RELEASE IN FULL

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The Honorable Hillary Rodham Clinton
Secretary of State
Office of the Secretary
United States Department of State
Harry S. Truman Building
2201 C Street, N.W., Room 7226
Washington, DC 20520

Dear Hillary:

You were generous with your time in Munich. I am very grateful that you are taking time out to help with my documents. As you suggested, let me sum up the issues.

In our previous meeting on this subject, I understood Undersecretary Pat Kennedy and Deputy Assistant Secretary Peggy Grafeld to say that the Department had already reviewed and declassified most of the documents from my time as Secretary. Therefore, I asked Jeff Smith of Arnold & Porter who has represented me on this issue for many years to follow up with Pat and Ms. Grafeld. He has done so, and I now have a better understanding of why the papers in my collection have not yet been declassified and why I take the liberty of asking you for help.

Throughout my period in office, I had copies made of cables that came across my desk and the Presidents. As I was leaving office, with the approval of the Legal Adviser, I had copies made of the key documents to donate to the Library of Congress because they constituted a unique record of a critical period in American foreign policy. No original documents were involved; the originals remained in the State Department files. Most of the documents in that collection were classified at the time of the donation. About a decade ago, when I wanted the collection declassified so scholars could access them, I contributed $150,000 for them to be digitized and placed on the "RAC", which is the technology used by the National Declassification Center to manage the declassification of documents that have been retired or are in the Presidential libraries. I was assured that paying to have my documents placed on the RAC would accelerate the declassification process. That has clearly not happened.

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There are, in fact, two categories of documents: (1) A group of undetermined size still under the control of the Department; and (2) A large group which, as I understand it, has been retired to the National Archives. Prior to their retirement, the documents were reviewed by State and most were declassified. However, some sensitive documents, which presumably include a portion of the documents that I had copied and donated to the Library of Congress, were still classified at the time they were retired. As a result documents that have already been declassified need to be declassified again in some kind of verification process.

The reason that my documents on the RAC must be reviewed by State, and the other agencies, is because they are still technically marked as classified even though another batch was declassified before. Therefore, until the Department physically reviews, one more time, a particular document and determines that it may be declassified or compares it to the original and confirms that it was previously declassified, the document must be regarded as still classified. It is a perfect Catch-22 situation.

In our meeting, Pat Kennedy said the Department did not have the resources to review all these documents a second time. In that case, they will remain classified forever – weirdly, even the tens of thousands of documents in my files already published by the History Series of the State Department on India-Pakistan, my conversations with Dobrynin and others. I therefore am requesting that the Department promptly review my documents on the RAC that have been referred to them by the National Declassification Center to confirm which ones have already been declassified during the first go-around as well as those already used in official State Department publications. Because the documents are at least 35 years old it is hard for me to imagine that more than a handful should remain classified. Indeed, it is likely that the vast bulk of the documents have already been declassified at one stage or another.

Let me show you the magnitude of the problem. Jeff Smith has been advised by the National Declassification Center that, of the 559,679 pages I donated and are on the RAC, the State Department has responsibility to review 259,402 pages. Of that total, the Department has declassified only three pages (yes, three) that are ready for public release. By contrast, the CIA has responsibility for 141,265 pages and has reviewed and declassified 46,447 pages that are ready for public release. CIA has also referred 89,799 pages to other agencies, including State, for review and possible declassification. Other agencies, including the NSC, OSD, JCS and NSA are also reviewing pages, but many fewer. The record makes clear that the vast bulk of my papers are the responsibility of State. The pace of declassification of these papers by the Department is maddeningly—and disproportionately—slow. I would call it non-existent.

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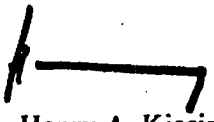
A direct order from you is necessary to assure that resources will be devoted to the prompt review and declassification of my papers still at State and a review of the documents on the RAC, which have been declassified. Issues of resources can be addressed by Yale or, if necessary, me.

My interest is to have these documents available for scholars and other interested researchers either at the Library of Congress or at Yale University. And, if it does not happen before the actuarial table catches up with me, they may remain classified forever. These papers are a record of a significant time in our recent diplomatic history. It would be a great pity if they are not released to the public so that historians may draw upon them.

With warm personal regards.

Sincerely,



Henry A. Kissinger

I greatly admire the skill and aplomb with which you conduct our foreign policy

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