

\$400

Stanton T. Friedman

THE COSMIC WATERGATE

Nuclear Physicist: Stanton T. Friedman

A SA SCIENTIST who worked on highly classified government-sponsored research and development programs for 14 years and who has spent hundreds of hours at 15 different government document archives, I am absolutely convinced that the United States government has been withholding data about UFOs since at least 1947. That was the year when at least two crashed flying saucers were recovered in New Mexico. This does NOT mean everybody in the government knows all about saucers and nobody has talked. Security works on a need-to-know basis with compartmentalization of very highly classified matters. Of course, some people have talked, but without having any confirmatory classified documents to release.

There are many trails leading to exactly the same conclusion. One deals with the role of the National Security Agency (NSA) whose annual "Black" budget (not under congressional control) is at least \$10,000,000,000 according to both the Washington Post and the outstanding exposé book "Blank Check" by Pulitzer prize winning author Tim Weiner.

More than a decade ago a Freedom of Information (FOI) request by Citizens Against UFO Secrecy (CAUS) to the CIA elicited the response that the CIA had no UFO information. An appeal was denied, but a federal court action forced the CIA to do a document search. Eventually they released about 900 pages of mildly interesting UFO items. Clearly, this was the tip of the iceberg since none were classified above SECRET and since there were internal references to many other documents that were NOT released. The CIA has a history of doling out dribs and drabs in the hope that the requester will give up. Of greater importance was the release of a list of 57 UFO documents found in the CIA files but originating with a host of other agencies. These could not be released by the CIA. Of particular interest were 18 UFO documents originating with the NSA.

An FOI request to the NSA for these 18 UFO documents was turned down cold on the grounds of National Security. An appeal was denied and Federal Court action followed. The NSA kept citing the need for protecting the SOURCES and METHODS data protected by law. CAUS kept saying it wanted only the UFO info, NOT the sources and methods data. Federal Court Judge Gerhardt Gesell (Oliver North's Judge) finally requested that the NSA had to search their files. The NSA found 239 UFO documents with

79 originating with other agencies, including 23 from the CIA which had supposedly already done a search. The NSA refused to release 156 of their UFO documents and also refused to allow the judge to review them to determine whether or not National Security was being properly invoked. Instead, the NSA provided Judge Gesell with a 21-page TOP SECRET++ in camera affidavit justifying their withholding of 156 UFO documents. He had a special security clearance to review the document which could not be viewed by the CAUS lawyer.

Judge Gesell was so impressed by the affidavit ~~that~~ he stated "The in-camera affidavit presents factual considerations which aided the court in determining that the public interest in disclosure is far outweighed by the sensitive nature of the materials and the obvious effect on national security their release may well entail." The Federal Court of Appeals agreed with Judge Gesell after being shown the 21-page affidavit. The Supreme Court then refused to hear the case. The copy of the affidavit obtained under FOI is itself 75% blacked out.¹

I filed an FOI request for the 23 CIA documents noted by the NSA. After 35 months the CIA released 9 which were all, believe it or not, press abstracts of Eastern European newspaper articles about UFOs! It refused to release its own 14 UFO documents on that list. I appealed and—two years later—received tiny portions of three documents with the rest being withheld. On one page, everything was blacked out, including the security markings, except for eight words.

Since the primary role of the more than 160,000 employees of the NSA is supposed to be interception and decoding of foreign military communications, it seems clear that the intercepts (all predating 1980) are communications about foreign military UFO sightings. For example, a former NSA employee quietly described to me the monitoring of a daylight encounter between two Cuban Air Force MIG-21 jets and a UFO resulting in the destruction of the lead plane which had intended to shoot down the intruding UFO.

I have, of course, frequently challenged debunker Philip Klass, who maintains

¹1997. The new version is only 20% blacked out! The 156 documents have been released; about 2 lines per page—using whiteout, not blackout....STF.

there cannot be any US Government secrecy about UFOs, to provide copies of any of the TOP SECRET+++ NSA UFO documents or of the CIA documents or even of a less expurgated version of the affidavit....nothing yet in 11 years.

There are many other instances of agencies withholding UFO documents though more than 6000 pages have been released. The United States Air Force Office of Special Investigations (OSI) even instructed its 100+ units NOT to follow official USAF regulations when to an FOI request from me. No rational person can claim that there is no government cover-up. To suggest, as Klass has repeatedly, that because Nixon could not cover up the political Watergate, the US could not cover-up as vital a security matter as intrusion of US air space by advanced alien spacecraft, at least two of which crashed and were recovered in New Mexico, is absurd.

