



# Toward “Thorough, Accurate, and Reliable”: A History of the *Foreign Relations of the United States* Series

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# About the Preview Edition

The Office of the Historian has generated this electronic preview edition of *Toward "Thorough, Accurate, and Reliable"* from the final text submitted to the Government Printing Office for typesetting and publication in 2014. Once this process is completed, this preview edition will be superseded by the published book. We do not anticipate substantial modifications in content, but readers should note that the published version will differ from this draft in several ways: style and formatting may change, typographical errors will be corrected, and page numbers will be assigned. In light of these considerations, we advise all those citing this version to specify "Preview Edition, January 23, 2014" in their references.

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On December 19, 2013, the following revisions were made to the Preview Edition:

- William B. McAllister updated one sentence for clarity in chapter 3.
- Joshua Botts added another reference to a footnote in chapter 8.
- Joshua Botts revised two sentences for style in chapter 9.
- William B. McAllister updated the acknowledgements.
- Joshua Botts made two changes to the charts in appendix A. The first corrected data for the years 1960 and 1961 to properly account for the release of the 1945 Potsdam conference volumes. The second incorporated additional data for 2013 to reflect the release of two additional volumes in December.

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- William B. McAllister updated several footnotes in chapter 1.
- Aaron W. Marrs corrected typographical errors in chapters 2, 3, 8, 9, 11, and 12, and the list of Terms.
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- Joshua Botts added additional references to two footnotes in chapter 8 and replaced obsolescent URLs in footnotes in chapters 9, 10, and 11.
- Joshua Botts made stylistic adjustments to footnotes in chapters 8 and 12.
- Aaron W. Marrs, Joshua Botts, and William McAllister revised the acknowledgements.

- William B. McAllister and Joshua Botts added additional items to and corrected existing entries in the bibliography.

# Epigraph

“The Government continually depends upon the support of Congress and the People, and that support can be expected only in the condition of keeping them thoroughly and truthfully informed of the manner in which the powers derived from them are executed.”—William H. Seward to Charles F. Adams, March 2, 1864

“The Chief of the Division of Publications is charged with the preparation for this purpose, as soon as practicable after the close of each year, of the correspondence relating to all major policies and decisions of the Department in the matter of foreign relations . . . . It is expected that the material thus assembled, aside from the omission of trivial and inconsequential details, will be substantially complete as regards the files of the Department.”—Frank B. Kellogg, “Principles to Guide the Editing of ‘Foreign Relations,’” March 26, 1925

“The Department of State shall continue to publish the Foreign Relations of the United States historical series . . . which shall be a thorough, accurate, and reliable documentary record of major United States foreign policy decisions and significant United States diplomatic activity. Volumes of this publication shall include records needed to provide a comprehensive documentation of the major foreign policy decisions and actions of the United States Government . . . .” – Public Law 102-138, Title IV, Section 401, October 28, 1991

# Foreword

The *Foreign Relations of the United States (FRUS)* series, the official documentary record of American foreign policy, was born in the opening months of the Civil War. Originating in a response by the Department of State to a request from Congress, the series has endured through vast changes in the international system and America's role in the world, through equally vast changes in the Department of State and in the nation's government, and through recurrent crises that at times threatened the very survival of the series. The series's longevity testifies to the power of the ideal it represents and upholds—of the need for transparency and accountability in a democratic system.

As the sesquicentennial of its foundation neared, it became clear that much of the series's history had vanished over time. The Historian at the time, Ambassador Ed Brynn, directed the Special Projects division, under Dr. William McAllister, to resurrect that history—both to honor those who have built and executed the *Foreign Relations* series, and to capture the lessons available from a study of the past, as managers and historians have struggled to address the issues that have recurred throughout the 150 years of the series.

Dr. McAllister assembled a team from within the office, each member a specialist in their own right, to pull together the complex history of the series. Dr. Aaron Marrs had already begun an investigation into the 19th-century origins of the series, and extended that work for inclusion in this volume. Peter Cozzens, a nationally-recognized historian of the Civil War and the postbellum era, addressed the story of the post-Civil War development of the *Foreign Relations* series. Dr. Josh Botts picked up the story in the 20th century, covering the succession of dramas that have led to the current series. In addition to coordinating and editing the overall effort, Dr. McAllister took upon himself the responsibility to research the pre-1861 precedents of the series and to explain the critical transformation in the series's mission that unfolded in the early 20th century. Together they have created a comprehensive narrative with as much to say about the evolution of the nation as about the evolution of the *Foreign Relations* series.

No one expected to find the sort of dramatic story that Dr. McAllister and his team have unveiled. As with any good research project, this trail led into unanticipated complexities and yielded unexpected benefits. The resulting history has demonstrated the world-class research skills of the members of the Office of the Historian. Moreover, like the series itself, this history has depended on support from other offices of the Department of State and from agencies across the government for its success.

Neither did anyone expect the extraordinary value of the ongoing research for the volume in shaping and informing the decisions of the current leaders of the Office of the Historian. Again and again, as we have faced issues ranging from the

realm of declassification, to questions of managing the surpassingly complicated processes needed to produce the series, to decisions on technology, we have called upon the experience of the past to inform the future.

