

CIA and NSA Action To Hide Their Originating Agency Documentation

That information withheld from the unclassified FBIS reporting, that POW information requested to be not reported by the Navy member of the IPWIC was reported in other form. Those POW statements revealing capture, and any other classified or unclassified POW/MIA documentation not released to the public is requested for release. Also any other reporting and briefings. The interagency relationships of government has been used in the past to hide such information. The originating agency is not necessarily the releasing agency. As with the Defense Prisoner of War/ Missing Personnel Office (DPMO) and Defense Intelligence Agency (DIA) release and reporting of POW/MIA information has been used to hide the declassified and released CIA information. The CIA has often insisted that FOIA requesters get CIA originated POW/MIA information from DPMO. Yet DPMO insists that a requester get CIA originated information from the CIA. The CIA has broken its POW documentation into more than one location not giving a reasonable library like search consideration for the documentation as required under Executive order 12812 so that reasonable FOIA requests can be researched and submitted.

Furthermore in the past I had informed DPMO that CIA information was not used in consideration of POW cases, that they were not even using declassified POW/MIA documentation let alone other POW/MIA information the CIA withheld even from DPMO.

* **In the Past Lt. Col. Bud Matthews, and Ed Sprague of the former Central Declassification Office (CDO) later included in the reorganized DPMO were ordered to remove the Logo and other identifying items that could identify CIA and NSA documentation as originating from these two agencies. It was stated that they were declaring the agencies as sources. This is in violation of E.O. 12812 on the information excepted from declassification. This can be further substantiated by Dave Osborne of the Library of Congress and Dennis McNew of the Library of Congress Photo Duplication section; and by Jay Veith who was so informed by them. The NSA had insisted that material was declassified and at the LOC when in fact it never was, but the omission of the originating organization made it impossible for anyone outside the agencies unfamiliar with the format used to even possibly identify some. This method is used to undermine the effective use of the FOIA, is in contempt of the law and the Congress and the Executive Order of Presidents Bush and Clinton.**

*Signed 8/9/98
Roger Hall*

where the power of those people and groups is to the detriment of those empowering them, the American people.

Enforcement

The enforcement of the declassification process and guidelines must be watched and enforced so to allow and keep that required for release.

NSA has failed to identify codeword projects/programs or to declassify POW/MIA information contained in the projects on U.S. servicemen and American civilians from the Korean war, cold war, Vietnam era war and others. Some of whom were removed to communist countries outside S. E. Asia.

Officials at NSA have declared that agency a source to bypass the document identification requirements of declassified POW/MIA documents. It has ordered CDD to remove any NSA or CIA reference to hide that it is the originating agency.

The intent of not disclosing sources was to protect the source of information to a collection agency.

The removal of the identification prevents location of particular sought after documentation.

The lack of identification of the documentation prevents any appeal for the further declassification of a document because it cannot be referred back to the originating agency, and the document cannot be identified to request the further legal declassification. If it was accidentally located, and a researcher could never be sure if the document was indeed the document sought. The reference on particular documents indicates other related information or, if only a similar subject matter document was located the sought after document may be falsely assumed to have been found. As is the intent of this wrongful process initiated by NSA and processed by the former CDD office.

This is by design and with the intent of preventing reasonable access to documents sought by POW/MIA family members, and other researchers that directly correspond to men known to have been held as prisoners that were not released in 1973, and that by the testimony of government witnesses this information does exist, and does verify the information presented in deposition and testimony.

Neither DDO nor NSA have exercised the reasonable judgment, or responsible consideration for the material submitted for declassification procedures, nor the competence to follow the executive order or the order of the U. S. Senate.

That when a wrongful prevention of the release of declassified material occurs and/or is identified, that the claimant be given an immediate hearing on that release of information. And, that if the documentation has to do with injured persons that suffered because of the negligence that emergency procedures be applied immediately.

That employees be removed from the declassification process (including supervisory) when lack of judgement is identified, or deliberate disregard is suspected. The power of employees is that granted to their agencies to perform specified changes and not individual power to be applied in personal or preferred ways, to the detriment of laws and executive orders and other orders, and that when wrongs are identified by employees of violations that they be able to require a review of the problem, and that this be notified to congress.

That Agencies and others be not allow to prevent citizens in any way from the access to declassified, neither by devised means, orders to others, or interpreting the laws and requirements to prevent what should be available.

If documents are pulled for review they must be reviewed immediately and not withheld as a means of preventing access to the documents. If the urgency required removal of documentation, the immediate review is necessary.

Specific Case and Partial History:

In conducting its review of NSA files, the Committee examined more than 3,000 post-war reports and 90 boxes of wartime files (this statement was true as of August, 1992 and didn't include information found from then thru December, 1992) see attachment #1]. Most troubling NSA failed to locate for investigators any wartime analyst files related specifically to tracking POW's, despite the fact that tracking POW's was a known priority at the time. This failure made it impossible for the Committee to confirm some information on un-downed pilots that was provided by NSA employee Jerry Mahren (REPORT), Senate Select Committee on POW/MIA Affairs, P 10-11

Even though NSA was not the lead agency for maintaining information on POWs and MIAs, it appears that it would have been routine for a senior Government official to have directed an Intelligence Community-wide search for information relevant to POWs and MIAs. NSA's information could have been useful both for the US negotiators at the peace talks (O'REPORT, Senate Select Committee on POW/MIA Affairs, P. 225)

While DIA and NSA are the primary holders of POW/MIA information and the very agencies that also determine the stated existence of such information, they are also the originating agency and the agency that declassifies any documents acknowledged to exist. Though this in a perfect world seems ideal, it is a problem when past errors by an agency are deemed to be harmful to the agency, preventing information being released because of application of a definition that is not harmful to the government but just the ego of those who oppose the release of (in this case) the information stated in attachment #1 and more

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