My colleagues and I have now talked to more than 200 persons concerned with the 1947 crashes. A 1992 book "Crash at Corona," by Don Berliner and I about these events (Marlowe and Co.) is still available. Not surprisingly, Klass made more than 20 factual mistakes in a three-page treatment of the crashes in a debunking book. He had not been to Roswell nor talked to any of the witnesses. The theme song of debunkers is "Don't bother me with facts, my mind is made up." Yes, Virginia, there really is a Cosmic Watergate.²

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Quality Trade Papers

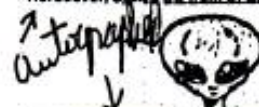
Editor's Note: Readers wanting more information should send a SASE to Stanton Friedman at UFORI, P. O. Box 958, Houlton, ME 04730-0958



Hot Off the Press!
TOP SECRET/MAJIC*

by Stanton T. Friedman (July 1996)

272 Pg., Marlowe and Company, The fascinating story of Operation Majestic-12. Hardcover, \$35.00 US from UFORI, postpaid.



²"Crash at Corona" by Stanton Friedman and Don Berliner \$15.00 US (includes postage) from: UFORI, P. O. Box 958, Houlton, ME 04730-0958 7th printing, 1997.

Stanton T. Friedman

Nuclear Physicist—Lecturer

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Important Quotes about UFOs from Government Documents

1 The Smith Memo

Intra-departmental correspondence from Engineer Wilbert Brockhouse Smith, Ottawa, Ontario, Canada, Nov. 21, 1950, was TOP SECRET..... "Memorandum to the Controller of TelecommunicationsI made discreet enquiries through the Canadian Embassy staff in Washington who were able to obtain for me the following information: (about Flying Saucers); (a) The matter is the most highly classified subject in the United States Government, rating higher even than the H-bomb; (b) Flying Saucers exist; (c) Their modus operandi is unknown but concentrated effort is being made by Doctor Vannevar Bush; (d) The entire matter is considered by the United States authorities to be of tremendous significance."

2 Bolender Memo

"UFO" from General Carroll Bolender, USAF, 20 October 1969 (Unclassified but 16 attachments "could not be found"). This memo was basis for 12/69 cancellation of Blue Book..... "Moreover, reports of unidentified flying objects which could affect national security are made in accordance with JANAP 146 or Air Force Manual 55-11, and are not part of the Blue Book System"..... "However, as already stated, reports of UFOs which could affect national security would continue to be handled through the standard Air Force procedures designed for this purpose." Blue Book wasn't on the distribution lists in the noted rules. I spoke with Bolender. There were indeed OTHER official Channels.

3 OSI Memo.....

From HQ, USAF Office of Special Investigations, to all field units OSI, 9 December 1981, Teletype, UNCLASSIFIED..... "Subject: FOIA Requests Regarding UFO..... We have reason to believe that in the near future some or all of our field units may receive a request for information regarding UFO sightings or similar subjects. The request may originate with Stanton T. Friedman..... If such a request is received, DO NOT, repeat DO NOT refer the request to this Headquarters as required by AFR 12-30. AFOSI Sup 1" Why break their own rules if no cover-up??

4 Federal Judge Gerhart A. Gesell

Ruling in case of Citizens Against UFO Secrecy vs. National Security Agency, Nov. 18, 1980..... referring to a 21-page TOP SECRET/+++ affidavit submitted in lieu of 156 NSA UFO Documents. (He saw none.) "The in-camera affidavit presents factual considerations which aided the court in determining that the public interest in disclosure is far outweighed by the sensitive nature of the materials and the obvious effect on national security their release may well entail." The 21-page legal affidavit, when obtained under FOIA, was itself 75% blacked out! (1997 only 20% black)

5 Memo from FBI Dallas to FBI Cincinnati.....

6:17 PM, 8 July 1947, "HQ 8th Air Force advised this office that an object purporting to be a flying disc was recovered near Roswell, New Mexico object found resembles a high altitude weather balloon with a radar reflector, but that telephonic conversation between their office and Wright Field has not borne out this belief being transported by special plane to Wright Field for examination." General Ramey told the press the Roswell material was thrown out!

CIA

15 November 1989

*35 months to respond
+ 2 years for appeal JH*

Mr. Stanton T. Friedman
79 Pembroke Crescent
Fredericton, NB E3B 2V1
CANADA

UFO

Dear Mr. Friedman:

This is in response to your letter of 21 November 1987 by which you appeal the 10 November 1987 decision of the Central Intelligence Agency (CIA) to deny you access to fourteen of the twenty-three CIA-originated documents found in the files of the National Security Agency (NSA) and referred by the NSA to the CIA for review and direct reply to you. That appeal follows your 20 December 1984 Freedom of Information Act (FOIA) request to the NSA for copies of certain UFO-related documents.

Your appeal has been presented to the Central Intelligence Agency Information Review Committee. Pursuant to the authority delegated under paragraph 1900.51(a) of Chapter XIX, Title 32 of the Code of Federal Regulations, Mr. Richard F. Stolz, Deputy Director for Operations, has reviewed the fourteen documents, the determinations made with respect to them and the propriety of the application of the FOIA exemptions asserted with respect to these documents. Mr. Stolz's determinations are described below. Since Document Numbers 1 through 9 were released to you in their entirety by our 10 November 1987 decision letter, our numbering will begin with Document Number 10.