Today the *Foreign Relations of the United States* stands as the global gold standard in official documentary history. It is the longest-running public diplomacy program in American history, and the largest and most productive documentary history program in the world. This outcome was never foreordained. It rests upon the perseverance and vision of generations of historians, from the anonymous Clerks of the 19th century, through the first generation of professional historians entering the Department during the interwar years, to those of the present day—compilers, reviewers, declassification coordinators, and editors—working to uphold the promise of the 1991 *FRUS* statute. All have contributed to the continuing quest to provide a “thorough, accurate, and reliable” official record of American foreign relations. This volume is dedicated to the men and women, past and present, who have created this unique and invaluable contribution to American democracy.

Stephen P. Randolph, Ph.D.  
The Historian  
U.S. Department of State

# Introduction

William B. McAllister and Joshua Botts

Questions have been raised about the integrity of our own historical record at the very time that in Eastern Europe, the Soviet Union, and elsewhere we are witnessing a flood of disclosures and new documentation from governments long used to concealing and falsifying the record ... this is no time for the United States to depart from the tradition of providing an accurate and complete historical record of the actions taken by our government in the field of foreign relations.—  
Senator Claiborne Pell, 1990<sup>1</sup>

In 1990, longstanding tensions over U.S. Government transparency policy came to a head. For the preceding 200 years, the executive branch routinely released official diplomatic documents to the congress and the public. Since 1861, the Department of State's *Foreign Relations of the United States (FRUS)* series served as the leading instrument of this tradition. While the Department published *FRUS* volumes nearly contemporaneously with the events they documented in the 19th century, the timeliness of the series receded over the course of the 20th century. Since the 1930s, volumes appeared decades after the events that they documented.

International and bureaucratic dynamics contributed to this shift in U.S. Government transparency. The increasing tardiness of the series coincided with the growth of complex bureaucracies to manage U.S. foreign policy and to maintain, review, and release government records. The Department of State's influence over foreign affairs—and its control over publishing records relating to foreign policy—diminished as more government agencies assumed international responsibilities. Additionally, as U.S. engagement in global affairs expanded and grew more multilateral, policymakers rebalanced the value of openness in light of the imperative to maintain good relations with other governments.

By the 1980s, those trends brought the U.S. Government's commitment to openness into question. Guardians of security, representing longstanding concerns that publishing foreign policy documents endangered vital national interests, prevented the release of important records, which jeopardized the credibility of the series. Advocates of openness, who championed equally venerable traditions of open government, tried to protect the *FRUS* series from these restrictive impulses, but suffered bureaucratic and policy defeats that forced them to adapt to new constraints. Ironically, the Department published volumes marred by these trends at the end of the decade, just as Cold War tensions eased and long-closed Soviet/Russian and East European archives began to open. Liberalization in the Communist bloc, coupled with the post-Watergate erosion of public trust in the

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<sup>1</sup> *Congressional Record—Senate*, Vol. 136, Pt. 22, October 19, 1990, p. 31389.

U.S. Government, helped empower transparency reformers as they criticized the disturbing trajectory of the *FRUS* series in the late 1980s.

After considerable debate, Congress affirmed openness as a key tenet of American governmental practice in 1991. The *FRUS* statute legislated standards and processes for disclosing government records reflecting a “thorough, accurate, and reliable” accounting of past U.S. foreign policy decisions and significant diplomatic activities. The statute also reaffirmed the need to evaluate such records for potential damage their release might cause to diplomatic activities, military operations, intelligence sources and methods, and other sensitivities. In doing so, Congress formalized “responsible transparency” for a new era by building upon two centuries of precedent, pragmatic compromise, adherence to the principle of openness, and evolving perceptions of risk and reward in acknowledging secret deliberations and actions.

This book traces the evolution of “responsible transparency,” as manifested by the *Foreign Relations* series, from the earliest days of the republic through the efforts undertaken across the U.S. Government to implement the 1991 *FRUS* statute. The “responsible” in “responsible transparency” references two interrelated dynamics. The most obvious one is substantive. Too much transparency can damage national security and too little can compromise democratic legitimacy. Most advocates of openness accept limitations on disclosure to protect important interests and the safety of individuals. At the same time, most guardians of security acknowledge that government activities cannot be withheld from the public indefinitely. While often employing rhetorical absolutes, both sides in the debate usually accept a middle ground position influenced by both principle and pragmatism informed by shifting geopolitical and institutional contexts.

The other, less obvious, dynamic of “responsibility” in “responsible transparency” relates to the authority of those making decisions about releasing or withholding information. The official character of the *Foreign Relations* provides a public acknowledgement of U.S. Government decisions and actions. Because the series plays this role, it has always received stricter scrutiny than other mechanisms of disclosure, such as the Freedom of Information Act. One result of this “special treatment” is that the series represents, in aggregate, the evolution of official judgments about the costs and benefits of openness. Although these transparency decisions have often embodied technocratic and bureaucratic perspectives, they also reflect democratic control. Congress plays a critical role, through both legislation and oversight activities. Ultimately, however, the President is accountable for the policies, procedures, and regulations devised and administered by the executive branch that determine the extent of openness about U.S. Government foreign policy.

