

Central Intelligence Agency



Washington, D.C. 20505

OCA 1833-90/1
23 June 1990

The Honorable David L. Boren
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510-6475

Dear Mr. Chairman:

The Senate Committee on Foreign Relations has recently introduced S. 2749, a bill to provide supplemental authorization of appropriations for Fiscal Year 1991 for the Department of State. The bill contains a number of provisions that would govern the writing and publication of the "Foreign Relations of the United States" historical series. We strongly object to the provisions as currently drafted, and we request that your Committee assist us in getting the provisions amended because of their impact on the Intelligence Community.

If enacted as drafted, the provisions would require that all departments and agencies of the U.S. Government provide to the State Office of the Historian and a "Historians Advisory Committee," a "full and complete set of the documents and other materials pertinent to the record of the United States foreign policy decisions and actions." The only grounds for withholding any of such documents from publication would be the compromise of U.S. weapons systems, the disclosure of technical information relating to military equipment or cryptological systems, or the names of living persons who provided confidential information to the U.S. Government. The bill essentially declassifies everything that does not fall into those categories.

Department of State, A/GIS/IPS/SRP
Change to _____
 Release () Excise () Deny () Declassify
Exemptions b () () E.O. 13526 25x () ()
Declassify after _____
With concurrence of: _____
IPS by WEC for MASA Date 12/30/13
obtained CIA not obt.

**SUBJECT: Supplemental Authorization of Appropriations
for Fiscal Year 1991 for the Department of State**

The bill ignores Executive Order 12356 governing classification of national security information, and in fact narrows greatly the types of information that could be considered as damaging to the United States if disclosed. The bill also ignores the Freedom of Information Act, and indeed is inconsistent with the exemptions of that Act. The "Historians Advisory Committee" may also withhold other documents from publication on certain additional grounds listed in the bill, but those grounds are not related to the protection of intelligence sources or methods. If enacted in its current form, the provision could in effect declassify every Presidential Finding and National Intelligence Estimate by mandating their publication in the historical series.

At a minimum, we believe that the bill should be amended so that the grounds for withholding documents and information from publication include all of the exemptions contained in the Freedom of Information Act, and the decision on what documents may be provided or published should rest with the departments or agencies providing the documents.

I am sending an identical letter to Vice Chairman Cohen. I seek your support in amending the bill to meet our serious intelligence concerns.

Sincerely,

W William H. Webster

William H. Webster
Director of Central Intelligence