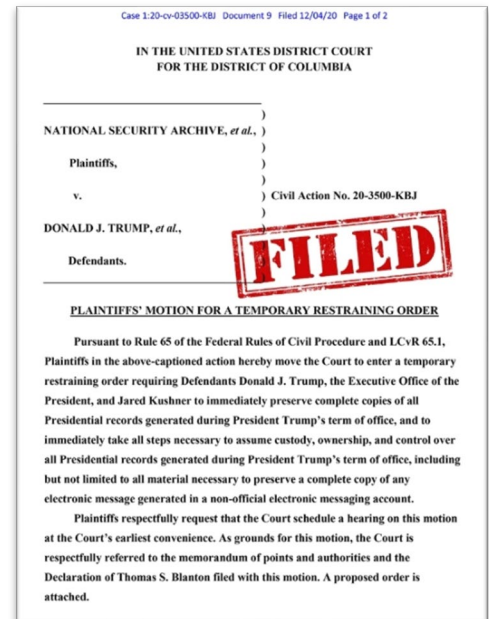


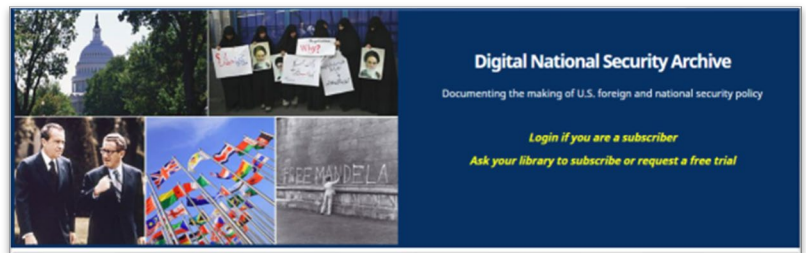
## The National Security Archive in 2020

The following statistics provide a performance index of the Archive's work:

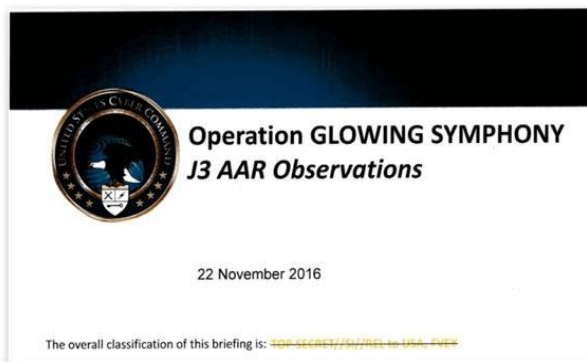
- Freedom of Information and declassification requests filed – **1,181**
- Freedom of Information and declassification appeals filed – **85**
- Pages of U.S. government documents released as the result of Archive requests – 348,200 including headline-making documents that shed light on Operation Glowing Symphony—the complex military campaign to hack ISIS; the decades long U.S. Intelligence community monitoring of Operation Condor nations through encryption machines supplied by a Swiss company secretly owned by the CIA and the German BND; new details about the false warnings of missile attacks during the Carter administration that led to efforts to ensure that computer misinformation could not trigger nuclear war; the house at Bacabay clandestine torture center used by the Argentine military to interrogate and disappear victims after the March 1976 military coup; the West German and Italian compliance to the U.S. nuclear presence in Western Europe in the 1950s; former Colombian President Alvaro Uribe's suspected ties to paramilitary groups and narcotraffickers; Clinton-Putin conversations about the transition of power in Russia; and the U.S. failure to vet officials and build “trustworthy institutions” in its Merida Initiative aid program to fight organized crime and narcotrafficking in Mexico.
- Pages of declassified documents delivered to publisher – **49,271** in two reference collections: *The President's Daily Brief: Nixon, Ford, and the CIA, 1969-1977*; *Donald Rumsfeld's Snowflakes, Part I: The Pentagon and U.S. Foreign Policy, 2001-2003*.
- FOIA Lawsuits: **3 new, 1 amicus brief, 3 continuing**: National Security Archive, Society for Historians of American Foreign Relations, American Historical Association, CREW v. Donald J. Trump et. al. (filed December 1, 2020, Civil Action No. 20-3500-KBJ) seeking a temporary restraining order against the destruction of White House records during the transition, and a court ruling that screenshots of instant messages do not qualify as “a complete record” under the law; National Security Archive v. Department of State (filed December 14, 2020, Case 1:20-cv-03649) seeking responsive records on 23 FOIA requests dating back over five years concerning the 43 disappeared students in Mexico; CREW, National Security Archive, Society for Historians of American Foreign Relations v. Michael Pompeo (filed April 17, 2020, Civil Action No. 19-3324-JEB) seeking a court ruling that the Secretary of State had violated the records laws by carrying out “off the books” diplomacy on Saudi Arabia, Russia, and Ukraine. The Archive also joined the Human Rights Watch *amicus* brief arguing against the CIA's “Glomar” claim (neither confirm nor deny) about its failure to warn journalist Jamal Khashoggi about Saudi murder intentions (USCA Case 20-5045, filed July 24, 2020). Archive cases continued in 2020 against the Pentagon for the Rumsfeld snowflakes, against State for historic U.S.-Russia files, and against DIA for records of the 1983 war scare.
- E-Books published by Archive staff and fellows – **41**, bringing the Web site total to **732**
- Research requests to the Archive – **2,400**; Visiting researchers at the Archive's Smith Bagley Research Center – **8**; Visitors to Archive's Conference Room (State Department Visiting Leadership Program, FOIA education and training sessions) - **87** (prior to closing the Archive to outside visitors on March 10 due to Covid concerns)
- Archive Web site usage – Sessions: **1,508,086**; Users: **1,106,869**; Page Views: **2,745,354**
- Posts by Archive staff on *Unredacted* blog – **22**; Readers of *Unredacted* blog — **147,741** page views
- Subscribers to the Archive's e-mail alerts – **15,949** (adding over 2,740 new subscribers); Followers on the Archive Twitter feed – **20,100**; Followers on the Archive Facebook page – **11,700**