Although “responsible transparency” is an inherently normative concept—and, indeed, the contested nature of the norms that it embodies is a central theme of this book—we employ the term descriptively as the outcome of evolving efforts to strike the proper balance between security and openness. The principal exception

to our descriptive use of the term occurs as we examine the 1980s, when procedural and policy shifts essentially foreclosed informed debate between advocates of transparency and guardians of security. To reflect the diminished effort to balance security and transparency and the resulting circumscribed nature of the openness regime during this period, we describe it as “translucent” rather than “transparent.”

[Part I](#) of this book describes the “Contemporaneous *FRUS*” of a “long 19th century” that resonated into the 1920s. [Chapter 1](#) examines the rise of transparency practices during the early republic, when executive branch officials accepted the legitimacy of congressional demands for records and Congress acceded to executive branch discretion to determine the boundaries of openness. [Chapter 2](#) details how the Lincoln administration formalized ad hoc antebellum precedents to inaugurate the *Foreign Relations* series during the Civil War. This chapter also reconstructs the *de facto* declassification and excision criteria employed to sanitize the documents published in the first *FRUS* volumes and traces their dissemination and consumption. [Chapter 3](#) explores why Secretary of State Hamilton Fish first discontinued and then restarted *FRUS*. This chapter also recounts how the Department of State learned lessons from publishing *Foreign Relations* during the Grant administration that shaped the series for a generation. [Chapter 4](#) depicts the production and operation of the Contemporaneous *FRUS* series during its “golden age” from the 1870s to 1906. [Chapter 5](#) traces the reasons behind the growing *FRUS* lag in the first decades of the 20th century and reflects upon the lost promise of the 19th century transparency regime.

[Part II](#) follows the evolving negotiation of “responsible historical transparency” after the *FRUS* series acquired its permanent lag from currency in the early 20th century. [Chapter 6](#) covers the formalization of *FRUS* editorial guidelines and the professionalization of the compiling staff within the Department. This chapter also describes the growing concern about the possible risks of historical transparency among foreign governments and U.S. diplomats, culminating with Franklin Roosevelt’s intervention to veto publication of some volumes during World War II. [Chapter 7](#) recounts controversies surrounding *FRUS* during the first decade of the Cold War as Congress and the Department of State tried and failed to revive a more contemporaneous mission for the series. The furor over the release of the Yalta papers in 1955 exposed the risks of politicizing *FRUS*, empowered guardians of security in the U.S. Government, and spurred the Department to invite the academic community to expand its role in assessing the integrity of the *FRUS* series. [Chapter 8](#) follows the series through two decades of incremental change and relative stability. It also portrays the development, implementation, and consequences of a major acceleration initiative in the 1970s. [Chapter 9](#) illustrates the erosion of transparency of the early 1980s amidst resurgent international tensions, bureaucratic reform, and altered declassification policies. [Chapter 10](#) relates the events leading to the resignation of the chair of *FRUS*’s scholarly advisory committee and the production of a *Foreign Relations* volume on Iran that lacked documentation of a significant (and widely-known) covert operation, which sparked a major crisis for the series

in 1990. [Chapter 11](#) illustrates the debate surrounding the 1991 legislation that provided a statutory mandate for the *Foreign Relations* series. [Chapter 12](#) follows the implementation of this law during the subsequent decade and sketches the resulting framework for the current production of the series.

As this work shows, officials throughout the U.S. Government engaged in repeated negotiations over the course of more than two centuries to determine the proper balance between public accountability and the requirements of security. The official publication of documents revealing how U.S. foreign policy is determined and implemented raises questions of fundamental importance to the exercise of democracy. How much do the people need to know, and when? What information must be protected and who should decide what documents to release? What criteria should be employed to determine which records to withhold? And how do the ways Americans address these dilemmas affect foreign perceptions about the United States? Such questions have generated considerable controversy since the dawn of the republic, and, since 1861, that debate has repeatedly raged around, within, and behind the pages of the *Foreign Relations of the United States* series.

The history of these controversies illuminates the broader evolution of open government in the United States. As political scientist Stephen Skowronek has observed, “state building is most basically an exercise in reconstructing an already established organization of state power. Success hinges on recasting official power relationships within governmental institutions and on altering ongoing relations between state and society.” He concluded that “states change (or fail to change) through political struggles rooted in and mediated by preestablished institutional arrangements.”<sup>2</sup> In tracing the evolution of the *Foreign Relations* series, this book shows how policymakers translated abstract values like “security” and “legitimacy” into concrete practice as they developed institutions to select, clear (or declassify), and evaluate the government’s most important foreign policy records. Over time, this expanding array of *FRUS* stakeholders inside and outside of the U.S. Government accumulated substantive and procedural knowledge that policymakers employed in their struggles to balance the government’s pursuit of security with its commitment to openness. The outcomes of *FRUS* debates, ranging from clearances for individual documents to the purpose, size, and scope of the entire series, reflected the relative power, influence, and autonomy of the various *FRUS* stakeholders. Struggles to define the “soul” of the *Foreign Relations of the United States* series occurred precisely because of the important issues at stake. Deciding the extent of the “people’s right to know” has fueled lively debate for over two centuries, as this history demonstrates.

