

STATEMENT OF  
**CHAIRMAN PORTER GOSS**

BEFORE THE  
COMMITTEE ON GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

July 26, 2000

Mr. Chairman and Members of the Committee:

I am pleased to testify before the Committee today in strong support of S. 1801, the Public Interest Declassification Act of 1999.

There is a lot of history on the shelves out at the headquarters of the Central Intelligence Agency. Some of it is valiant - some of it is work-a-day - and some of it is embarrassing. All of it is American history.

Much of what is on the shelves out at Langley remains sensitive and properly secured in vaults. In this bill, we in no way diminish the right and the obligation of the President and the Director of Central Intelligence to protect sources and methods. I obviously take no issue with the bona fide harm that may befall our country, and those who help us overseas, in matters of national security.

Much of what is on the shelves at Langley, however, should be reviewed and considered for declassification.

The systematic declassification of such documents over 25 years old is ongoing. This type of declassification, which is done under Executive Order, is the most thorough and archivally valid method by which we can ensure that historically significant documents can be systematically shared with historians and, more importantly, with the American public.

At present, however, we have no system by which Congress, the executive branch, and the public can require and expedite the review for declassification, called "special searches," for records of extraordinary political or public interest. The explosion in special search requests from the Congress, the executive branch, and the American public since 1993 has not been cost\_free. Since becoming Chairman of the House Intelligence Committee, I have become increasingly concerned about the surge in special declassification requests and the unanticipated costs associated with such requests. In August 1999, I wrote DCI Tenet seeking information on the numerous special searches conducted since 1993. In its October 18, 1999 reply to my inquiry, the CIA noted:

"Special searches are a growth industry and compete with the mandates of the many existing information review and release programs; simply stated, each resource directed to a new special search reduces the resources previously dedicated to an existing program. Some specific efforts

have been deferred in their entirety; examples included a number of historical reviews previous Directors scheduled for action. Other efforts, such as Freedom of Information Act (FOIA) suffer reduced productivity."

In some cases, however, Congress, policymakers in the executive branch, and the public cannot and should not wait for the painstaking declassification of 25-year records. Congress needs information for its lawmaking; policymakers need information for their decisionmaking; and the public needs information to ensure that its government is accountable and is staying on course.

A few recent examples will help illustrate my point:

During 1999, senior officials at the National Security Council ordered that CIA review and declassify records on allegations of U.S. involvement with human rights abuses in Chile under General Pinochet from 1973 to 1990.

Members of Congress, executive branch policymakers, and interest groups have asked the Intelligence Community to conduct and complete no fewer than nine separate searches since 1993 for records on the churchwomen murdered in El Salvador. Similar public pressure forced 12 separate special searches since 1995 relating to allegations of human rights violations in Guatemala.

Other searches have been based on treaty obligations, such as the Treaty with Spain on Mutual Legal Assistance in Criminal Matters, whereby a foreign prosecutor sought access to U.S. records on human rights violations of several Latin American governments in 1970s and 1980s.

During the past several years, Congress and the public have pushed for the mandatory declassification of records concerning unaccounted-for POWs and MIAs from the Vietnam War.

Finally, and most fundamentally, Congress responded to a national imperative for information about the assassination of President Kennedy by passing a special purpose disclosure law requiring the declassification of all relevant records.

The Public Interest Declassification Act establishes a structure by which such special searches will be done once, and done right. Declassification needs to be conducted in an orderly, systematic and appropriately prioritized and funded program. Declassification should not be subject to an arbitrary and chaotic political process. What this bill does is to provide a means by which we can get important historical information as efficiently as possible to the American people. In a perfect world, we would overhaul the entire classification system, as I believe that we too readily classify too much material. But to do so at this point would be like trying to swallow a whole meal at once. Instead, we must take this issue in digestible slices. S. 1801 is only a first step, but a very important one.

The Public Interest Declassification Act seeks to provide Congress, policymakers in the executive branch, and the American public with more of the history on the shelves at Langley. In so doing, the bill will also give us more confidence that what remains on those shelves truly needs to be protected.

Again, I appreciate your attention to my remarks and look forward to working with you to bring about passage of this first step toward a more efficient and more orderly declassification system that will bring about greater accountability and transparency.