

THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

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TCP Protests New Fee for CIA Document Declassification

WASHINGTON, D.C. -- The Constitution Project, a nonpartisan constitutional watchdog group, joined today with more than thirty other organizations to protest the CIA's recent decision to charge an hourly fee for reviewing documents for possible declassification.

"This regulation could cut off access to the most effective tool the public can use to request declassification of the CIA's secret documents, the Mandatory Declassification Review (MDR) program," the groups said in a letter to David Petraeus, director of the CIA.

The [letter](#) noted the regulation, which was adopted without public notice, runs contrary to President Obama's pledge to have "an unprecedented level of open government."

"The CIA shouldn't make it harder for researchers, historians and public interest advocates to get the government to declassify documents, many of which never should have been secret in the first place," said Sharon Bradford Franklin, TCP's senior policy counsel.

According to Franklin, excessive secrecy and over-classification of documents by the CIA and other government agencies has damaged national security, hindered government accountability, and ultimately weakened our constitutional system of checks and balances. TCP published a [comprehensive report](#) on Reining in Excessive Secrecy: Recommendations for Reform of the Classification and Controlled Unclassified Information Systems in 2009.

The MDR process is a popular and successful tool for people seeking to declassify secret documents, in part because of the independent accountability and oversight the program provides. Unlike with Freedom of Information Act requests, if an agency fails to declassify and release the information under the MDR process, requesters can appeal the agency's decision.

The regulation adopted by the CIA requires a requesting party to pay up to \$72 per hour even if no information is found or released.

Among the other groups signing the letter were American Library Association, Electronic Frontier Foundation - EFF, Electronic Privacy Information Center - EPIC, Federation of American Scientists, National Security Archive, OpenTheGovernment.org and Society of Professional Journalists.

Created out the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project (TCP) brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time. TCP seeks to reform the nation's broken criminal justice system and to strengthen the rule of law through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.



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