**January 2020:** On **January 16** the Archive announced the publication of *U.S. Policy toward Iran: From the Revolution to the Nuclear Accord, 1978-2015*, in the subscription series *The Digital National Security Archive* (DNSA), published by the academic publisher ProQuest. The collection



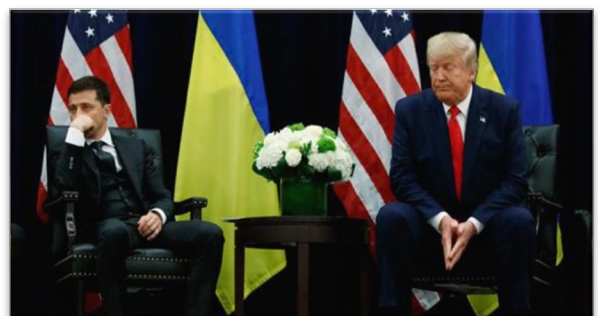
consists of 1,760 documents and almost 14,000 pages of materials, most of them made available through the Freedom of Information Act (FOIA) or through research at various archives and offers historical context for the current crisis, which has entered a new critical phase. Considering the breadth of these collections and the long lead times for compiling them, DNSA continues to offer universities and libraries unusually timely coverage of hot button international issues.



On **January 21** the Archive’s Cyber Vault released six new USCYBERCOM documents that shed light on the campaign to counter ISIS in cyberspace. The documents, which were obtained through FOIA, include a discussion of assessment frameworks to the 120-day assessment of Operation GLOWING SYMPHONY, reveal the unprecedented complexity of the operation, resulting challenges in coordination and deconfliction, and assessments of effectiveness. The posting sparked wide coverage including *The Wall Street Journal*, *The Washington Post*, *CyberScoop*, *FifthDomain*, and an

interview of Archive Cyber Vault Fellow Michael Martelle on NPR’s *All Things Considered*. *CyberScoop*’s Shannon Vavra wrote that while the documents show the operation was largely successful, they also reveal “significant shortcomings, including operators having trouble collecting data, interagency deconfliction issues, difficulty vetting targets, and, in at least one case, a close call with the operation being discovered by the adversary.” *The Washington Post*’s Joseph Marks’ said the documents “paint the most vivid portrait to date of the complex challenges facing U.S. military hackers as they develop rules for a new domain of warfare.”

**February 2020:** On **February 10** District Judge Amy Berman Jackson dismissed a lawsuit originally filed in May 2019 by the Archive together with Citizens for Responsibility and Ethics in Washington (CREW) and the Society for Historians of American Foreign Relations (SHAHR) to compel the White House to create and preserve records of the President’s meetings with foreign leaders, as required by the Presidential Records Act. The Archive was encouraged by the fact that her ruling made clear that it “should not be interpreted to endorse” the



White House’s records-keeping practices, “nor does it include any finding that the Executive Office is in compliance with its obligations.” As stated in her ruling, “the PRA gives neither the Archivist [of the United States] nor the Congress the authority to veto the President’s decision” to destroy records – or in this instance, fail to create the records in the first place. Jackson also made clear that Congress must step in to address this outdated loophole, noting “it is Congress that has the power to revisit its decision to

accord the executive such unfettered control or to clarify its intentions.” The Archive, CREW and SHAFR, represented *pro bono* by Baker McKenzie, filed a notice of appeal on February 20, 2020.



