Extent

179 folders, approximately 9,147 pages

Summary

This collection consists of materials regarding the Intelligence Oversight Board's June 1996 Report on the Guatemala Review. In response to March 1995 allegations of a connection between the CIA and human rights abuses in Guatemala, President Clinton instructed the Intelligence Oversight Board (IOB), a branch of the President's Foreign Intelligence Advisory Board (PFIAB), to conduct a government-wide review. The collections contains copies of the final report, as well as memoranda, correspondence, and cables regarding the investigations. These records also relate to instances of humans rights abuse against American citizens or their relatives including: the murder of Michael Devine, the disappearance of guerilla leader Efrain Bamaca, the kidnapping on Sister Dianna Ortiz, the disappearance of journalists Nicholas Blake and Griffin Davies, and the death of archaeologist Peter Tiscione.

Scope and Content Note

The materials in FOIA 2006-1025-F are a selective, not necessarily all-inclusive body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. In March 1995, State Department official Richard Nuccio told Representative Robert Torricelli of a connection between a CIA informant and the murder American citizen Michael Devine and the disappearance or capture of guerilla leader Efrain Bamaca Velasquez, the husband of American lawyer Jennifer Harbury. Congressman Torricelli wrote to President Clinton, who consequently instructed the Intelligence Oversight Board (IOB), a branch of the President's Foreign Intelligence Advisory Board (PFIAB), to conduct a government-wide review in response to these allegations. The IOB investigated numerous instances of human rights abuses in Guatemala against American citizens or relatives of American citizens. In addition to the Devine murder and Bamaca disappearance, other more

publicized cases covered in this review were the kidnapping and torture of American Ursaline nun Sister Dianna Ortiz, the disappearance of American journalists Nicholas Blake and Griffith Davies, and the death of American archeologist Peter Tiscione. The report, published in June 1996, stated that the Board did not find evidence of direct United States government involvement in human rights abuses, but did make numerous reccomendations to the intelligence community for improvement of its procedures for addressing human rights issues and keeping Congress informed. It should be noted that many of the documents responsive to this FOIA request have been closed for national security reasons. The White House Office of Records Management (WHORM) contains documents regarding the IOB report. The subject code for materials regarding Guatemala, CO068, consists of letters from individual citizens, organizations, and members of Congress expressing concerns about human rights abuses in Guatemala, communicating support for the IOB review, and urging the declassification and release of all documents related to U.S. involvement in Guatemala. It should be noted that Scan ID 174269SS in this subject code was processed with FOIA request 2006-1019-F. Subject codes FE010 , FE010-01, FG006-11, FG006-15, HU, HU013-70, and ND011-01 also contain correspondence from members of Congress and organizations requesting the declassification of documents regarding the U.S. presence in Guatemala, including the full IOB report. The White House Staff and Office files contain correspondence, memoranda, publications, research materials, and speeches maintained by individual offices and staff members. In the Correspondence office, drafts of the form letter response from the President and the First Lady to individuals writing about the IOB review are located in the files of Trudy Roddick. The files of the Publications office contain three copies of the publicly released version of the Report on the Guatemala Review. Most of the materials responsive to this FOIA are found in the papers of the National Security Council. In the Intelligence Programs Office, the files of Don Mitchell and Bruce Pease contain relevant documents. Mitchell’s files include memoranda and correspondence regarding previous FOIA and Privacy Act requests for documents related to human rights abuses in Guatemala and materials regarding interagency meetings on the IOB’s review. Pease’s files contain press guidance and other records regarding the specific cases covered in the IOB report. A large portion of the documents in this series have been withdrawn for national security reasons. The majority of the responsive material in the National Security Council’s papers is located in the files of the Inter-American Affairs office. These records include press materials regarding cases and issues associated with the IOB report; reports, papers,

and released documents on the individual cases addressed in the report and on the human rights situation in Guatemala, several copies of the memorandum discussing the Terms of Reference for the IOB's review, transcripts of the open Senate Select Committee on Intelligence (SSCI) hearing on human rights abuses in Guatemala in April 1995, and memoranda regarding interagency cooperation on the review and related FOIA and Privacy Act requests. In addition, the files of the Inter-American Affairs office contains a large body of correspondence from members of Congress, human rights and open government organizations, victims of Guatemalan human rights abuses, and concerned citizens. The files of National Security Council Deputy Legal Advisor James Baker also hold the aforementioned types of documents, in addition to pertinent court rulings and minutes from the interagency working group meetings on issues related to the IOB review. In the Staff Director's Office, Deputy Assistant to the President for National Security Affairs, Nancy Soderberg's files also contain responsive records. These include press materials regarding the IOB review and Guatemala human rights cases, memoranda and agendas for interagency meetings regarding the release of documents related to these cases and implementation of the IOB's recommendations, released copies of those documents, a copy of the publicly released IOB Report on the Guatemala Review, and pertinent correspondence. The Automated Records Management System (ARMS) Emails responsive to this FOIA primarily consist of press statements, briefings, and articles concerning the IOB review or the human rights cases involved. There are also a few emails on the topic from concerned citizens. Responsive material may also be found in the NSC Cables, Emails, and Records Management Systems (RMS). The NSC Cables consist of press guidance on issues related to the IOB report. The NSC Emails contain draft talking points, press guidance, memoranda, correspondence, meeting minutes, and discussions on the IOB review. The NSC Records Management System (RMS) contains correspondence with members of Congress, human rights organizations, and concerned citizens regarding the IOB Report on the Guatemala Review.

