

The National Security Archive

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October 15, 2004

VIA FACSIMILE: (703) 482-1739

The Honorable Porter J. Goss
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Director Goss:

We are writing on behalf of The National Security Archive ("Archive"). The Archive is a non-governmental, foreign policy research institute and library of declassified government agency records documenting key U.S. foreign policy issues. As a frequent user of the Freedom of Information Act ("FOIA"), 5 U.S.C. §552, Archive representatives have met with representatives of the Central Intelligence Agency ("CIA") on previous occasions to discuss FOIA issues.

The FOIA is a critical tool in our democratic system for ensuring an informed electorate, especially with respect to an agency like the CIA that necessarily must operate in secrecy. Unfortunately, the Archive's experience with the CIA has raised several concerns about whether and how the Agency is meeting its FOIA obligations. The resulting lack of public access to CIA documents – especially records that are decades old – severely restricts the ability of scholars, researchers and the public to understand and learn from historic events in which the CIA was involved.

Today is the 20th anniversary of the enactment of the Central Intelligence Agency Information Act of 1984. When Congress exempted the operational files of the CIA from search and review under FOIA in 1984, it required the CIA to internally review every ten years how it uses the exception. The CIA conducted a decennial review commencing August 1994, but still has not provided notice of its statutorily required decennial review for 2004.

We urge you to conduct a rigorous review of the Agency's use of its operational files exemption. Today, the National Security Archive posted on its Web site at www.nsarchive.org information about uses of the operational files exemption by the CIA and other agencies that the Archive believes are unwarranted. We hope that you will make every effort to ensure that the CIA's decennial review limits those files shielded from FOIA only to those extremely sensitive operational materials that could never be released, while ensuring the release of historical materials and materials for which there is a public interest in disclosure.

An Independent non-governmental research institute and library located at the George Washington University, the Archive collects and publishes declassified documents obtained through the Freedom of Information Act. Publication royalties and tax deductible contributions through The National Security Archive Fund, Inc. underwrite the Archive's Budget.

Letter to Director of Central Intelligence Goss

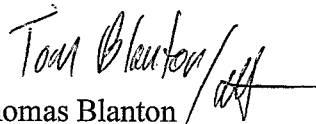
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The National Security Archive would be happy to meet with you to provide additional information about the records we believe have been wrongly removed from the scope of the FOIA.

Thank you for your concern about these issues.

Sincerely,



Thomas Blanton
Executive Director



Meredith Fuchs
General Counsel