On **February 11** in conjunction with The *Washington Post*'s bombshell exposé on the Swiss encryption company Crypto AG (Archive staff provided documents and were interviewed for the story), the Archive posted a series of documents from both its Southern Cone documentation and Cyber Vault projects. The documents reveal that numerous Operation Condor countries used encryption machines supplied by the Swiss company, which was secretly owned by the CIA and the German intelligence agency, BND. The revelation raised questions about contemporaneous U.S. knowledge of the activities of the military regimes of the Operation Condor nations—led by Chile,

Argentina and Uruguay—as they conducted regional and international acts of repression and terrorism against leading opposition figures. The espionage operations through Crypto AG conceivably provided the U.S. intelligence community with far more detailed knowledge of Condor operations than previously acknowledged. Indeed, the U.S. intelligence records generated by these espionage operations could be “a historical game changer,” according to Carlos Osorio, who directs the Southern Cone Documentation Project. “If declassified, this vast trove of communications intercepts could significantly advance the history of Operation Condor as well as contemporary history of the entire region.” The Archive’s Cyber Vault project posted documents detailing the level of cooperation between Crypto AG inventor Boris Hagelin and NSA cryptographer William Friedman, which ultimately led to the joint CIA/BND purchase of Crypto AG. The postings were extensively covered in Latin America as well as in this country. On February 28, Archive Senior Analyst Peter Kornbluh wrote a piece for *The Washington Post* entitled “The CIA rigged foreign spy devices for year. What secrets should it share now?”

**March 2020:** In **early March**, the Archive took its first organizational steps to protect its staff and researchers from the coronavirus pandemic—closing its Reading Room to visitors and preparing its staff and IT capacity for telework. On March 13, the Archive closed its office doors in Gelman Library with all staff now working from home.

On **March 12** the Archive marked Sunshine Week by publishing its 19<sup>th</sup> Freedom of Information Act (FOIA) Audit. The audit found that President Trump had made three times as many pro-secrecy decisions as pro-transparency ones since taking office. The survey also found that the President’s anti-transparency decisions – including classifying coronavirus talks, hiding the White House visitor logs, and keeping his tax returns secret – significantly outnumbered his positive transparency decisions, including following through with the Argentina declassification project of prior administrations and working for more transparent hospital and prescription drug prices. The Archive audit team scoured White House press releases, news reports, and court cases to create an interactive chronology of Trump’s good, bad, and occasionally perplexing transparency decisions since entering the White House. The results undercut the President’s repeated claim that he was the most transparent president in history but they also provided some insights into areas where the President and his team had consistently promoted transparency.



On **March 16** in an update to a 2012 posting, the Archive's Nuclear Vault showcased recently declassified documents on false warnings of Soviet missile attacks that put U.S. forces on alert during the Carter administration: on four occasions between 1979 and 1980, warning screens showed hundreds and hundreds of Soviet ballistic missiles heading toward North America. One document, a set of notes by William Odom, the military assistant to National Security Advisor Zbigniew Brzezinski, raised questions whether Odom actually called Brzezinski in the middle of the night about the possibility that Soviet ICBMs were incoming. That supposed phone call was a major element of the 2012 posting, but Odom's notes on the 3 June 1980 false alarm make the picture murkier. The only certainty is that when Odom spoke to Brzezinski that day, he assured him he had kept the White House "in the loop" during the period of the false alarm. The false alarms themselves prompted major efforts to ensure in future that computers would not generate mistaken information that could trigger a nuclear war. In today's world, where more medium-size to great powers, such as North Korea and China, either have ICBMs or are testing them, the potential for false alarms is growing.



**April 2020:** On **April 6**, the Archive reached a milestone—publishing its 700<sup>th</sup> E-book of important declassified documents obtained through our FOIA requests and archival research. "CIA Covert Operations: The 1964 Overthrow of Cheddi Jagan in British Guiana", edited by John Prados and Arturo Jimenez-Bacardi, came nearly 25 years after Bill Burr posted our first E-book, "The United States, China and the Bomb" in January 1996. These postings are a fundamental part of the Archive's mission to expand and enhance public discourse on U.S. foreign, intelligence, and economic policy by making available primary sources in a permanent open access format. Because of their timeliness they routinely generate "front page impact" in the media.