*(Press Abstracts of Newspaper Articles
Re UFOs - Eastern Europe!! JH)*

Document Number
and Description

Determination

Exemption Basis

10. Report
8 November 1955

Confirm denial
in entirety

(b)(1), (b)(3)

(Note: The date of Document Number 10 was inadvertently listed as 18 November 1955 in the initial decision letter).

11. Index Control
March 1965

Confirm denial
in entirety

(b)(1), (b)(3)

*Nine of the documents are older than
30 years.*

- | | | | |
|-----|-----------------------------|-------------------------------|----------------|
| 12. | Report 31 March 1966 | Confirm denial in entirety | (b)(1), (b)(3) |
| 13. | Report 4 May 1966 | Confirm denial in entirety | (b)(1), (b)(3) |
| 14. | Report 28 September 1966 | Confirm denial in entirety | (b)(1), (b)(3) |
| 15. | Report 18 October 1966 | Confirm denial in entirety | (b)(1), (b)(3) |
| 16. | Report 10 August 1967 | Confirm denial in entirety | (b)(1), (b)(3) |
| 17. | Index Control May 1968 | Confirm denial in entirety | (b)(1), (b)(3) |
| 18. | Report 8 September 1971 | Release in part | (b)(1), (b)(3) |
| 19. | Report 8 May 1975 | Release in part | (b)(1), (b)(3) |
| 20. | Report 29 January 1976 | Release in part | (b)(1), (b)(3) |

(Note: Document Numbers 18 through 20 were withheld in their entirety in the initial decision letter).

- | | | | |
|-----|-----------------------------|-------------------------------|----------------|
| 21. | Report 13 September 1978 | Confirm denial in entirety | (b)(1), (b)(3) |
|-----|-----------------------------|-------------------------------|----------------|

(Note: The date of Document Number 21 was inadvertently listed as 19 September 1978 in the initial decision letter).

- | | | | |
|-----|-----------------------------|-------------------------------|----------------|
| 22. | Report 26 September 1978 | Confirm denial in entirety | (b)(1), (b)(3) |
| 23. | Report 21 March 1977 | Confirm denial in entirety | (b)(1), (b)(3) |

Exemption (b)(1) encompasses matters which are specifically authorized under criteria established by the appropriate Executive order to be kept secret in the interest of national defense or foreign policy and which are, in fact, currently and properly classified.

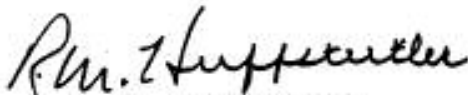
Exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statutes are subsection 102(d)(3) of the National Security Act of 1947, as amended, 50 U.S.C. §403(d)(3), which makes the Director of Central Intelligence responsible for protecting intelligence sources and methods from unauthorized disclosure and section 6 of the Central Intelligence Agency Act of 1949, as amended, 50 U.S.C. §403g, which exempts from the disclosure requirement information pertaining to the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency.

Copies of the three documents in which additional information is being released are enclosed.

In accordance with the provisions of the FOIA, you have the right to seek judicial review of the above determinations in a United States district court.

We appreciate your patience while your appeal was being considered.

Sincerely,



R. M. Huffstutler
Chairman
Information Review Committee

Enclosures

A new FOIA request for all 14 CIA VFO documents was filed in March, 1997, because of the new EO 12958. No response as of 4/11/97. STF. In June 1998, 4 more were released but the 3 attached ones were not changed at all!! STF I have appealed.

[REDACTED]

ANOTHER SOVIET, WHO WAS A MEMBER OF A COMMITTEE THE USSR HAS ESTABLISHED TO INVESTIGATE UNUSUAL PHENOMENA, IN OTHER WORDS, FLYING SAUCERS, GAVE A SERIOUS TALK WHICH WAS ACTUALLY VERY HUMOROUS.

[REDACTED]

[REDACTED]

HIS APPROACH WAS, "WELL, OF COURSE, WE KNOW THERE ISN'T ANYTHING TO THIS ALLEGED PHENOMENON (FLYING SAUCERS), BUT ON THE OTHER HAND". DURING HIS TALK SHKLOVSKIY AND OTHER SOVIETS JOKED AND LAUGHED AND OBVIOUSLY DID NOT TAKE THE SPEAKER'S REMARKS SERIOUSLY.

C SHKLOVSKIY REMARKED LATER TO A US ATTENDEE THAT THE "FLYING SAUCER COMMITTEE" CONSISTS OF MANY POLITICIANS, THEORISTS, HISTORIANS AND SIMILAR TYPE PEOPLE. IT HAS LITTLE IF ANY SCIENTIFIC TALENT.

[REDACTED]

TITLE: [REDACTED]

DOC REFERENCE:

0083210770972

08SEP71 ✓

INFO LOCATION:

USSR

INFO DATE:

71.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

APPROVED FOR RELEASE
Date *19 May 89*

TITLE: [REDACTED]

CCREFERENCE:

0033211192375
08MAY75, 2PP USSR

INFCDATE:

7504

APPROVED FOR RELEASE

Date 19 MAY 89

19

TITLE:

INTERNATIONAL CONGRESS OF SPACE MEDICINE

DOC REFERENCE:

GDB 717084876.

