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U.S. Reclassifies Many Documents in Secret Review

By [SCOTT SHANE](#)

WASHINGTON, Feb. 20 — In a seven-year-old secret program at the National Archives, intelligence agencies have been removing from public access thousands of historical documents that were available for years, including some already published by the State Department and others photocopied years ago by private historians.

The restoration of classified status to more than 55,000 previously declassified pages began in 1999, when the Central Intelligence Agency and five other agencies objected to what they saw as a hasty release of sensitive information after a 1995 declassification order signed by President [Bill Clinton](#). It accelerated after the Bush administration took office and especially after the 2001 terrorist attacks, according to archives records.

But because the reclassification program is itself shrouded in secrecy — governed by a still-classified memorandum that prohibits the National Archives even from saying which agencies are involved — it continued virtually without outside notice until December. That was when an intelligence historian, Matthew M. Aid, noticed that dozens of documents he had copied years ago had been withdrawn from the archives' open shelves.

Mr. Aid was struck by what seemed to him the innocuous contents of the documents — mostly decades-old State Department reports from the Korean War and the early cold war. He found that eight reclassified documents had been previously published in the State Department's history series, "Foreign Relations of the United States."

"The stuff they pulled should never have been removed," he said. "Some of it is mundane, and some of it is outright ridiculous."

After Mr. Aid and other historians complained, the archives' Information Security

Oversight Office, which oversees government classification, began an audit of the reclassification program, said J. William Leonard, director of the office.

Mr. Leonard said he ordered the audit after reviewing 16 withdrawn documents and concluding that none should be secret.

"If those sample records were removed because somebody thought they were classified, I'm shocked and disappointed," Mr. Leonard said in an interview. "It just boggles the mind."

If Mr. Leonard finds that documents are being wrongly reclassified, his office could not unilaterally release them. But as the chief adviser to the White House on classification, he could urge a reversal or a revision of the reclassification program.

A group of historians, including representatives of the National Coalition for History and the Society of Historians of American Foreign Relations, wrote to Mr. Leonard on Friday to express concern about the reclassification program, which they believe has blocked access to some material at the presidential libraries as well as at the archives.

Among the 50 withdrawn documents that Mr. Aid found in his own files is a 1948 memorandum on a C.I.A. scheme to float balloons over countries behind the Iron Curtain and drop propaganda leaflets. It was reclassified in 2001 even though it had been published by the State Department in 1996.

Another historian, William Burr, found a dozen documents he had copied years ago whose reclassification he considers "silly," including a 1962 telegram from George F. Kennan, then ambassador to Yugoslavia, containing an English translation of a Belgrade newspaper article on China's nuclear weapons program.

Under existing guidelines, government documents are supposed to be declassified after 25 years unless there is particular reason to keep them secret. While some of the choices made by the security reviewers at the archives are baffling, others seem guided by an old bureaucratic reflex: to cover up embarrassments, even if they occurred a half-century ago.

One reclassified document in Mr. Aid's files, for instance, gives the C.I.A.'s assessment on Oct. 12, 1950, that Chinese intervention in the Korean War was "not probable in 1950." Just two weeks later, on Oct. 27, some 300,000 Chinese troops crossed into Korea.

Mr. Aid said he believed that because of the reclassification program, some of the contents of his 22 file cabinets might technically place him in violation of the Espionage Act, a circumstance that could be shared by scores of other historians. But no effort has been made to retrieve copies of reclassified documents, and it is not clear how they all could even be located.

"It doesn't make sense to create a category of documents that are classified but that everyone already has," said Meredith Fuchs, general counsel of the National Security Archive, a research group at George Washington University. "These documents were on open shelves for years."

The group plans to post Mr. Aid's reclassified documents and his account of the secret program on its Web site, www.gwu.edu/~nsarchiv, on Tuesday.

The program's critics do not question the notion that wrongly declassified material should be withdrawn. Mr. Aid said he had been dismayed to see "scary" documents in open files at the National Archives, including detailed instructions on the use of high explosives.

But the historians say the program is removing material that can do no conceivable harm to national security. They say it is part of a marked trend toward greater secrecy under the Bush administration, which has increased the pace of classifying documents, slowed declassification and discouraged the release of some material under the Freedom of Information Act.

Experts on government secrecy believe the C.I.A. and other spy agencies, not the White House, are the driving force behind the reclassification program.

"I think it's driven by the individual agencies, which have bureaucratic sensitivities to protect," said Steven Aftergood of the Federation of American Scientists, editor of the online weekly Secrecy News. "But it was clearly encouraged by the administration's overall embrace of secrecy."

National Archives officials said the program had revoked access to 9,500 documents, more than 8,000 of them since President Bush took office. About 30 reviewers — employees and contractors of the intelligence and defense agencies — are at work each weekday at the archives complex in College Park, Md., the officials said.

Archives officials could not provide a cost for the program but said it was certainly in

the millions of dollars, including more than \$1 million to build and equip a secure room where the reviewers work.

Michael J. Kurtz, assistant archivist for record services, said the National Archives sought to expand public access to documents whenever possible but had no power over the reclassifications. "The decisions agencies make are those agencies' decisions," Mr. Kurtz said.

Though the National Archives are not allowed to reveal which agencies are involved in the reclassification, one archivist said on condition of anonymity that the C.I.A. and the Defense Intelligence Agency were major participants.

A spokesman for the C.I.A., Paul Gimigliano, said that the agency had released 26 million pages of documents to the National Archives since 1998 and that it was "committed to the highest quality process" for deciding what should be secret.

"Though the process typically works well, there will always be the anomaly, given the tremendous amount of material and multiple players involved," Mr. Gimigliano said.

A spokesman for the Defense Intelligence Agency said he was unable to comment on whether his agency was involved in the program.

Anna K. Nelson, a foreign policy historian at American University, said she and other researchers had been puzzled in recent years by the number of documents pulled from the archives with little explanation.

"I think this is a travesty," said Dr. Nelson, who said she believed that some reclassified material was in her files. "I think the public is being deprived of what history is really about: facts."

The document removals have not been reported to the Information Security Oversight Office, as the law has required for formal reclassifications since 2003.

The explanation, said Mr. Leonard, the head of the office, is a bureaucratic quirk. The intelligence agencies take the position that the reclassified documents were never properly declassified, even though they were reviewed, stamped "declassified," freely given to researchers and even published, he said.

Thus, the agencies argue, the documents remain classified — and pulling them from

public access is not really reclassification.

Mr. Leonard said he believed that while that logic might seem strained, the agencies were technically correct. But he said the complaints about the secret program, which prompted his decision to conduct an audit, showed that the government's system for deciding what should be secret is deeply flawed.

"This is not a very efficient way of doing business," Mr. Leonard said. "There's got to be a better way."

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