On **April 10** the Archive Public Policy director Lauren Harper and Freedom of Information Act Coordinator Wendy Valdes published "When and How to Submit FOIA Requests During Covid-19" after detecting enormous variations among the agencies' FOIA operations in responding to the pandemic. Some (such as the FBI) practically shuttered their FOIA processing, refusing to accept requests by e-mail. Others (like the State Department) kept some processing moving but predicted significant delays, especially on reviewing classified documents, which they declared could not happen remotely given their antiquated systems.

**May 2020:** On **May 15** Archive Russia Programs staff published "Top Secret Chernobyl: The Nuclear Disaster through the Eyes of the Soviet Politburo, KGB, and U.S. Intelligence. Volume 2"—the second installment of the Archive's documentation series focusing on Chernobyl evidence. The new installment, publishing a number of internal Soviet records for the first time in English, showed that the Politburo knew as early as July 1986 that the design of the Chernobyl reactor was at fault in the deadly explosion the previous April, and that the accident was not just the result of errors by reactor staff. Head of the investigative commission



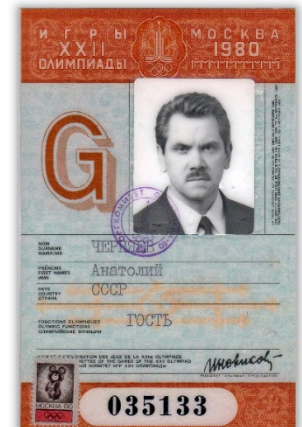
Boris Shcherbina specifically identified the RBMK reactors as “potentially dangerous” and gave a deeply critical analysis of conditions throughout the Soviet nuclear power industry. Other important documents included the initial analysis of radioactive contamination in Sweden, which was the first signal internationally of the accident; and early signs of domestic Soviet opposition to the culture of secrecy surrounding information about the accident. The posting was covered extensively, notably by Italian media including *La Repubblica*, *Agencia Giornalistica Italia* and *Le Figaro*.



On **May 18** the 2<sup>nd</sup> Circuit Court of Appeals ruled against the National Security Archive, CREW, and Knight Institute lawsuit to restore routine disclosure, under the Freedom of Information Act (FOIA), of the White House visitor logs that were taken down by the Trump administration in early 2017. The 2<sup>nd</sup> Circuit’s 22-page ruling concentrated on the ostensible intrusion on a president’s ability to receive

confidential advice and the supposed burden of using FOIA’s regular exemptions to process the logs for release, while never acknowledging that the Obama White House routinely published its visitor logs some 90 days after the fact – some six million records in all – with no apparent hindrance on presidential activity. The ruling highlighted severe weaknesses in the Federal Records Act – which apparently does not preclude a president from converting agency records into presidential ones not covered by FOIA through the simple expedient of a memo of understanding – and in the Presidential Records Act, which provides extremely limited forms of external review for White House record-keeping and the lack thereof.

On **May 25** the Archive published the 14<sup>th</sup> installment of the diary of Anatoly S. Chernyaev—marking what would have been the 99<sup>th</sup> birthday of the former chief foreign policy aide to Gorbachev and leading architect of *perestroika*. The new diary installment for 1980 was translated into English by the Archive’s Anna Melyakova and edited by Archive Russia Programs Director Svetlana Savranskaya. At the time of the writing, Chernyaev was Deputy Director of the International Department of the Central Committee responsible for the International Communist Movement (ICM) and fraternal parties. The diary traces the further decline of the top Soviet leadership, the emergence of strikes and other labor unrest in the Soviet Union in the midst of a deteriorating economy, and the dark cloud of two invasions—one that had already happened (Afghanistan), and one that Chernyaev fears might happen (Poland).

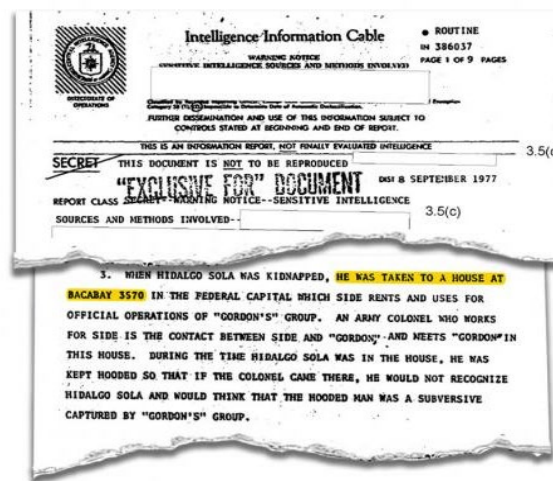


**June 2020:** In June, Archive staff published a couple of E-books especially resonant with current events. An updated reformulation of a document exhibit on the 31st anniversary of the Tiananmen Square massacre (June 4) showed that U.S. officials quickly realized the Chinese military had carried out a massacre ordered by top leaders who feared the public expression of dissent could threaten Communist Party rule. Adding a new and unsettling salience to those materials were the events in the United States following the May 25 murder of George Floyd in Minneapolis. Stuningly, the prospect of military action against dissent in our own country took a step closer to

reality when elements of the U.S. military were used against peaceful protesters in Lafayette Park on June 1 to clear space for a presidential photo-op. A second Archive E-book touched on an equally sensitive subject—publishing a newly released version of the infamous Huston Plan, a 1970s Nixon administration scheme for surveillance of protests and infiltration of Black political movements that was too far-reaching even for J. Edgar Hoover and played a part in Richard Nixon’s impeachment.