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<sup>2</sup> See Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1777-1920* (Cambridge: Cambridge University Press, 1982) (quote on p. ix). See also James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1989); and Daniel P. Carpenter, *The Forging of Bureaucratic Autonomy: Reputations, Networks, and Policy Innovation in Executive Agencies, 1862-1928* (Princeton: Princeton University Press, 2001).

# Part I: The Immediacy of Accountability, 1790s-1920s

## Chapter 1: The Parameters of Openness and Executive Discretion, 1790-1860

William B. McAllister and Aaron W. Marrs

The *Foreign Relations of the United States* series, which began publication in 1861,<sup>1</sup> drew upon longstanding precedents that established the prerogatives of the executive and legislative branches. Dating from the dawn of the republic, and drawing on earlier English parliamentary practice, Congress exerted its right to inquire into the basis upon which foreign policy decisions were made. The executive branch, in the person of the president, reserved the power to withhold or restrict release of information, with proper justification.<sup>2</sup> Much about this dynamic has changed since the 1790s, but the fundamental balancing act between the public's right to know and the government's responsibility to protect remains at the center of an ongoing and lively exchange.

During the early republic period, the legislative and executive branches jostled to establish functional intergovernmental communications procedures. The Congress very quickly established a habit of calling for reports or executive branch records on a variety of domestic matters. Over time, it became customary for most executive branch agencies to submit annual reports to Congress, although the Department of State never did so. As early as 1790, Congress acceded to the principle that the President might withhold particulars about certain expenditures

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<sup>1</sup> *FRUS* has been published regularly and continuously since 1861. [Chapter 3](#) discusses why the Department did not produce a volume covering diplomatic events for 1869. [Chapter 4](#) explains the late appearance of the 1881 and 1898-1900 volumes. [Chapter 5](#) outlines proximate factors contributing to the lapse of annual publication of volumes beginning in 1906. Volume releases further receded from the 19th century standard of currency thereafter; the tension between timeliness and comprehensive coverage comprises a central theme of [Part II](#).

<sup>2</sup> For secondary treatments of the early republic era, see Daniel N. Hoffman, *Governmental Secrecy and the Founding Fathers*, (Westport, CT: Greenwood Press, 1981); Abraham D. Sofaer, "Executive Power and the Control of Information: Practice Under the Framers," *Duke Law Journal* 77, no. 1 (March 1977): pp. 1-57; Sofaer, "Executive Privilege: An Historical Note," *Columbia Law Review* 75, no. 7, (November 1975): pp. 1318-1321; Louis Fisher, "Invoking Executive Privilege: Navigating Ticklish Political Waters," *William and Mary Bill of Rights Journal* 8, no. 3 (1999-2000): pp. 583-629; Mark J. Rozell, *Executive Privilege: Presidential Power, Secrecy, and Accountability*, 2nd ed. (Lawrence: University Press of Kansas, 2002), pp. 28-37; Lawrence R. Houston, "Executive Privilege in the Field of Intelligence," paper dated September 22, 1993, Central Intelligence Agency, Center for the Study of Intelligence website, [https://www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/vol2no4/html/v02i4a07p\\_0001.htm](https://www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/vol2no4/html/v02i4a07p_0001.htm); Brian Balogh, *A Government Out of Sight: The Mystery of National Authority in Nineteenth-Century America* (Cambridge: Cambridge University Press, 2009), p. 165.

related to foreign policy. That same year, President George Washington transmitted documents relating to Indian affairs, but insisted that Congress keep the information confidential. Congress also stipulated that certain foreign policy documents, for example, the provisions of treaties ratified by the Senate, should be published at the public expense.

In 1791-1792, an issue encompassing foreign policy, military affairs, and congressional oversight required the two branches to consider key operational and constitutional principles. On November 4, 1791, United States military forces under Major General Arthur St. Clair suffered a crushing defeat on the banks of the Wabash River (in present-day Ohio) at the hands of a coalition of Indian tribes.<sup>3</sup> As soon as President Washington received the first report, he voluntarily informed Congress.<sup>4</sup> The House of Representatives formed a committee to investigate the causes of the debacle, and, on March 30, 1792, requested that Secretary of War Henry Knox release documents relevant to the inquest. Given the fundamental nature of the questions involved, and aware that his administration's decisions would set precedents for relations between the branches of government, Washington convened his Cabinet to consider how to reply. The Cabinet examined in detail English Parliamentary precedents to guide their views about prerogatives attached to the executive and legislative functions.<sup>5</sup> They decided that the Legislative branch did possess the right to request documents from the Executive. As to who should respond, the Cabinet determined that only the President, as head of the Executive branch and therefore responsible for all executive departments' operations and records, could reply to congressional requests. Concerning what documents the executive branch might

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<sup>3</sup> John F. Winkler, *Wabash 1791: St. Clair's Defeat* (Oxford: Osprey, 2011).

<sup>4</sup> Washington to the Senate and House, December 12, 1791, *The Papers of George Washington, Presidential Series*, Vol. 9 (Charlottesville, Virginia: University Press of Virginia, 2000), p. 274. Available at the NARA, Founders Online website, <http://founders.archives.gov/?q=%20Period%3A%22Washington%20Presidency%22%20Dates-From%3A1791-12-12%20Dates-To%3A1791-12-13&s=1111311111&r=9>.