Biographical Note

The President's Foreign Intelligence Advisory Board (PFIAB) was created by President Dwight Eisenhower in 1956. Executive Order 10656, signed February 6, 1956,

created the President’s Board of Consultants on Foreign Intelligence Activities. Eisenhower believed that this board of respected and knowledgeable citizens could provide him with unbiased and candid appraisals of United States’ intelligence activities. President John Kennedy, by the signing of Executive Order 10938 on May 4, 1961, renamed the Board of Consultants, the President’s Foreign Intelligence Advisory Board. Though the name was changed, the board continued to operate in much the same fashion. Executive Order 11460, signed by President Richard Nixon on March 20, 1969, again changed the name of the PFIAB to the President’s Advisory Intelligence Board. President Jimmy Carter abolished the board in March of 1977. Carter did, however, retain the Intelligence Oversight Board. The IOB was created by President Gerald Ford in 1976 following a post Watergate investigation by Congress into potential illegal activities of the intelligence agencies. The IOB was tasked with reporting potential illegal activities to the Department of Justice for review. As Ford told Congress in 1976, “I believe [the changes] will eliminate abuses and questionable activities on the part of the foreign intelligence agencies while at the same time allowing them to get on with their vital work of gathering and assessing information.” President Ronald Reagan modified the role of the IOB in 1981 and re-established the PFIAB in 1985 by signing Executive Order 12537. President William Jefferson Clinton combined the IOB and the PFIAB, making the IOB a committee rather than an independent organization. President George W. Bush radically modified the role of both the IOB and the PFIAB following the creation of a Director of National Intelligence. The newly named President’s Intelligence Advisory Board was designated to oversee the intelligence collection activities of any Federal agency engaged in the collection of intelligence or the production of intelligence policy. President Barack Obama more clearly defined the role of the PIAB and strengthened the IOB with the passage of Executive Order 13516. Under President Clinton the PFIAB had between eleven and twelve members, by law it could be no more than sixteen, whose terms were established by the President. Members were chosen for their independence, knowledge, and experience. The members of the President’s Intelligence Advisory Board serve as unpaid observers of the United States intelligence community. Much of their work is highly secret in nature though Presidents have chosen on occasion to make the Board’s reports, or portions thereof, public. The members of the Board are appointed by the President and the Director serves at the leisure of the President.

Executive Order (E.O.) 12863, signed by President Clinton on September 13, 1993, rechartered the Intelligence Oversight Board (IOB) to be a standing committee of the President's Foreign Intelligence Advisory Board (PFIAB). Under E.O. 12863, the IOB consisted of four members of the PFIAB selected by the chairman of the PFIAB. In December 1997, E.O. 13070 amended E.O. 12863 by stating the four PFIAB members to serve as IOB members would be designated by the President. Being members of the PFIAB, members of the IOB were considered to be trustworthy and distinguished individuals from outside the government who were selected on the basis of achievement, experience and independence. While some members of the IOB had experience in the intelligence field, such experience was not a prerequisite. The PFIAB's overall mission was to assess the quality, quantity and adequacy of intelligence collection, analysis and estimates, as well as issues relating to counterintelligence, and provide advice to the President. The IOB's more focused mission was to prepare reports to the President of intelligence activities which the IOB believed to be unlawful, or contrary to Executive order or Presidential directive and forward reports concerning such intelligence activities to the Attorney General. The IOB also had authority to conduct not just reviews but investigations as it deemed necessary to carry out its functions

Record Type

Textual

System of Arrangement

Records responsive to this FOIA request were found in these collection areas: Clinton President Records: WHORM Subject Files, Clinton Presidential Records: White House Staff and Office Files, Clinton Presidential Records: Automated Records Management System (ARMS) Emails, and Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Subject file was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. Staff and Office files were maintained at the folder level by staff

members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential email. The ARMS dataset is comprised of 6 sub-series of email records called “Buckets.” The buckets include NPR, OPD, POTUS, WHO, CEA, and Default. ARMS emails are arranged chronologically by creation date. FOIA 2006-0651-F includes WHORM records from these subject codes: CO068 Guatemala, Republic of FE010 Records and Archives FE010-01 Deaths- Funerals FG006-11 Central Intelligence Agency FG006-15 President’s Intelligence Oversight Board HU Human Rights HU013-70 Latin-American- Hispanics ND011-01 Classified Information.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 USC 2201) and the Freedom of Information Act (FOIA) (5 USC 552, as amended) and therefore may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 USC, 101) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s Presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Organization Names

United States. Intelligence Oversight Board
United States. President's Foreign Intelligence Advisory Board
United States. Central Intelligence Agency

Geographic Place

Guatemala

Processed by

Staff Archivist, 2010. Previously restricted materials are added as they are released.