**July 2020:** On **July 10** Archive Senior Analyst Kate Doyle testified via video at the historic legal proceedings in Spain to hold senior Salvadoran officials accountable for the November 1989 execution of six Jesuit priests by the Salvadoran military. Acting as an expert witness, Doyle authenticated hundreds of declassified U.S. records that had been submitted as evidence against former Vice Minister of Public Security Col. Inocente Orlando Montano. Montano, who quietly left El Salvador in 2001 was discovered by human rights investigators living outside Boston in 2011. He was convicted of immigration fraud and, in November 2017, extradited to Spain to stand trial for his role in the Jesuit massacre. “The U.S. documents provide a strong credibility, and a clear relevance to clarifying the crimes that were committed,” Doyle, informed the court—echoing remarks she made to *The Washington Post* back in March regarding El Salvador’s request for U.S. records on one of the worst massacres in modern Latin American history—the 1981 El Mozote massacre. “There is no doubt that we would find incredibly strong and relevant information related to this case if the U.S. opened up its archives.”

On **July 21** Archive Southern Cone Project Director Carlos Osorio focused attention on a formerly secret CIA cable that led to the discovery of a house on Bacabay Street in Buenos Aires that was used to interrogate and disappear victims after the March 1976 military coup. The clandestine center had been identified after the declassification of thousands of U.S. intelligence records last year, among them a secret CIA report on the disappearance of an Argentine diplomat which stated that he had been kidnapped by agents of the State Intelligence Secretariat (SIDE) and “taken to a house at Bacabay (sic) 3570 in the Federal Capital which SIDE rents and uses for official operations....” “Without the declassification of this document perhaps we would never have been able to identify this clandestine center,” said Albertina Caron, an assistant to Judge Daniel Rafecas. The discovery of the Bacabay facility, she noted, vindicated victims who had described the house of horrors in testimony over the years. “For dozens of survivors,” Caron said, locating the place where they were tortured after more than four decades “has provided a catharsis.” After the discovery of the Bacabay house, human rights advocates stepped up pressure on Argentina’s new president, Alberto Fernandez, to order the declassification of all remaining Argentine intelligence records from the period of dictatorship.





Also, on **July 21** Archive Senior Analyst Bill Burr posted newly released documents relevant to recent debates over U.S. nuclear weapons in Western Europe and the delicate issues surrounding the creation and management of the nuclear stockpile in Europe. The documents revealed that in the 1950s, when fear of Soviet military power was at its height, NATO allies like West Germany and Italy were remarkably compliant to U.S. wishes regarding the storage of nuclear armaments on their soil – and ultimately their potential use in a European war. The governments in Bonn and Rome made no objections when Washington came calling and did not even pose questions about when or how the weapons might be used. France, on the other hand, raised very different concerns. In one important new document reporting on a sensitive North Atlantic Council meeting from October 1960, the Greeks wondered whether the Americans would consult with their allies before resorting to nuclear war, while the French, who wanted their own *force de frappe*, told the group their worry was

Washington might not use their weapons at all in a crisis. Along with allied perspectives, the documents describe inter-agency disputes between State and Defense over issues such as whether to grant certain allies' custody over the weapons.

On **July 27** the Archive and its publishing partner ProQuest added a 55<sup>th</sup> documentation set to the Digital National Security Archive (DNSA) series entitled *The President's Daily Brief: Nixon, Ford, and the CIA, 1969-1977*, offering researchers an unparalleled look into daily intelligence briefings provided to the White House by the CIA from 1969 to 1977. The new, comprehensive 28,300-page collection adds 2,527 documents to the DNSA's ongoing collection of PDB records, which are Top Secret documents containing the most current and significant intelligence information the CIA believes the President needs to know. The PDB is so sensitive that CIA Director George Tenet once claimed it could never be released for publication “no matter how old or historically significant it may be,” and former White House Press Secretary Ari Fleischer described it as “the most highly sensitized classified document in the government.” The new publication complements the already substantial Archive collections from the Nixon-Ford era including “*The Kissinger Transcripts: A verbatim Record of U.S. Diplomacy, 1969-1976*”, “*The Kissinger Telephone Conversations: A verbatim Record of U.S. Diplomacy, 1969-1977*”, and “*The Kissinger Conversations, Supplement: A Verbatim Record of U.S. Diplomacy, 1969-1977*”.