<sup>5</sup> Knox to Washington March 30, 1792, *The Papers of George Washington, Presidential Series*, Vol. 10, (Charlottesville, Virginia: University Press of Virginia, 2002), p. 168 and accompanying notes on pages 168-169. Available at the NARA, Founders Online website, <http://founders.archives.gov/?q=%20Period%3A%22Washington%20Presidency%22%20Dates-From%3A1792-03-30%20Dates-To%3A1792-03-31&s=1111311111&r=4>. In 1792 the cabinet consisted of Alexander Hamilton (Treasury), Thomas Jefferson (State), Henry Knox (War), and Attorney General Edmund Randolph. For this crucial precedential case, see Jefferson's March 31 and April 2, 1792 accounts of the Cabinet's deliberations and implementation of their decisions in Franklin V. Sawvel, ed., *The Complete Anas of Thomas Jefferson* (New York: Round Table Press, 1903), pp. 70-71. Jefferson's notes cite "Chandler's Debates," referring to *The history and proceedings of the House of Commons from the Restoration to the present time, Supplemental Pieces* (short title), Vol. 13 (London, 1742), Hathi Trust website <http://babel.hathitrust.org/cgi/pt?id=hvd.32044106508997>. The specific references address whether the House of Commons possessed the authority to initiate an inquest concerning military affairs (including clandestine spy operations) and how the King's ministers should respond. The debates took place during the latter period of Robert Walpole's premiership (late 1730s-early 1740s). The disputants in the Walpole era referenced earlier 18th and 17th century cases that came before Parliament, evidence of the American Founding Fathers' adherence to English Common Law practices of deference to tradition and precedent.

submit, they agreed that “the public good”—as defined by the President—must determine the extent of disclosure. In principle, the President should divulge as much material as possible. Nevertheless, if, in the President’s judgment, release of certain documents might harm the public good, those records could be withheld.<sup>6</sup>

Congress did not challenge Washington’s general approach to questions of principle, and the administration subsequently presented a comprehensive response. On April 4, 1792, the House committee redirected their query to the President, recasting the request in terms that recognized the “public good” criteria by asking Washington to “cause the proper officers to lay before this House *such papers of a public nature*, in the Executive Department, that may be necessary to the investigation.”<sup>7</sup> The President and his Cabinet averred that in this instance, copies of all the relevant documents could be released. Washington even offered to dispatch a clerk to display the original documents so that Members could fully satisfy themselves as to the veracity of the records.<sup>8</sup>

By 1800, this procedure of congressional requests for information with allowances made for reservations had become established practice. The House or Senate asked for documents relating to specific foreign policy issues when they deemed it necessary. Those queries usually deferred to the executive branch by including language to the effect that exceptions could be made if the president judged it necessary to withhold information “in the public interest,” or in consideration of the “public good,” or when “public safety” required. Although much altered in form, this basic approach to sharing information about foreign policy issues continues today.<sup>9</sup>

Most importantly, the President’s officials possessed the capacity to control the flow of information. Because executive branch agents created, received, retained, and reviewed the documents, little recourse existed for questioning their determinations about what was in the public interest to divulge. Congress

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<sup>6</sup> Hoffman, *Governmental Secrecy and the Founding Fathers*, pp. 69-83; note 5 above.

<sup>7</sup> *Annals of Congress*, House of Representatives, 2nd Cong., 1st Sess., April 4, 1792, pp. 535-536 (emphasis added).

<sup>8</sup> Knox delivered the papers to the House on April 9, 1792. See [note 5](#) above and *The Papers of George Washington, Presidential Series*, Vol. 10, notes on p. 169.

<sup>9</sup> For the legislative branch undulation between acceptance of and challenges to assertions of executive privilege during the 1790s, see note 2 above and especially Hoffman, *Governmental Secrecy and the Founding Fathers*, pp. 88-118, 124-138, 143-177, 184-196. All parties recognized from the beginning that various actors might derive very different calculations about what constituted “the public good.” Some members of Congress rejected the legislature’s right to demand documents from the executive because they believed it implied impeachment of the President, or because they feared investigations would be instigated for political purposes. See, for example, statement of William Smith in *Annals of Congress*, 2nd Cong., 1st Sess., House, March 27, 1792, p. 491. Secretary of State Jefferson worried that his rival, Treasury Secretary Alexander Hamilton, contemplated using the procedure to promote bureaucratic independence from the Chief Executive: when confronted with a congressional directive Hamilton did not wish to obey, he would invoke the shield of executive privilege; if, instead, Hamilton did not wish to follow a presidential instruction, he could release material to Congress that promoted Hamilton’s policy preferences. See note 5 above.

could press for the release of more documents or demand explanations as to why records remained sealed, but legislators acceded to the principle that redacting and withholding constituted appropriate executive functions. Neither branch wished to appeal to the judiciary, nor did the courts want to become embroiled in matters likely to involve ephemeral political considerations. Thus, the executive retained the initiative in defining what constituted “the public interest” or “national security” for the purposes of determining responsible U.S. Government transparency.