INF CLCATION:

29 JAN 76, 2 PP

INF DATE:

MEXICO

7509.

APPROVED FOR RELEASE

Date 19 MAY 89

20

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

UNITED STATES SCIENTISTS BELIEVE THAT LOW MAGNETIC FIELD DO NOT HAVE A SERIOUS EFFECT ON ASTRONAUTS, BUT HIGH MAGNETIC FIELD, OSCILLATING MAGNETIC FIELD, AND ELECTROMAGNETIC FIELD CAN OR DO HAVE CONSIDERABLE EFFECT. THERE IS A THEORY THAT SUCH FIELDS ARE CLOSELY ASSOCIATED WITH SUPERCONDUCTIVITY AT VERY LOW TEMPERATURES.

[REDACTED]

[REDACTED]

[REDACTED]

SUCH AS IN SPACE. THIS IN TURN IS RELATED TO THE POSSIBLE PROPOSITION SYSTEM OF UFO'S. THERE IS A RUMOR THAT FRAGMENTS OF A POSSIBLE UFO FOUND IN BRAZIL BORE A RELATIONSHIP TO SUPERCONDUCTORS AND MAGNETOHYDRODYNAMICS.

[REDACTED]

[REDACTED]

[REDACTED]

~~TOP SECRET~~

①

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS AGAINST UNIDENTIFIED
FLYING OBJECTS SECRECY,

Plaintiff,
v.

NATIONAL SECURITY AGENCY,

Defendant.

Civil Action No.
80-1562

IN CAMERA
AFFIDAVIT OF EUGENE F. YEATES

County of Anne Arundel)
State of Maryland) ss:

Eugene F. Yeates, being duly sworn, deposes and says:

1. (U) I am the Chief, Office of Policy, of the National Security Agency (NSA). As Chief, Office of Policy, I am responsible for processing all initial requests made pursuant to the Freedom of Information Act (FOIA) for NSA records. The statements herein are based upon personal knowledge, upon my personal review of information available to me in my official capacity, and upon conclusions reached in accordance therewith.

2. (U) This affidavit supplements my unclassified affidavit executed on September 30, 1980 regarding all documents which have been located by NSA pursuant to plaintiff's FOIA request but which have been withheld wholly or in part by NSA. I submit this affidavit in camera for the purpose of stating facts, which cannot be publicly disclosed, that are the basis for exempting the records from release to the plaintiff.

3. (S) At the beginning of each paragraph of this affidavit, the letter or letters within parentheses designate(s) the degree of sensitivity of information the paragraph contains.

Note:
In 1981 -
this affidavit
was 75% -
censored
In 1997 -
because of
Exec Order
12958,
less censored
and 156
documents
was released
- using colts out
Stanley T.
Freedman
7/21/97

~~TOP SECRET~~

~~TOP SECRET UMBRA~~

The letters "U", "C", "S" and "TS" indicate respectively that the information is unclassified or is classified CONFIDENTIAL, SECRET or TOP SECRET. The symbols "(SC)" and "(TSC)" stand for "SECRET CODEWORD" and "TOP SECRET CODEWORD", respectively. "CODEWORD" refers to one of the distinctive five-letter words used to identify the source of the information as communications intelligence (COMINT), to distinguish between COMINT categories and sub-categories, and to facilitate the application of regulations for the dissemination and use of COMINT. The codeword "UMBRA" appearing in conjunction with the TOP SECRET classification at the top and bottom of each page of this affidavit, is the codeword applicable to Category III (the highest category) COMINT. Documents revealing sensitive details about the production of COMINT must bear the classification and codeword appropriate to the highest category or sub-category of COMINT to which they relate, even though they may not contain COMINT as such. The symbol "CCO", which stands for the caveat "HANDLE VIA COMINT CHANNELS ONLY", is used to designate information related to COMINT or COMINT activities, which, although it does not require codeword protection, must be kept within COMINT channels, i.e., disclosed only to persons eligible to receive COMINT itself.

THE RELEVANT DOCUMENTS

4. ~~CCO~~ In processing the plaintiff's FOIA request, a total of two hundred and thirty-nine documents were located in NSA files. Seventy-nine of these documents originated with other government agencies and have been referred by NSA to those agencies for their direct response to the plaintiff. One document, which I addressed in paragraph 2c of my public affidavit, was erroneously treated as part of the subject matter of plaintiff's FOIA request. It is an account by a person

~~TOP SECRET UMBRA~~

assigned to NSA of his attendance at a UFO symposium and it cannot fairly be said to be a record of the kind sought by the plaintiff. Another document, discussed in paragraph 20d of my public affidavit, was recently declassified and released to plaintiff. Two additional non-COMINT records have been released to the plaintiff with the exempted material deleted. The deletions in these documents are explained below:

a. A document entitled UFO Hypothesis and Survival Questions was released to the plaintiff with the deletion on page seven of the name of the employee who prepared the draft and a deletion of a reference to his NSA component. As I explained in paragraph 20, sub-paragraph a, of my open affidavit, information about NSA's organization or employees is protected from disclosure by Public Law 86-36 and, therefore, exempt pursuant to 5 U.S.C. §552(b)(3).

