

Information Review & Release (IRR) News for 16 - 27 December 2002 Executive Summary

Immediate Calendar:

~~(U//ATUO)~~ **8 January 2003: Interagency Security Classification Appeals Panel (ISCAP):** Next Liaisons' meeting at Crystal City.

Future Planning Calendar:

~~(U//ATUO)~~ **28 January 2003: Interagency Security Classification Appeals Panel (ISCAP):** Next Principals' meeting at EEOB in Washington, DC.

~~(U//ATUO)~~ **30-31 January 2003: Historical Review Panel:** Next meeting at

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~~(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)~~ **Litigation**

~~(U//ATUO)~~ **Federal Judge Upholds CIA's Exemption Claims**

~~(U//ATUO)~~ A federal judge of the US District Court for the District of Columbia last month upheld the CIA's exemption claims it made in a case brought by Richard Snyder, a former State Department employee. Mr. Snyder had sued the CIA, stating the Agency had not performed a proper search in response to his request under the FOIA for records regarding Lee Harvey Oswald's visit to the USSR in 1959. Mr. Snyder was the State Department official who interviewed Lee Harvey Oswald in 1959 at the US Embassy in Moscow, during which Oswald tried to renounce his American citizenship. The federal judge noted in his decision that the Agency had conducted several searches and produced a considerable number of records, stating "... the CIA has conducted an adequate search for responsive records. Although defendant did not search every conceivable area where responsive records might be found nor (it shall be assumed) was the search perfect, the FOIA does not impose either requirement on the agency. Defendant's declarations are sufficiently detailed to demonstrate that defendant conducted a reasonable and good-faith search for responsive records."

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

~~(U//ATUO)~~ **Requester Seeks Information On Father**

~~(U//ATUO)~~ A requester from Detroit asked for any information or records on her father whom she states was "murdered by someone he knew, possibly related to information he obtained regarding drug smuggling activity."

- *The FOIA case manager informed the requester that the mission of the CIA is focused on foreign intelligence, and suggested she contact the FBI and the Drug Enforcement Agency.*

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~~(U//ATUO)~~ **Palestinian National Seeking Information For Deportation Proceedings**

~~(U//ATUO)~~ An attorney from Chicago, on behalf of his client, a Palestinian national, requested information pertaining to his client who seeks the information for the subject's deportation proceedings in immigration court in Chicago.

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(U//~~ATUO~~) Requester Sees Sphinx Revival as Key to Glory

(U//~~ATUO~~) A US Navy veteran is seeking information to support his bid for a US Armed Forces Expeditionary Medal based on his ten months of service aboard a re-commissioned US Navy ship off the coast of El Salvador. The requester asserts that USS Sphinx (ARL-24), which served in WWII (landing ship, tank), Korea (repair ship) and Vietnam (riverine support ship), was re-commissioned and re-fitted in August 1985 as a signals intelligence vessel. The requester further states that USS Sphinx patrolled the coastal waters off El Salvador and Nicaragua, intercepting Salvadoran Communist and Sandinista Communist government communications, and also performed patrol and counterinsurgency operations with Navy SEAL (Sea, Air, Land special forces) teams in the "El Salvador Region."

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(b)(5)**(U//~~ATUO~~) CIA Declassification Center****(U//~~ATUO~~) CDC Handles Urgent Operational Request from US Army**

(U//~~ATUO~~) On 18 December 2002, the US Army Corps of Engineers R&D Center's Geospatial Information Library made an urgent request to the CIA Declassification Center (CDC) for declassification or release of the 1970 National Intelligence Summary (NIS) volume on Cyprus and Turkey titled "Weather and Climate." The Corps needed the volume for current operational planning. In response, CDC approved the Corps to handle this "For Official Use Only" volume as unclassified.

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(U//~~ATUO~~) CDC Reviewers Survey Nixon Presidential NSC Materials

(U//~~ATUO~~) In support of a request by the Office of Presidential Libraries at the National Archives and Records Administration (NARA), a team of staff and contract reviewers from the CIA Declassification Center visited the Nixon Presidential Materials Staff at College Park, Maryland to survey boxes of NSC files moved to the Nixon Staff for release. The records are part of a large set -- consisting of 320 boxes -- of institutional files transferred by the NSC to NARA for the Nixon Presidential materials collection. The CDC Team began a survey of about 200 boxes marked by the NSC for release to the public. The Nixon staff asked for the CIA review to ensure that all CIA equities were properly handled in the initial review by NSC reviewers. The CDC team surveyed about 50 boxes of material in the day-long effort and plans to return after 6 January to survey some additional elements of the collection. Preliminary results are that the NSC review did adequately protect CIA equities. The team will provide a full report following additional survey work in mid-January. About 100 boxes of material was withdrawn by the NSC and much of that material contains CIA equities that will be reviewed under EO 12958 as part of the 25-year review effort.

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(U//~~ATUO~~) CDC Reviewers Look at CIA Equities in Department of Commerce Material

(U//~~ATUO~~) Several reviewers from the CIA Declassification Center spent most of last week at the National Archives and Records Administration (NARA) reviewing Department of Commerce material containing CIA equities. The Commerce material, much of it from the 1949-1950 period, dealt almost exclusively with an interagency panel chaired by Commerce that decided what material could or could not be shipped to the USSR and its satellites. According to the documents, the CIA advisor to the panel mostly explained from a technical perspective the various uses, sometimes dual use (consumer/military), of various proposed shipments ranging from rubber, to chemicals, to crankshafts, to radars. The CDC reviewers expect the release rate of the Commerce material to be probably in the high 90% range.

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(U//~~ATUO~~) From the Archives: In 1962, DCI Protects Helms from "Harebrained" Covert Actions

(U//~~ATUO~~) Acting DCI Lt. Gen. Marshall Carter on 16 December 1962 sent a letter to the Deputy Director for Plans on covert action: "This is just a reminder of our conversations in which I indicated the Director's desire that covert actions conducted by the Central Intelligence Agency must be fully and totally justified as in the national interest and must be limited to objectives of our national policy. Whenever a plan ... is developed or whenever a request for such is received from outside agencies, the first criteria to be satisfied will be as indicated in the foregoing paragraph. If there is any question whatsoever and in any event when the request comes from an outside agency, my approval will be required." The Acting DCI appended a note to Richard Helms, then Deputy Director for Plans, "Dick: This is designed to be helpful in case you get harebrained ideas coming in from the outside...."

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(U//~~ATUO~~) From the Archives: Fishy Smell at HQ

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~~(U//AUC)~~ The following 29 April 1963 memo was sent from DDCI Marshall Carter to DCI John McCone: "Jim Angleton, (name redacted) and I, with perhaps one more anti-Soviet, counterintelligence type, are planning on an exploratory reconnaissance of the Little Moose River and several unexplored lakes in the northern Adirondacks toward the end of May. We plan on departing Washington on Wednesday, 22 May ... and returning late in the evening of Sunday, May 26th, tired dirty, unshaven, smelling of strong liquor, and the truth not in us. If we are lucky, we may also smell fishy. Request approval of this four-day trek." [redacted]

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This is a record.

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CC:

Sent on 31 December 2002 at 11:21:48 AM

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