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January 11, 2004

Dear Researchers:

Attached is an email which I have received from Paul Wolf regarding the CIA's announcement of a comment period during which it solicits input from the public regarding its decennial review of operational records. In 1984, George Orwell's year, Congress passed the "CIA Information Act of 1984," a law that was designed to eliminate, with certain limited exceptions, the requirement that the CIA search its operational files for records responsive to Freedom of Information Act ("FOIA") requests. However, the law also provided that every ten years the CIA would have to conduct a review to see which records it may remove from this exemption, thus making them available under the FOIA.

I am urging all researchers to submit comments to the CIA regarding operational records which you believe may shed some light on the assassination of President Kennedy and related matters. I will be sending in my own comments, but it is important that everyone who can submit his own comments as well.

Comments must be faxed or sent to the CIA by January 20, 2005. Since that is inauguration day and many government agencies may be closed and their fax machines not operating, you may want to send your comments in a day or two ahead of time.

Send the comments to Edmund Cohen, Director of Information Management Services, Central Intelligence Agency, Washington, D.C. 20505. His fax number is (703) 613-2020.

Sincerely yours,

Jim Lesar
President, AARC

James Hiram Lesar

From: "Paul Wolf" <paulwolf@icdc.com>
To: <undisclosed-recipients:>
Sent: Monday, January 10, 2005 2:03 PM
Subject: Decennial Review of CIA Operational Files

The CIA has requested public comments on which of their "operational files" are of historical value or public interest. The CIA's operational files are generally exempt from Freedom of Information Act requests. Every ten years, the CIA must review which categories of documents may be removed from the operational file category and subject to FOIA requests. The CIA is required to solicit comments from the public. This is a once in ten year opportunity to influence the CIA's disclosure policies, and I hope you will fax them a comment as I have done. If there is nothing on record showing public interest or historical value in something, it is not likely it will be made available through FOIA.

What's worse is that the CIA may use this as an opportunity to destroy some of its historical records. Although the CIA Information Act does not mention the destruction of files, files without historical value are generally destroyed by the government, rather than being sent to the National Archives. For example, when the files of the OSS, in possession of the CIA, were turned over to the National Archives, the CIA first determined that many records had no historical value. The CIA proceeded to destroy records about OSS missions in China and elsewhere, according to archivists. For this reason, in my comment I emphasize that all of the CIA's operational files potentially have historical value, and their decennial review should not be used as an excuse to destroy any files.

What I did for my comment was to describe the components of the Directorate of Operations, and make a list of known and suspected CIA operations. This list is based on the well-known work of William Blum, with my own additions. Blum describes the more dramatic operations - paramilitary interventions, coups, and the like. However, I suspect that most of the CIA's operations have been less spectacular - such as bribery, blackmail, and subsidy. Speaking of which, here is an instructional memo on the subject that I found at the Archives last week: <http://www.icdc.com/~paulwolf/oss/bribery16july1943.htm>. I added about 800 new pages to my OSS webpage over the holidays, and will be writing about this in the future. In addition, I've now received over 700 pages from the FBI as a result of my FOIA lawsuit for records about Jorge Eliecer Gaitan. The case is not over, since I intend to appeal the adverse judgment I received with respect to the CIA.

Below is the CIA's notice which was published in the Federal Register, which includes the fax number for your comment. Comments are due by January 20th. Thanks in advance for your help in preserving the historical record and exerting badly-needed public oversight over this agency. Best wishes to all for the coming year.

- Paul

December 7, 2004.
Edmund Cohen,
Director of Information Management Services, Office of the Chief
Information Office.
[FR Doc. 04-27840 Filed 12-20-04; 8:45 am]

CENTRAL INTELLIGENCE AGENCY

Notice of Decennial Review of Operational Files Designations

AGENCY: Central Intelligence Agency.

ACTION: Notice of Decennial Review of Operational Files Designations.

SUMMARY: The Central Intelligence Agency (CIA or Agency) is soliciting comments regarding the historical value of, or other public interest in, the CIA files designated by the Director of Central Intelligence (DCI) pursuant to the CIA Information Act of 1984.

DATES: Comments must be received by January 20, 2005.

ADDRESSES: Submit comments in writing to Edmund Cohen, Director of Information Management Services, Central Intelligence Agency, Washington, DC 20505, or by fax to (703) 613-3020.

FOR FURTHER INFORMATION CONTACT: Edmund Cohen, Director of Information Management Services, Central Intelligence Agency, telephone 703-613-1215.

SUPPLEMENTARY INFORMATION: The CIA Information Act of 1984, codified in section 431 of title 50 of the United States Code, authorizes the DCI to exempt operational files of the CIA from the publication, disclosure, search, and review provisions of the Freedom of Information Act. The statute defines operational files as:

1. Files of the Directorate of Operations that document the conduct of foreign intelligence or counterintelligence operations or intelligence or security liaison arrangements or information exchanges with foreign governments or their intelligence or security services;
2. Files of the Directorate of Science and Technology that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems; and
3. Files of the Office of Security that document investigations conducted to determine the suitability of potential foreign intelligence

or counterintelligence sources; except that files that are the sole repository of disseminated intelligence are not operational files.

The CIA Information Act of 1984 requires that, not less than once every ten years, the DCI shall review the exemptions in force to determine whether such exemptions may be removed from any category of exempted files or any portion thereof. The Agency completed its first decennial review exercise in March 1995. The following represents a summary of the general categories of operational files that have been maintained within the Directorate of Operations, the Directorate of Science and Technology, and the Office of Security since the first decennial review:

1. Files of the Directorate of Operations that document the intelligence sources and methods associated with various operational and foreign liaison activities, that document the conduct and management of various operational and foreign liaison activities, and that document the assessment of the viability of potential operational and foreign liaison activities and potential intelligence sources and methods;
2. Files of the Directorate of Science and Technology that document the use of scientific and technical systems in the conduct of and in support of various operational and intelligence collection activities;
3. Files of the Office of Security that document various aspects of the investigations conducted to determine the suitability of potential foreign intelligence or counterintelligence

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sources proposed for use in various operational activities. The CIA is in the process of conducting its second decennial review of its operational files to determine whether any of the previously designated files, or portions thereof, can be removed from any of the specified categories of exempted files. The CIA Information Act of 1984 requires that the decennial review "include consideration of the historical value or other public interest in the subject matter of the particular category of files or portions thereof and the potential for declassifying a significant part of the information contained therein." In accordance with this requirement, the CIA hereby solicits comments for the DCI's consideration during the decennial review of the CIA's operational files regarding the historical value of, or other public interest in, the subject matter of these particular categories of files or portions thereof described above and the relationship of that historical value or other public interest to the removal of previously designated files or any portions thereof from such a classification.

December 7, 2004.
 Edmund Cohen,
 Director of Information Management Services, Office of the Chief