b. The second non-COMINT document is a three page undated, unofficial draft of a monograph with a four page appendix by the same agency employee who authored the draft referenced in sub-paragraph a, above. This document was discussed in paragraph 20b of my public affidavit. It is entitled UFO's and the Intelligence Community Blind Spot to Surprise or Deceptive Data. In this document, the author discusses what he considers to be a serious shortcoming in the Agency's COMINT interception and reporting procedures -- the inability to respond correctly to surprising information or deliberately deceptive data. He uses the UFO phenomena to illustrate his belief that the inability of the U.S. intelligence community to process this type of unusual data adversely affects U.S. intelligence gathering capabilities. Deletions in this document were made as follows:

- (1) All of the title after UFO, which addresses the perceived shortcoming, and all of paragraph one, which discusses the employee's perception of the negative implications

4

~~TOP SECRET UNCLASSIFIED~~

9

of the handling of UFO phenomena as it demonstrates what he believes is the [less than optimum ability of the intelligence community to process and evaluate highly unusual data.] As I stated in my public affidavit (paragraph 20b), the type of candor that is reflected in this record must be encouraged especially in an intelligence Agency where the most meaningful suggestions regarding ways to promote the efficiency of the critical Agency mission will of necessity come from within. Public disclosure of such information, especially when it advances a novel theory, could have the effect of stifling such candor by the risk of diminution of professional standing the employee runs if subsequently found wrong. Thus, this matter was deleted pursuant to 5 U.S.C. 552(b)(5).

(2) Paragraph three of this document uses a signals intelligence operation [against] ██████████ to illustrate the author's point. This paragraph contains information about SIGINT activities that is currently and properly classified and, thus, is exempt from disclosure pursuant to 5 U.S.C. 552(b)(1). The material in this paragraph also concerns the organization and operational activities and functions of NSA [directed against] ██████████. This material is exempt from disclosure under 5 U.S.C. 552(b)(3) which exempts from release under the FOIA matters specifically exempted from disclosure by another statute. As noted in paragraph 20, sub-paragraph b of my public affidavit, Public Law 86-36 provides that no law shall be construed to require disclosure of the organization or any function of the NSA or any information with respect to activities thereof.

(3) Paragraph four of the memorandum states the conclusions and recommendations of the author. While it talks of the ability of the Agency employees to deal with unusual phenomena it is not responsive to the plaintiff's request

~~TOP SECRET UNCLASSIFIED~~

~~TOP SECRET~~

5

regarding UFO or UFO phenomena. In any event, as I stated in my public affidavit (paragraph 20b), the subject matter of that paragraph is exempt from disclosure because it contains the employee's specific recommendations for addressing the problem of responding to surprise material. For the reasons stated in sub-paragraph (1) above, these recommendations are exempt from disclosure pursuant to 5 U.S.C. §552(b)(5). One specific recommendation suggests an operational approach to solving the problem which reveals NSA activities and is, therefore, exempt from disclosure pursuant to 5 U.S.C. §552(b)(3) as explained above.

(4) The final deletion is in appendix A, paragraph 10 of this report. This section talks about deceptive communications tactics used by the Vietnamese against U.S. forces and does not include any reference to UFO or UFO phenomena and is, therefore, not responsive to plaintiff's request. Nonetheless the subject matter of sub-paragraph 10 is currently and properly classified. Thus, even if it were deemed to be within the scope of plaintiff's request, it is exempt from disclosure pursuant to 5 U.S.C. §552(b)(1).

COMINT REPORTS

5. (TSR) The remaining one hundred and fifty-six records being withheld are communications intelligence (COMINT) reports which were produced between 1958 and 1979. For purposes of my discussion here, these records are organized into three groups based upon the source of the report.

- a. One hundred and fifteen of these reports were produced by the signals intelligence organizations [redacted]. [These COMINT reports are provided to NSA [redacted].

~~TOP SECRET~~

6

[REDACTED]

(1) Two of the records at issue here were produced by [REDACTED] The United States has extremely [REDACTED] The report from [REDACTED] was provided to NSA [REDACTED]

[REDACTED]

(2) One hundred and thirteen reports were provided

[REDACTED]

b. Two of these COMINT reports originated from SIGINT operations which [REDACTED]

[REDACTED]

[REDACTED]
in exchange for the sharing of technology and COMINT information.

c. The remaining thirty-nine COMINT documents were produced by NSA or relate to NSA SIGINT operations. That is, these reports originated at NSA itself or in field sites under the operational and technical control of NSA.

6. (U) All of the COMINT reports are in either message or summary format. A report in message format contains a single underlying communication presented in a classic cable format, i.e., the verbatim text of the particular transmission, preceded and followed by "externals" consisting of: data about the sender and the recipient; the dates and times of transmission; and other technical information. A summary, as the label suggests, provides in summary form the contents of a single message or of a small number of related intercepted communications, often accompanied by some technical data.

