to Judge Kessler. The James Madison Project v. Department of Justice, Civil Action No. 01-0433."

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- *Background: In 1999, a declassification appeal came before ISCAP*
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In October 1999, the DOJ Office of Legal Counsel rendered an opinion in favor of the ISCAP's position. Despite objections from the DCI, the OLC released its opinion in response to a FOIA request from the James Madison Project, but withheld related documents, culminating in the current lawsuit.

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~~(U//AFO)~~ **OIM Declassification Center**

~~(U//AFO)~~ **From the Archives: In 1972 DCI Helms Discusses Agency Involvement in International Drug Control**

~~(U//AFO)~~ DCI Richard Helms, as chairman of the United States Intelligence Board (USIB), charged the Board's Critical Collections Problem Committee (CCPC) with recommending courses of action to combat the international drug problem in a 1972 memorandum that was recently reviewed by the DCI Team at the OIM Declassification Center. The DCI indicated his request emanated from "the President's concern over the narcotics problem and his desire that concentrated efforts be made to combat the problem both at home and abroad." He noted that although "law enforcement ... generally falls outside the purview of the Intelligence Community (IC), the community shares the responsibility for furnishing required intelligence support for law enforcement action planning." In a 1976 response, the CCPC recommended that the DCI "seek National Security Council consideration of the problem and generation of guidance for the IC," pointing out that "a fundamental problem has yet to be resolved -- to what extent can (or should) the IC be involved in international narcotics control efforts. The lack of agreement in Washington is reflected in the field, where representatives of the different agencies involved are confronted with the practical problem of operating in a foreign country and trying to dovetail their varying types of operation."

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~~(U//AFO)~~ **Publications Review Board**

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This is a record.



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CC:

Sent on 8 March 2001 at 11:06:45 AM

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