Last Modified Date

2014-07-16

Container List

The following is a list of documents and folders processed in response to FOIA 2006-1025-F:
Box 1
Clinton Presidential Records: WHORM Subject Files
Category Case Number
CO068 Scanned: 084551
CO068 Scanned: 103870

CO068 Scanned: 115815
CO068 Scanned: 117241SS
CO068 Scanned: 133166
CO068 Scanned: 133233
CO068 Scanned: 159101SS
CO068 Scanned: 161583SS
CO068 Scanned: 165082
CO068 Scanned: 165216
CO068 Scanned: 166906SS
CO068 Scanned: 172936SS
CO068 Scanned: 174113
CO068 Scanned: 174269SS
CO068 Scanned: 176834SS
CO068 Scanned: 184377SS
CO068 Scanned: 219170SS
CO068 Scanned: 243907SS
FE010 Scanned: 168307
FE010 Scanned: 207744
FE010-01 Scanned: 106438
FE010-01 Scanned: 106621
FE010-01 Scanned: 159096
FE010-01 Scanned: 168452
FE010-01 Scanned: 172041
FE010-01 Scanned: 199501
FG006-11 Scanned: 134236
FG006-15 Scanned: 176204
HU Scanned: 237798
HU013-70 Scanned: 105610
ND011-01 Scanned: 156933
Clinton Presidential Records: White House Staff and Office Files
Correspondence
Trudy Roddick
[P-2011 Concern Re Human Rights in Guatemala, Revisions: May 3, 1995, June 5, 1996,
September 10, 1996] [OA/ID 19962]
[P-2011HRC Concern RE: Human Rights in Guatemala (HRC Version), Revisions: None] [OA/ID 19962]

Publications Office
Report on Guatemala Review (06/28/96) [1] [OA/ID 8694]
Report on Guatemala Review (06/28/96) [2] [OA/ID 8694]
Report on Guatemala Review (06/28/96) [3] [OA/ID 8694]
Clinton Presidential Records: White House Staff and Office Files (continued)
National Security Council
Intel-Mitchell
IOB [Intelligence Oversight Board] Guatemala [1] [OA/ID 3566]
Box 2
IOB [Intelligence Oversight Board] Guatemala [2] [OA/ID 3566]
Intel-Pease
Documents on Ortiz, Blake, Davis & Shelton [1] [OA/ID 2520]
Documents on Ortiz, Blake, Davis & Shelton [2] [OA/ID 2520]
Guatemala – Human Rights Cases Book [1] [OA/ID 2520]
Guatemala – Human Rights Cases Book [2] [OA/ID 2520]
Guatemala – Human Rights Cases Book [3] [OA/ID 2520]
Guatemala – Human Rights Cases Book [4] [OA/ID 2520]
Guatemala – Human Rights Cases Book [5] [OA/ID 2520]
Inter-American Affairs
Guatemala, 1995 [1] [OA/ID 763]
Box 3
Guatemala, 1995 [2] [OA/ID 763]
Guatemala, 1995 [3] [OA/ID 763]
Guatemala, 1995 [4] [OA/ID 763]
Guatemala, 1995 [5] [OA/ID 763]
Guatemala, 1995 [6] [OA/ID 763]
Guatemala, 1995 [7] [OA/ID 763]
Guatemala – Alpirez, 1995 [Empty] [OA/ID 763]
Guatemala – Bamaca, 1995 [1] [OA/ID 763]
Box 4
Guatemala – Bamaca, 1995 [2] [OA/ID 763]
Guatemala – Bamaca, 1995 [3] [OA/ID 763]
Guatemala – Devine, 1995 [OA/ID 763]
Guatemala – Harbury, 1995 [1] [OA/ID 763]
Guatemala – Harbury, 1995 [2] [OA/ID 763]
Guatemala – Harbury, 1995 [3] [OA/ID 763]
Guatemala – Human Rights Cases, 1995 [OA/ID 763]