7. ~~(S)~~ One hundred and fifty-four of the one hundred and fifty-six COMINT reports are based wholly upon intercepted communications of foreign governments transmitted on non-public "government net" communications links or systems. [Of the two reports not included in this total, one report is the text of a] [REDACTED] communication transmitted by an international communications common carrier. [I have described the distinction between these two ^{SECRET} kinds of communications facilities in my public affidavit at paragraph 10. The other record which is not based on intercepted communications from] "government net" [facilities,

[REDACTED]

8

~~TOP SECRET~~

[is a description of an incident purported to have been learned from U.S. interception and analysis of [redacted] communications.]

8. [redacted] The COMINT reports originated by [redacted] can be further described in terms of sources and intelligence targets as follows:

a. [redacted] COMINT Reports Which Target Communications Transmitted on [redacted] Communications Facilities. One [redacted] report, in summary format, was produced by [redacted] from the intercepted communications between two [redacted] aircraft and a ground controller in [redacted] 1971. [redacted] report a "phenomena" in the sky north of [redacted]. Three [redacted] reports are summaries of [redacted] messages intercepted from [redacted] communications. The messages were transmitted from [redacted] radar operators to a central control station. In these [redacted] messages, the [redacted] operators report everything that appears on their radar screens. When they cannot identify a particular object, they report it as an unidentifiable object. In translating these messages, the U.S. cryptolinguist uses "unidentified flying object" as the equivalent of the [redacted] text.

b. [redacted] COMINT Reports Which Target the [redacted] Communications System of [redacted]. One hundred and nine documents in summary format report on intercepted communications between [redacted] radar operators and a central control point. These summaries are similar to the reports described in sub-paragraph a above and [redacted]

~~TOP SECRET~~

[again, contain] [redacted] [information pertaining to the radar operator's report of objects on his radar screen which he cannot identify.] ^{STET-Release}
_{STET-Release}

c. [redacted] [COMINT Report Which Targets]

[redacted] Communications. This document is a summary of intercepted messages prepared in 1976 which report radar tracking information from a [redacted] [radar station to a central control point. It is similar to the reports described in sub-paragraphs (a) and (b) above.] ^{STET}
_{STET-Release}

d. [redacted] [COMINT Report Which Targets]

[redacted] Communications. This summary was prepared in 1966 by [redacted] [It contains a summary of intercepted communications which were transmitted between the [redacted] and the [redacted] commander regarding a yellow object that was reported to have fallen into the sea. These messages were transmitted along a [redacted] government net] [facility.]

e. Two COMINT Reports Were the Product of [redacted]

[redacted] SIGINT Operations and Targeted the [redacted] Communications of [redacted]. [The two reports were produced from a [redacted] field] [site which is] [redacted] operated by the U.S. and [redacted]. [The reports were prepared in 1966 and contain summaries of the communications transmitted by] [redacted] [radar operators as discussed in sub-paragraph b, above. One of the two reports is a follow-up report to the other. The relevant activity reported deals with the tracking of an object approximately 50 nautical miles northeast of] [redacted] [by the] [redacted] Facility. As with the messages described above, these COMINT reports are summaries of the] [redacted] [messages.]

[redacted]

(10)

~~TOP SECRET~~

9. (S) NSA-originated reports - Thirty-eight documents are the direct product of NSA SIGINT operations and one document describes classified SIGINT activities. These documents can be further described as follows:

a. The document describing SIGINT operations reports [an alleged intercept of] [redacted] [communications]. The factual circumstances of the incident reported in this record were received by NSA from an FOIA requester other than the plaintiff and are considered to be fictitious NSA analysts.



b. One record is a 1973 report which summarizes [the] [redacted] [text of] [redacted] [message transmitted] [redacted] [from the] [redacted] [to the] [redacted] [in] [redacted]. It makes reference to a purported UFO sighting by [redacted].

~~TOP SECRET~~

~~TOP SECRET UMBRA~~

(11)

c. Twelve NSA-originated COMINT reports target the communications links and systems of [REDACTED]. Two documents, in summary format, report the [REDACTED] communications. Two of the records are in message format and report the [REDACTED] communications which relate that an unidentified flying object was sighted in the air by a [REDACTED] unit. One report contains a summary of [REDACTED] activity based upon communications in reaction to an unidentified flying object along the [REDACTED]. Two documents report on communications transmitted between [REDACTED] and [REDACTED] who report visual observations of luminous spheres. One report is a summary of a transmission between [REDACTED]. [REDACTED] Finally, four documents in this group of twelve were intercepted from other [REDACTED] communications targets. One document is based on the intercepted transmission of a [REDACTED] reporting a bright light. The second record is based on the intercept of a transmission of an [REDACTED] to a [REDACTED] station seeking a report on any shining phenomena or falling meteorites observed on specified dates. The third and fourth reports are a summaries of on-going debates on UFOs among [REDACTED] based on intercepted communications transmitted on [REDACTED] nets.

d. Five of the NSA-originated COMINT reports target government net communications [REDACTED]. All five of these documents are based on intercepted [REDACTED] communications [REDACTED] units and [REDACTED] reporting observations of luminous objects in the sky.