The earliest evidence of the criteria employed to justify excisions from released material arose during the 1793-1794 Citizen Genet affair.<sup>10</sup> After multiple rounds of congressional requests for information and partial executive branch releases, including some transmitted confidentially,<sup>11</sup> in January 1794, Secretary of State Edmund Randolph outlined the type of information typically withheld. “The parts to be withheld will probably be of these denominations: (1) what related to Mr. G[ene]t; (2) some harsh expressions on the conduct of the rulers in France, which, if returned to that country, might expose [Gouverneur Morris, U.S. representative in Paris] to danger; (3) the authors of some interesting information, who, if known, would be infallibly denounced.”<sup>12</sup> Randolph’s criteria incorporated several of the excision categories used today:

- gossip, accusations, or other information not germane to the issues at hand, especially regarding diplomats representing their country’s interests in the United States;
- the type of frank assessments diplomats typically convey, but that can prove problematic if revealed to officials of the host nation. Ministers expected their

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<sup>10</sup> Harry Ammon, *The Genet Mission* (New York: Norton, 1973); Eugene R. Sheridan, “The Recall of Edmond Charles Genet: A Study in Transatlantic Politics and Diplomacy,” *Diplomatic History*, 18, no. 4 (Fall 1994): pp. 463-488.

<sup>11</sup> Documents detailing the principal submissions to Congress and key and cabinet discussions about release criteria include: *Message of the President of the United States to Congress, Relative to France and Great-Britain. Delivered December 5, 1793* (Philadelphia: Childs and Swaine, 1793), Internet Archive website <http://archive.org/stream/amessagepreside00conggoog#page/n4/mode/2up> (note on p. iii that Washington did not apprise legislators of omissions, merely stating that he forwarded “certain correspondences” pertaining to relations with France and Great Britain); *Annals of Congress*, 3rd Cong., 1st Sess., Senate, January 17, 1794, p. 34; John C. Hamilton, ed., *The Works of Alexander Hamilton; Comprising his Correspondence, and his Political and Official Writings, Exclusive of the Federalist, Civil and Military*, Vol. IV, 1851 (New York: John F. Trow), pp. 494-495; *American State Papers: Foreign Relations*, Vol. 1 (Gales and Seaton, 1833), p. 329. The most important document Washington withheld was the Memorandum of Conversation with Edmond Charles Genet, July 10, 1793 printed in *The Papers of Thomas Jefferson*, Vol. 26 (Princeton, N.J.: Princeton University Press, 1995), pp. 463-467, available at the NARA, Founders Online website, <http://founders.archives.gov/documents/Washington/05-13-02-0137-0002>.

<sup>12</sup> Randolph to Washington, January 26, 1794, *The Papers of George Washington, Presidential Series*, Vol. 15 (Charlottesville, Virginia: University of Virginia Press, 2009), p. 130, available at the Library of Congress, American Memory Collection website, <http://memory.loc.gov/mss/mgw/mgw4/105/0100/0105.jpg>.

communications with the Secretary of State to remain confidential, at least until the most acute sensitivities receded;

- “human intelligence” sources—those likely to discontinue cooperation if their communications were revealed.

When considered in conjunction with the “public interest” withholding, the categories of today’s classified information criteria appear similar: material that might compromise national security, intelligence sources and methods, the protection of information provided in confidence by a foreign government, assessments that might damage current relations or compromise ongoing negotiations, and personal information. Sensitive information of these types now comprises the principal categories exempt from release.<sup>13</sup>

It is important to note when considering the parameters of openness through the early part of the twentieth century that the universe of documents subject to release was much smaller than today. Many types of official records now considered essential to reconstructing the policy making process did not then exist. The large bureaucracies of the modern era create multiple types of records that reveal internal decisionmaking processes such as memoranda of conversation, position papers, decision documents, cross-departmental coordination efforts, interagency task force records, detailed accounts of international negotiations, and the like. Until the early 20th century, the federal government was quite small; the Department of State, for example, totaled seven domestic employees in 1790.<sup>14</sup> If a Department head or the President wished to convene a meeting to determine policy, the principals could easily fit into one room. Little need existed to write down the course of the deliberations, since all key players could be present. Additionally, extant records that recounted certain intra-executive branch functions—for example, the deliberations of Cabinet meetings—would have been considered off limits out of respect for the separation of powers. The House and Senate sometimes met in executive session and treated the records of those deliberations as secret; they could hardly ask the executive to surrender similar documents. Finally, conceptions about what constituted a government record were much more circumscribed. Officials routinely retained their “personal” records when leaving government service, which included correspondence considered “private,” diaries, notebooks, and other documents that may reveal much about the internal workings of government. Indeed, the documentary basis of [Part One](#) of this book rests largely on the “papers” of leading figures, few of which remained in the possession of the federal government. Until the third decade of the 20th century, Department of State staff assigned to select and transmit documentation to Congress had no authority to consult these records.

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<sup>13</sup> For careful assessments of the questions surrounding Randolph’s criteria for withholding and material excised from Morris’s communications before transmittal to the Senate, see Hoffman, *Governmental Secrecy and the Founding Fathers*, pp. 104-116.

<sup>14</sup> Department of State, Office of the Historian website <http://history.state.gov/departmenthistory/buildings/section13>.