### *The President's Daily Brief*



**August 2020:** On **August 4**, marking the 75th anniversary of the atomic bombings of Hiroshima and Nagasaki, the Archive's Nuclear Vault updated and reposted one of its most popular e-books of the past 25 years. While U.S. leaders hailed the bombings at the time and for many years afterwards for bringing the Pacific war to an end and saving untold thousands of American lives, that interpretation has since been seriously challenged. Moreover, ethical questions have shrouded the bombings which caused terrible human losses and in succeeding decades fed a nuclear arms race with the Soviet Union and now

Russia and others. Three-quarters of a century on, Hiroshima and Nagasaki remain emblematic of the dangers and human costs of warfare, specifically the use of nuclear weapons. Since these issues will be subjects of hot debate for many more years, the Archive has committed to refreshing and expanding its compilation of declassified U.S. documents, translated Japanese records, and other relevant materials.

On **August 20**, Archive Southern Cone Project Director Carlos Osorio provided two hours of remote testimony introducing and authenticating 83 documents submitted as evidence before judges in the “Contraofensiva” tribunal oral federal 4 de San Martin, Buenos Aires Province. Osorio and a team of student interns from Swarthmore and William and Mary colleges assisted the prosecution in searching through thousands of DOS, CIA, FBI, and DOD records from the Argentina Declassification Project—a U.S. government effort to identify and provide documentation related to human rights abuses committed under Argentina’s dictatorship to the government of Argentina. The submitted records related to 100s of disappeared victims, helping to clarify their fate and showing there was a policy of torturing and disappearing Montonero subversives sanctioned at the highest levels of the Argentine government and military forces.



On **August 31**, following the arrest of former President Alvaro Uribe in a case linking him to a feared paramilitary bloc, Archive Senior Analyst Michael Evans posted documents revealing new details about his suspected links to narcotraffickers and the paramilitary groups who called him “El Viejo.” One memo from 2004 shows that a top Pentagon deputy told Secretary of Defense Donald Rumsfeld that “Uribe

almost certainly had dealings with the paramilitaries” during the period at issue in the current case. The document was the first declassified evidence available showing that concerns about Uribe’s presumed paramilitary ties reached the highest levels of the Defense Department. Another highlight was a cable from 1997 describing a Colombian congressman’s view of the paramilitary situation in eastern Antioquia and “the web of relationships” between then-governor Uribe, “landowners, paramilitaries, and guerrillas.” The congressman said Uribe, himself a rancher, had ties to other landowners in the area who “pay paramilitaries to go after guerrillas.” The documents, featured in the Associated Press and elsewhere, left Uribe’s legacy hanging somewhat in the balance.

**September 2020:** On **September 11** in a long-awaited ruling, the National Court of Spain convicted a retired Salvadoran military colonel for acts of state terrorism and murder in the assassination of six Jesuit priests, their housekeeper and her teenaged daughter more than thirty years ago. The Tribunal, presided by lead judge José Antonio Mora Alarcón, found retired Colonel Inocente Orlando Montano “guilty ... of five counts of murder of a terrorist nature.” The historic judgement marked the culmination of decades of work by the families of the victims, the Jesuit community, lawyers, experts, scholars, eyewitnesses, and human rights organizations in the United States and in El





Salvador. "These cases send a universal message to the torturers, the murderers in repressive regimes that the world is watching," said Archive Senior Analyst, Kate Doyle, who testified at the Madrid trial. "Montano's conviction demonstrates anew that there are countries, lawyers, organizations, and victims who make up a community of human rights advocates who are going to find them and bring them to justice."

