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## *Information Review & Release (IRR) News for 26-30 April 2004 Executive Summary*

### *Future Planning Calendar*

~~(U//ATUO)~~ **12 May 2004:** Interagency Security Classification Appeals Panel (ISCAP): Next Liaisons' meeting at NARA in Washington, DC.

~~(U//ATUO)~~ **25 May 2004:** 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*

Primorac v. CIA: In 1992, Ranko Primorac filed a FOIA request seeking the information he alleged the Agency had collected on him during the mid-1970s. Mr. Primorac was born in Croatia and claimed that the Agency had investigated him at the request of the Yugoslavian government and turned over the results to the FBI. When the Agency responded that it could neither confirm nor deny the existence or nonexistence of responsive records, Mr. Primorac filed suit. On 23 February 1994, the court upheld the Agency's "Glomar" response on the grounds that the information sought by Mr. Primorac was classified. Mr. Primorac did not appeal that decision. Rather, Mr. Primorac waited until January 2003 to file a second lawsuit based on his 1992 FOIA request. The Agency argued that the issues surrounding his 1992 FOIA request had already been litigated and that, even if there was a new issue, Mr. Primorac waited too long to raise the issue. In trying to distinguish the 2003 case from his original litigation, Mr. Primorac argued that the law had changed since his first lawsuit because, in 1995, President Clinton had signed Executive Order 12958, which, Mr. Primorac erroneously claimed, required the Agency to "automatically declassify" the documents he had requested from Agency. The court agreed with the Agency's position and, on 20 August 2003, granted the Agency's Motion to Dismiss. On 22 April 2004, the Court of Appeals for the D.C. Circuit affirmed this judgment.

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

##### ~~(U//ATUO)~~ Editor Seeks Detailed Index of FOIA Cases

~~(U//ATUO)~~ From the Press Gallery of the House of Commons, Westminster, comes a request for "access to and copies [in electronic format] of the case log or index of FOIA requests received by your agency in the period January-June 1997, including details such as dates requests received, names of the persons or organizations making the requests and description of the information sought, etc."

- *The FOIA case manager accepted the request , and sent a formatted diskette of the FOIA Case Log to the requester covering the time period specified.*

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##### ~~(U//ATUO)~~ Request for CIA Records on MIB Compensation

~~(U//ATUO)~~ Writing on behalf of survivors of the Military Intelligence Bureau (MIB-Republic of China), the requester seeks "1950s documents related to CIA funded underground group by name of [the] Asian Resistance Movement (or Asia Foundation?) which was formed about 1949-1950, probably in Hong Kong, to assist United States in spying [on] Red China." He adds: The MIB never paid the survivors. When they arrived in Taiwan by 1955, the Taiwanese authorities granted them the 'right' to live in houses constructed with these funds. The government refuses to recognize their ownership of these dwellings without the MIB's missing original files

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confirming their claim. The requester is trying to 'verify the truth' to prevent the Taiwanese authorities from seizing their homes, and relocating the occupants.

- *The FOIA case manager notified the requester that a search of the MORI database of previously released records failed to locate any responsive records. He is being given 45 days beyond this reply, in which to make a fee commitment in support of a search of CIA's entire system of records.*

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**(U//~~ATUO~~) 'Black Vault' Requester Seeks IAC Document**

(U//~~ATUO~~) In his first of three submissions this week, a requester is asking for document number IAC-D-80/6 Sec 3-57, "Deficiencies in Biological Warfare Intelligence," dated 1 May 1957. He agrees to pay up to fifteen dollars for this (Intelligence Advisory Committee) record. However, he notes that he does not belong in the "Commercial" fee category, because the responsive document will be publicly distributed without charge over his website (www.blackvault.com).

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**(U//~~ATUO~~) CIA Declassification Center**

**(U//~~ATUO~~) From The Archives:**

**(U//~~ATUO~~) Soviet-Hungarian Economic Consultations**

(U//~~ATUO~~) A *Current Intelligence Bulletin* (CIB, September 1969) reports that "the Soviet party central committee has invited a delegation of Hungarian economic reform experts to Moscow for what appears to be a detailed review of their policies. For well over a year, the Soviet leadership has maintained a noncommittal public posture on the Hungarian experiments. These feature a substantial decentralization of economic authority....Moscow, however, has kept a close eye on the reforms and has occasionally called for explanations of various trends....The announced purpose of the visit is to 'study the experience of CPSU organizational work in the field of guiding the national economy'....The Hungarians may be called upon to explain the measures which the party has taken to ensure continued control over the economy."

- *These discussions, which reflected Soviet concerns about the possible political ramifications of Hungarian economic experiments, came one year after the Soviets had invaded Czechoslovakia to squelch nascent political liberalization in that country, and about 13 years after the Soviets had invaded Hungary. Despite Soviet concerns, Hungarian experiments with modest economic reforms continued over many years, and partially alleviated consumer shortages that were endemic to the Soviet bloc. Soviet efforts to achieve economic reform while maintaining the political status quo ultimately failed -both abroad and at home. Today, about 15 years after the breakup of the "Soviet bloc," East European states are making their formal entrance into the European Union.*

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**(U//~~ATUO~~) Allegations of a Castro Assassination Plot**

(U//~~ATUO~~) A 3 July 1975 White House Situation Room cable contains "information items" for Secretary of State Henry Kissinger. One article, entitled "The Washington Star News," states: [Reporter] "Jeremiah O' Leary writes that retired Major General Edward Lansdale has named Robert F. Kennedy as the administration official who ordered him in 1962 to launch a CIA project to work out all feasible plans for getting rid of Cuban Prime Minister Fidel Castro. Lansdale, in an interview with the *Star*, said there could be no doubt that 'the project for disposing of Castro envisioned the whole spectrum of plans from overthrowing the Cuban leader to assassinating him.' Lansdale said he received his instruction from Kennedy and in turn relayed orders directly to CIA official William K. Harvey, bypassing the Agency's chain of command. A former high-ranking official, who insisted on anonymity, also said that President Kennedy's brother and most trusted advisor precipitated the 1962 CIA project for planning the destruction of Castro and his regime. Both Lansdale and the ex-CIA source said the request was relayed without the knowledge of either CIA Director John A. McCone or Secretary McNamara. But Lansdale said both became aware of the

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planning later, along with members of the 40 Committee."

- *"At the end of November, the President [Kennedy] launched Operation Mongoose with a top secret order to use our available assets...to help Cuba overthrow the Communist Regime," according to Christopher Andrew's For the President's Eyes Only. "The head of the operations was Edward Lansdale, but the operations themselves were entrusted to a newly founded CIA Task Force W whose Miami headquarters became the largest CIA station in the world." According to Andrew, "Special Group member U. Alexis Johnson insists that 'there was never to my knowledge any foundation for charges of free wheeling by the CIA' and both DDP [Deputy Director for Plans is now the DDO] Helms and DDI Cline conclude that the inspiration for the assassination plots came from the White House."*

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~~(U//ATUO)~~ NSC-State Department Tension

(U//ATUO) An original White House letterhead Memorandum (14 January 1972), signed by then-National Security Advisor Henry Kissinger, instructs the Secretary of State that the President is to be informed of any meetings with Soviet or Middle Eastern foreign governments; and, he requires a memo outlining the objective of the meeting and the manner in which it will be conducted. Also, he requires a follow up memo on all discussion details.

- *Dr. Kissinger ultimately replaced Rogers as Secretary of State in 1973.*

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