Consequently, the bulk of the extant record consisted of official correspondence—communications from other governments, messages from U.S. diplomatic officials overseas, instructions written to them, and, sometimes, reports produced for the Secretary of State or the President based largely on those documents. Disclosure of “the record,” then, constituted the release of materials that indicated the inputs to policy as well as the implementation of policy, but which only obliquely revealed the weighing of factors involved in making decisions.

The openness expectations of the era were also conditioned by an essentially unregulated confidentiality regime. Unlike today, no laws prohibited executive branch officials from sharing information with legislators, the press, private citizens, or even foreigners. Leaks of sensitive information occurred frequently. Administration officials sometimes released documents selectively to bolster their position or undermine rivals. The executive branch learned that any information sent to Congress, even confidentially, was liable to become public. In hopes of establishing the trust necessary to receive fuller documentation, both Houses of Congress created standing rules requiring their members to maintain the confidentiality of records transmitted by the executive branch. Nevertheless, both the House and Senate asserted the authority to remove the injunction of secrecy from documents they received by majority vote if legislators deemed it in the public interest to do so. The executive acquiesced, acceding to the principle that the people possessed a sovereign right to make informed judgments about the conduct of their public servants.<sup>15</sup>

By the early 19th century, a clear set of reciprocal expectations had developed between the executive and legislative branches. Most importantly, a general agreement existed that a functional republic required well-informed public debate; both branches assumed that the President should share documents regarding foreign affairs with representatives, either voluntarily or when asked, and that as much of that information as possible would be made available to the American people. Every year, the executive branch transmitted to Congress foreign policy records, sometimes in very significant amounts, and often on short notice. The nation’s elected representatives uniformly acknowledged the *value* of openness in government operations.

Both branches (particularly the executive), however, tempered the value ascribed to transparency. All agreed that the indiscriminate release of information could damage the national interest; the executive branch applied the sorts of excisions identified by Secretary Randolph when officials deemed it necessary. In a few high-profile instances, a case can be made that as early as the 1790s Presidents withheld very important information that might have made a difference in congressional support for administration policies that led to hostilities or resulted

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<sup>15</sup> Hoffman, *Governmental Secrecy and the Founding Fathers*, pp. 238-244.

in territorial expansion.<sup>16</sup> Although those exceptions constituted a very small percentage of the overall information exchange, they nevertheless represented an important practice that would occasionally recur after the institution of regularized, contemporary documentary publication in 1861.

Yet even in cases of documents delivered to Congress on a confidential basis, of excisions from released records, and of the withholding of crucial correspondence, Americans assumed as a general rule that those materials would eventually become part of the public record. Beginning in the early 19th century, Congress authorized considerable funding for an extensive program of publishing documents. The U.S. Serial Set, which began publication in 1817, comprised the most comprehensive collection of foreign affairs documentation during the antebellum period.<sup>17</sup> The Serial Set included hundreds of thousands of pages covering an incredibly broad range of topics: the slave trade, compensation for consular officials, geographical surveys, land claims, piracy, commercial trade, treaties, fisheries, canals and railroads, boundary disputes, tariffs, and a host of other issues great and small. The releases range from single documents to hundreds of pages.

Congress also authorized additional publications produced by private individuals. For example, in 1829 Joseph Gales and William Seaton proposed that they should be allowed to publish government documents; Congress agreed and in subsequent years they produced *American State Papers*, volumes that cover foreign relations topics from 1789 to 1828.<sup>18</sup> Congress authorized several other publications separately, including 12 volumes containing correspondence of the American Revolution edited by Jared Sparks.<sup>19</sup> The legislative branch demonstrated

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<sup>16</sup> Key cases include Washington's handling of records relating to the controversial Jay Treaty, John Adams's decisions regarding information releases during the "XYZ Affair," Jefferson's Louisiana Purchase negotiations, Madison's and Monroe's expeditions into the Floridas, and Madison's withholding of certain correspondence at the time of the 1812 war vote. For a brief overview, see Sofaer, "Executive Power and the Control of Information," pp. 8-45.

<sup>17</sup> Anne Morris Boyd and Rae Elizabeth Rips, *United States Government Publications*, 3d ed., revised (New York: H. W. Wilson, 1949), pp. 26-28. For a comprehensive index of materials published between 1828 and 1861, see Adelaide Rosalia Hasse, *Index to United States Documents Relating to Foreign Affairs, 1828-1861*, 3 vols. (Washington, D.C.: Carnegie Institution of Washington, 1914-1921). See also *Checklist of United States Public Documents, 1789-1909*, 3rd ed., revised and enlarged, Vol. I, *Lists of Congressional and Departmental Publications* (Washington, D.C.: Government Printing Office, 1911), pp. 892-895.

<sup>18</sup> Martin P. Claussen, "Revisiting America's State Papers, 1789-1861," *American Archivist* 36, no. 4 (October 1973): pp. 523-536; Clarence E. Carter, "United States and Documentary Historical Publication," *Mississippi Valley Historical Review* 25, no. 1 (June 1938): p. 7; Richard W. Leopold, "The Foreign Relations Series, A Centennial Estimate," *Mississippi Valley Historical Review*, 49, no. 4 (March 1963): p. 596.