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e. Four NSA-originated COMINT reports target [redacted] communications links or systems. Three reports are in summary format and are based on an intercepted message transmitted [redacted] sites reporting an unidentified flying object at a very high altitude; an intercepted message transmitted from [redacted] [redacted] reporting that an unidentified flying object with two lights had passed over [redacted] and an intercepted voice message transmitted to [redacted] facility by a [redacted] who reported an unidentified flying object. The fourth report is based upon a message between [redacted] units regarding a UFO sighting.

f. Sixteen NSA-originated COMINT reports target the "government net" communications systems and links of several different countries. This group contains summaries of intercepted transmissions between [redacted] (two reports based on communications of [redacted] and an unidentified sender reporting sightings of a UFO), [redacted] (two reports based on communications by [redacted] reporting unidentified flying objects), [redacted] (a report based on a message from a [redacted] to an unidentified receiver in [redacted] reporting a sighting of unidentified flying objects), [redacted] (a report from an [redacted] to the [redacted] in [redacted] reporting an object that appeared to be a rocket over [redacted] (a report based on communications between two [redacted] and an unidentified [redacted] ^{STEL} station in which [redacted] reported sightings of bright or light spots), [redacted] (a report based

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on a transmission from a [redacted] unit to [redacted] reporting a sighting of an unidentified flying object), [redacted] (a report based on a message from [redacted] to an unidentified recipient which provided instructions for reporting the sighting of flying objects), and [redacted] (a report based upon a transmission between [redacted] reporting that some [redacted] saw a ball of light about the size of an orange moving overhead). One document in summary format is the product of an intercepted [redacted] transmission reporting the sighting of an elongated ball of fire. One document in message format reports the text of a [redacted] message sent by the [redacted] to the [redacted] reporting an unidentified flying object. One document in summary format reports the [redacted] text of [redacted] message from [redacted] to [redacted] [redacted] which was transmitted along a "government net" facility. It reports, among other items, an increase in UFO activity. The last three documents in this group report on intercepted communications of [redacted]. Each report contains information derived from intercepted transmissions reporting the tracking of unidentified aircraft by [redacted] ^{SECRET} radar operators.

EXEMPTION OF THE COMINT REPORTS

10. [redacted] A primary and often overriding consideration regarding the classification of COMINT reports is that the need to protect communications intelligence sources and methods is greater than the need to protect sensitive contents of the underlying intercepted messages. Nevertheless, no portion of the contents of COMINT reports may be disclosed where, as here, revealing the information would have the effect of identifying

(14)

for the target communicators the specific communications that had been intercepted and exploited. One hundred and fifty-four of the COMINT reports being withheld are the product of intercept operations directed against foreign government controlled communications systems within their territorial boundaries. [Revealing the contents of these reports would disclose the capability of NSA to target these government controlled communication systems. Even where the underlying communications are not specified,

[REDACTED] the communications

had been intercepted for processing by NSA. Moreover, the disclosure of these reports would reveal much more than the identity of the targeted communications systems. It would reveal as well [REDACTED]

[REDACTED]

11. (TS-SC) The communications sources involved in this case -- which are specified or implicitly identified in the COMINT reports being withheld by NSA -- are the source of extremely valuable communications intelligence covering a broad range of kinds of information from [REDACTED] and other [REDACTED] activities to [REDACTED] and [REDACTED] matters.

Release of these documents would seriously damage the ability of the United States to gather this vital intelligence information for the following reasons:

- a) Disclosure of the report discussed in paragraph 9b would inform [REDACTED] that their communications by international common carrier facilities [REDACTED] can be intercepted and selected out by NSA, and, even more importantly, that the [REDACTED]

[REDACTED]

Further-
more, revealing the NSA intercept operation against the interna-
tional common access carrier route [which yielded the [REDACTED]
[REDACTED] message could cause the United States to lose access
to the communications of other foreign governments who use that
same communications route.]

(b) The disclosure of reports, such as [REDACTED]
[REDACTED] one at issue here, based on messages transmitted via
international common access carrier facilities, would also reveal
this Agency's capacity to select from such intercepted communi-
cations those messages having potential intelligence value. [REDACTED]

[REDACTED]

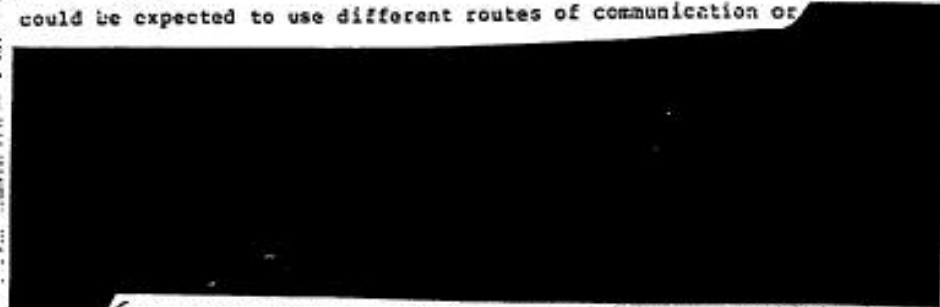
[NSA usually] [REDACTED]

[REDACTED]

(c) As I have stated in my open affidavit, when alerted
to the extent of NSA's capability, and if given information from

(16)

~~_____~~
which inferences could be drawn as to the processing methods used, foreign intelligence services would be able to evade or defeat portions of NSA's present foreign intelligence efforts [targeting] international common carrier links. These countries could be expected to use different routes of communication or



[The costs involved would be substantial but not prohibitive; the technology required is now available.]