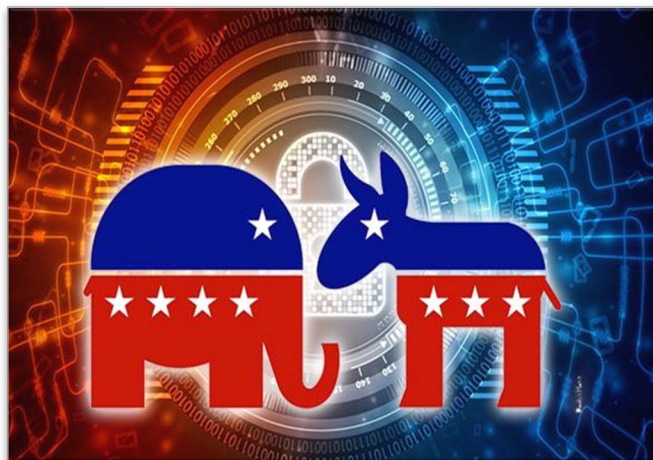
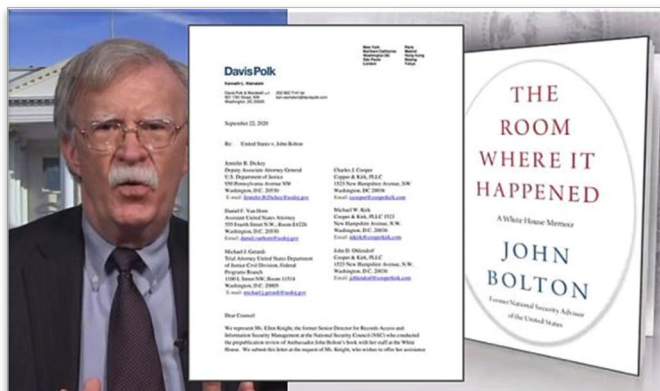
# Reveal

from The Center for Investigative Reporting

Archive has sent a total of 140 FOIAs to eleven federal agencies. These requests cover the full scope of the crime and its aftermath, including the attacks, the botched "investigation" that followed, the cover-up, key institutions and individuals, and ongoing developments. Of the 140, only six have resulted in the release of documents—all either heavily redacted or consisting of nothing more than news articles. The Archive is pursuing legal action based a pattern of stonewalling across agencies.

On **September 24**, the Archive helped draw attention to a lesser-known but chronic problem of government accountability—the prepublication review process—when it posted a series of court filings and provided some historical perspective on White House attempts to block former National Security Adviser John Bolton's book, *The Room Where it Happened*. The court records related to the work of former NSC official Ellen Knight, who spent months reviewing Bolton's manuscript and determining that it no longer contained classified information—only to be overruled by a subsequent, secret review conducted by a Trump political appointee with no experience with the prepublication review process. Whatever one's views of the book's author in this case, the dangers of politicizing the process are substantial and part of a broader pattern of government agency practices over the years that has recently resulted in lawsuits and wide criticism by former officials whose manuscripts are unreasonably caught up in the problem.

In **September**, the Archive announced a new collaboration with reporters and lawyers at Reveal from The Center for Investigative Reporting to bring legal action against U.S. government agencies for their refusal to release information about the tragic 2014 disappearance of 43 teacher trainees from the Ayotzinapa School in Mexico. Since 2015, the



**October 2020:** On **October 26**, in the lead-up to the U.S. presidential election, Cyber Vault Fellow Cristin Monahan (who joined the Hewlett-funded project earlier this year) posted an issue-by-issue comparison of presidential campaign cyber platforms looking at offensive and defensive strategies, data privacy, net neutrality, election cybersecurity, and expanding broadband access. A direct comparison of issues was actually not possible as the Republicans simply reaffirmed their 2016 convention platform rather than compiling and formulating a new one. Despite the polarization of the two parties, both agreed overall on investing in new technologies and

the IT workforce, but the difference was in the details of how to go about it. *Politico's Weekly Cybersecurity* and *Inside Cybersecurity* featured the report and Monahan was interviewed in *CIO Dive*.

On **October 27**, Archive Director of Public Policy and Open Government Affairs Lauren Harper posted an update to the Archive's March 2020 audit showing the Trump administration doubling down on secrecy in the lead-up to the presidential election. This was evidenced in a further timeline of 2020 disclosure decisions, notably silencing the special pandemic inspector general; skirting oversight of the award of COVID-19 vaccine contracts through a third-party defense management firm not subject to public records laws; keeping names of businesses receiving more than \$500 billion in COVID-19 Paycheck Protection Program loans secret; continually fighting to keep President Trump's personal tax returns secret; and deploying unidentified federal officers against civil rights protesters.



**November 2020:** On **November 3** Peter Kornbluh capped off a series of four E-books marking the 50-year anniversaries of Salvador Allende's election as president of Chile, Nixon's directive to pre-emptively block Allende from assuming office, the fatal CIA-backed attack on General Rene Schneider, and Allende's inauguration and the Nixon administration's determination to destabilize his ability to govern. The posted documents revealed the reaction of U.S. officials to the first democratic election of a Socialist leader in Latin America and set in motion a furious effort, ordered by President Nixon, supervised by his national security adviser, Henry Kissinger, and implemented by the CIA, to destabilize Chile and

undermine Allende. That effort set the stage for the military coup led by General Augusto Pinochet on September 11, 1973. All four E-books were translated into Spanish and posted on the web site of CIPER-Chile, a leading investigative media web site in Santiago. The Spanish-language newspaper *El Pais* featured the documents as a lead story on their homepage and in their paper edition. *Foreign Policy* also featured one of the E-book documents as its Document of the Week (October 29), comparing Nixon and Trump's regime change efforts.