Guatemala – Intelligence Oversight Board, 1996 [1] [OA/ID 976]
Box 5
Guatemala – Intelligence Oversight Board, 1996 [2] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [3] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [4] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [5] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [6] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [7] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [8] [OA/ID 976]
Guatemala – Intelligence Oversight Board, 1996 [9] [OA/ID 976]
Guatemala – Human Rights Cases, 1996 [1] [OA/ID 976]
Box 6
Guatemala – Human Rights Cases, 1996 [2] [OA/ID 976]
Guatemala – Human Rights Cases, 1996 [3] [OA/ID 976]
Guatemala – Human Rights Cases, 1996 [4] [OA/ID 976]
Clinton Presidential Records: White House Staff and Office Files (continued)
National Security Council
Inter-American Affairs
Guatemala – Human Rights Cases, 1996 [5] [OA/ID 976]
Guatemala – Devine, 1996 [OA/ID 976]
Guatemala – Harbury, 1996 [1] [OA/ID 976]
Guatemala – Harbury, 1996 [2] [OA/ID 976]
Box 7
Guatemala – Ortiz, 1996 [1] [OA/ID 976]
Guatemala – Ortiz, 1996 [2] [OA/ID 976]
Guatemala – Ortiz, 1996 [3] [OA/ID 976]
Guatemala – Ortiz, 1996 [4] [OA/ID 976]
Guatemala – Ortiz, 1996 [5] [OA/ID 976]
Guatemala – Ortiz, 1996 [6] [OA/ID 976]
Guatemala – Ortiz, 1996 [7] [OA/ID 976]
Guatemala – Ortiz, 1996 [8] [OA/ID 976]
Legal Advisor-Baker
Guatemala Investigation (File #1) [1] [OA/ID 1954]
Guatemala Investigation (File #1) [2] [OA/ID 1954]
Box 8
Guatemala Investigation (File #1) [3] [OA/ID 1954]
Guatemala Investigation (File #1) [4] [OA/ID 1954]

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Guatemala Investigation (Folder #2) [1] [OA/ID 1517]
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Guatemala Investigation (Folder #2) [10] [OA/ID 1517]
Box 10
Guatemala Investigation (Folder #2) [11] [OA/ID 1517]
Staff Director-Soderberg
Key Guatemala/IOB [Intelligence Oversight Board]/Harbury Bamaca [1] [OA/ID 1404]
Key Guatemala/IOB [Intelligence Oversight Board]/Harbury Bamaca [2] [OA/ID 1404]
Key Guatemala/IOB [Intelligence Oversight Board]/Harbury Bamaca [3] [OA/ID 1404]
Guatemala – Sister Ortiz Case, January 1996 [OA/ID 1404]
Guatemala – IOB [Intelligence Oversight Board] Investigation, 1995-1996 [OA/ID 1404]
Guatemala – Document Declassification, 1996 [OA/ID 1404]
Guatemala – IOB [Intelligence Oversight Board], September 1995 [OA/ID 1404]
Box 11
Clinton Presidential Records: Automated Records Management System (Email)
WHO
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[09/29/1995 – 07/01/1996] [OA/ID 1100000]
NSC
[Intelligence Oversight Board]
[05/28/1996 – 06/12/2000] [OA/ID 1200000]

Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems (RMS)
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Jan 1995 – Dec 1996
[Intelligence Oversight Board and Guatemala…]
[04/01/1995 – 08/09/1996] [OA/ID 510000]
Jan 1997 – Dec 1998
[Intelligence Oversight Board and Guatemala…]
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[04/03/1995 – 04/21/1995] [OA/ID 590000]
[04/28/1995 – 07/18/1995] [OA/ID 590000]
[07/18/1995 – 09/28/1995] [OA/ID 590000]
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[05/06/1996 – 05/10/1996] [OA/ID 590000]
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[06/27/1996] [OA/ID 590000]
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[04/04/1997 – 04/10/1997] [OA/ID 590000]
MSMail – Non-Record (Sept 94 – Sept 97)
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[04/06/1995 – 05/22/1997] [OA/ID 605000]
Clinton Presidential Records: NSC Cables, Emails, and Records Management Systems (RMS)
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NSC Emails
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[Intelligence Oversight Board and Guatemala…]
[10/01/1997 – 11/20/1997] [OA/ID 620000]

Exchange – Non-Record (Mar 97 – Jan 01)
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[11/19/1997 – 02/26/1999] [OA/ID 630000]
NSC Records Management
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9504703 [OA/ID 589]
9506390 [OA/ID 601]
9506633 [OA/ID 602]
9507984 [OA/ID 611]
9508055 [OA/ID 612]
9508126 [OA/ID 613]
9508170 [OA/ID 613]
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9601061 [OA/ID 1086]
9601337 [OA/ID 1088]
9602696 [OA/ID 2333]
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9604912 [OA/ID 1113]
9605826 [OA/ID 1118]
9700091 [OA/ID 1596]
9701447 [OA/ID 1605]
9705967 [OA/ID 1638]