12. The disclosure of other records at issue here, would result in the loss of the intelligence information gathered from the interception of the government net communications systems. The value of the intelligence data collected from these sources is obvious.

(a) [For example, analysis of data collected from the intercept of] ~~_____~~ [communications, ~~_____~~ of a foreign government -] ~~_____~~ (paragraphs 8a, b, c, e and 9f), ~~_____~~ [communications (paragraph 9c), or transmissions between] ~~_____~~ [paragraphs

~~_____~~

8d and 9d, e, f) -- immeasurably aids U.S. analysts' studies of the [redacted]

[redacted] [Analysts are able to report on the [redacted] capabilities of foreign [redacted] generally. This information enables planners in turn to assess the capability of [redacted] (system) [redacted]

[and] [redacted] The data transmitted [redacted] (communications is useful in evaluating the performance capabilities of [redacted]

[redacted] [By monitoring the [redacted] activity and other [redacted] transmissions and relating it to geographic areas, the U.S. analyst can [redacted]

[redacted] [Other targeted] [redacted] (communi- cations provide critical technical information, such as data [redacted]

[redacted] [which is vital to the development of U.S. countermeasures. Foreign] [redacted]

[redacted] (communications are among the [redacted] sources of intelligence information regarding [redacted] their nation's)

(intentions, in both the short and long terms. Moreover, the [redacted] government net systems [redacted] described here continue to yield valuable

intelligence data -- including the [redacted] (communica- tion systems discussed in paragraph 9d, [redacted]

[redacted] (2) Also, the data collected from intercept operations [redacted] against [redacted] government net systems [redacted] (described in paragraph 9c) provides invaluable information to our policymakers.

From these sources U.S. analysts are able to compile reports on significant [redacted] activity, [redacted]

[redacted] [and] [redacted] events. Also, by monitoring these [redacted] transmissions, analysts are able to obtain data to [redacted]

(18)

[redacted]
[redacted]
The intelligence collected from these sources is no less vital to U.S. planners than the [redacted]

13. (TS) The need to protect against any identification of the targets of intercept operations is equal to the need to protect against revealing the identity of [redacted] sources [redacted]

[redacted] Disclosure of the records [redacted] could have extremely adverse repercussions to the U.S. over and beyond the [redacted]

[redacted] The most serious [redacted] would be a [redacted]

[redacted] At the very least [redacted] significant loss of [redacted]

[redacted] Furthermore, disclosures which would tend to identify [redacted] for COMINT [redacted]

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of Public Law 86-36 permits the Agency to refuse to release them. In this case, the COMINT reports reflecting those functions and activities must be withheld to avoid compromising the efficacy of the sources of COMINT information involved.

16. ~~(S)~~ Information about the interception, processing and exploitation of the foreign communications underlying the records being withheld by NSA is classified information concerning communications intelligence activities of the United States ~~the~~ the unauthorized disclosure of which is prohibited by 18 U.S.C. §798, paragraphs (a)(3) and (a)(4). This information because it is prohibited from disclosure by statute, is exempt from release under the FOIA pursuant to 5 U.S.C. §552(b)(3).

17. (U) As stated in my public affidavit, the information that would be disclosed by these records is information about intelligence sources and methods protected from unauthorized disclosure under 50 U.S.C. §403(d)(3). The reports are therefore exempt from release under Exemption 3 of the FOIA. 5 U.S.C. §552(b)(3).

18. (U) In view of the foregoing, and in order to protect existing sensitive and important foreign intelligence sources and processing techniques vital to the national security, I certify that disclosure of past and present foreign intelligence communications activities of NSA revealed in the records the plaintiff seeks would endanger highly valuable sources of foreign intelligence.

19. (U) Finally, I respectfully request that the Court treat this affidavit in the same secure manner as it has been handled in submission to the Court, and to return it to appropriate personnel of the Department of Justice as soon as possible after review by the Court. The Department

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of Justice will retain custody of this document under the Court's seal, subject to any further orders of this Court or any other court of competent jurisdiction.

Ernest F. Yates
ERNEST F. YATES
Chief, Office of Policy

Subscribed and sworn to before me this
9th Day of October 1980.



Harold P. Everett
NOTARY PUBLIC

My commission expires on July 1, 1982

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HAS BEEN PROVIDED. ~~INTEL SECTION 4~~ THIS

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