On **November 17** Archive Public Policy director Lauren Harper posted "How President-Elect Biden Can Improve FOIA and Bolster the Presidential Records Act Against Future Abuse"—a series of recommendations and sustained actions that the Biden administration could undertake on Day One to re-institute transparency across the government. Immediate steps like resuming publishing the White House visitor logs and declassifying the entirety of the Mueller report, coupled with long-term commitments to working with Congress, addressing rampant overclassification, and incentivizing proactive declassification, would go a long way to promoting transparency from the nation's highest office. The posted recommendations, along with many others, were discussed in greater detail in Open The Government's *Accountability 2021 Initiative*. The Archive was proud to be among the 40 organizations and experts who helped draft a reform agenda for the Biden Administration.



**December 2020:** On **December 1**, the Archive, the Society for Historians of American Foreign Relations (SHAFR), the American Historical Association, and CREW filed suit against President Trump in his official capacity, seeking to enforce the Presidential Records Act and prevent any destruction of records during the presidential transition. The lawsuit cited the inadequacy of current White House policies that only required a screenshot of instant messages to be saved, preserving only the graphic content, when the law (as amended in 2014) requires "a complete copy" to be preserved, including digital links and attachments. "Presidential records are always at risk because the law that's supposed to protect them is so weak and depends on good faith, which is currently lacking," said Archive Director Tom Blanton. "The Archive, historians, and CREW are suing to put some backbone in the law, save complete copies of all those instant messages, and prevent any bonfire of records in the Rose Garden." The lawsuit was widely covered in media outlets including the *Sunday Independent*, *Business Insider*, *The Washington Post*, and *The New Yorker*, and NPR's 1A program interviewed Blanton. On December 7, Justice Department lawyers representing the White House assured federal district judge Ketanji Brown Jackson that the Archive's lawsuit had resulted in a full "litigation hold" covering all White House records for the duration of the transition.



On **December 9** Archive Senior Analyst Michael Evans posted a series of documents describing growing internal U.S. warnings about the vital need to properly vet officials in Mexico involved with the multi-billion-dollar Mérida initiative—a wide-ranging U.S. aid program begun in 2007 to fight organized crime and narco-trafficking. Instead, some of the most senior and trusted counter-narcotics officers in Mexico appear to have not only raked in millions of dollars in bribes but leaked highly sensitive intelligence to the very drug cartels they were supposed to combat and now face trial in the United States. The documents, obtained largely through FOIA, are a revealing window into the complexities of managing a major, sensitive U.S. aid program. They also

have direct salience for Mexico today as the legal and diplomatic issues surrounding the prosecutions of key former Mexican officials not only threaten to undermine Mérida's legacy but have serious implications for efforts to investigate and defend against human rights abuses by elements within the Mexican government. Numerous media outlets covered the posting in Mexico including *Reforma*, *El Universal*, *Periodico* and *Politico.mx*.

On **December 18** the Archive and its publishing partner ProQuest added a 56<sup>th</sup> documentation set to the Digital National Security Archive (DNSA) series titled "Donald Rumsfeld's Snowflakes, Part I: The Pentagon and U.S. Foreign Policy, 2001-2003." "Snowflakes" is the term given to the missives that became the controversial Secretary of Defense's trademark form of daily communication. The memos in this collection are mostly never-before-seen material that offers an unprecedented look into nearly everything that came across Rumsfeld's desk. The 20,975-page collection will provide researchers with almost an hour-by-hour account of the SecDef's office during the first term of Bush-43, from 2001 to 2003. It includes material that was circulated in the Pentagon in the days following 9/11, handwritten notes from the Guantanamo Bay Detention Camp, documents from the hunt for bin Laden, the Secretary's communications with the CIA, and records regarding legal controversies surrounding Guantanamo, all leading up to and through the invasion and occupation of Iraq in early 2003. The Archive got access to the snowflakes only after litigation with the Department of Defense under FOIA



(with pro bono assistance from the law firm of Skadden Arps). Their news and historical value has already been highlighted by the fact that they featured prominently in the *Washington Post*'s massive exposé on the Afghanistan war, "The Afghanistan Papers." Part II of the collection, which covers the later years of Rumsfeld's tenure from 2004 to 2006, will be published in 2021.

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