<sup>19</sup> Leopold, "The Foreign Relations Series," p. 596, and for other examples of edited volumes, see notes 2 and 6; *Message from the President of the United States, Transmitting a Report by the Committee on Department methods on the Documentary Historical Publications of the United States Government, Together with a Draft of a Proposed Bill Providing for the Creation of a Permanent Commission on National Historical Publications* (Washington, D.C.: Government Printing Office, 1909) (hereafter *Report by the*

an impressive commitment to governmental openness by funding dozens of projects totaling hundreds of volumes, involving thousands of documents incorporating hundreds of thousands of pages, at the cost of millions.<sup>20</sup>

Lacking an overarching plan, manifestations of this evolving practice of responsible release emerged sporadically and in piecemeal fashion. Speaking broadly about all government publications (not only those concerning foreign relations), a committee of historians assembled in 1908 reported that “the period from 1829 to 1861 may fairly be declared to have been the most active in historical publication . . . . All this constituted a creditable achievement for a young nation not yet rich. But it is distinctly miscellaneous.”<sup>21</sup> “Miscellaneous” describes well the foreign affairs documentation published in the Serial Set. The publications were “so scattered as to be hard to use” and “few libraries” collected the full run of documents. Additionally, “they embrace isolated, selected papers, such as it suited the President or Secretary of State to send to Congress.” The Serial Set and privately produced volumes were not the result of an overarching plan.<sup>22</sup> Although those early efforts do not conform to present-day standards of documentary editing and comprehensive coverage, they do reflect the value ascribed to making foreign policy documentation available to Congress and the public.<sup>23</sup>

This extensive publishing program required federal bureaucracies to incorporate new functions and develop working-level policies that embodied the ethos of openness. Congressional staff and Executive branch employees developed processes for discovering, selecting, organizing, copying, editing, and indexing records. The legislative and executive branches created both a nascent bureaucracy and procedures for what would today be called “declassification” of once-secret documents and for control of restricted information while it was being prepared for publication.<sup>24</sup> However rudimentary when compared with modern standards, by the early 1830s, all the key elements of the transparency-secrecy continuum were in

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*Committee on Department Methods*), pp. 31-33; Laurence F. Schmeckebier, *Government Publications and Their Use* (Washington, D.C.: Brookings Institution, 1936), pp. 317-321.

<sup>20</sup> Note also that, in 1800, the legislative branch created the Library of Congress, originally intended primarily as a depository for congressional documents. In 1810, Congress passed an Archives Act that required a systematic approach to the organization and preservation of government records. George H. Callcott, “Antiquarianism and Documents in the Age of Literary History,” *The American Archivist* 21, no. 1 (January 1958), pp. 18-22; Leopold, “The Foreign Relations Series,” pp. 596-597.

<sup>21</sup> *Report by the Committee on Department Methods*, p. 10.

<sup>22</sup> *Report by the Committee on Department Methods*, p. 31.

<sup>23</sup> John Bassett Moore, “The Diplomatic Correspondence of the American Revolution,” *Political Science Quarterly* 8, no. 1 (March 1893), pp. 33-47; Worthington Chauncey Ford, “The Editorial Function in United States History,” *American Historical Review* 23, no. 2 (January 1918), pp. 273-286; Lester J. Cappon, “American Historical Editors before Jared Sparks: ‘they will plant a forest . . .’” *William and Mary Quarterly*, 3d ser., 30 (July 1973), pp. 375-400.

<sup>24</sup> See “Introductory Notice,” *American State Papers, Foreign Relations*, Vol. I (Washington, D.C.: Gales and Seaton, 1833), pp. vii-xi at the Library of Congress, American Memory Collection website <http://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=001/llsp001.db&recNum=6>.

existence, as well as mechanisms to resolve the differences arising therefrom. Those procedures were grounded in a profound tradition—the presumption that elected officials had an obligation to inform the people about what the government had done in their name.

President Abraham Lincoln’s covering note accompanying the inaugural *FRUS* volume included clear evidence that the publication rested on the many well-established practices discussed in this chapter. On December 3, 1861, Lincoln sent his first annual message to Congress with the foreign policy documentation attached. He noted the records briefly at the beginning of his message by stating, “The correspondence itself, with the usual reservations, is herewith submitted.”<sup>25</sup> Lincoln’s proviso “*with the usual reservations*” indicated the evolutionary character of this documentary release. Although we cannot know with certainty what “reservations” Lincoln had in mind, his use of “usual” implied a reliance on established procedures, criteria, and transparency expectations for the release of foreign policy documents.

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<sup>25</sup> *Message of the President of the United States to the Two Houses of Congress at the Commencement of the Second Session of the Thirty-Seventh Congress* (Washington, D.C.: Government Printing Office, 1861) (hereafter *Message*, 1861), p. 4.

## Chapter 2: The Civil War Origins of the *FRUS* Series, 1861-1868

Aaron W. Marrs

Despite its evolutionary character, the 1861 *Foreign Relations* volume marks an important starting point for understanding the modern history of U.S. foreign relations documentation. This chapter explores the specific conditions surrounding the 1861 volume and the reaction to it, as well as the production of and response to subsequent volumes issued during the Civil War. Several broad conclusions emerge: these volumes represent a mature expression of the checks and balances between the executive and legislative branches established over the previous seven decades, the editors selected documents with an eye to both domestic and overseas audiences, the volumes tell modern historians what the Lincoln administration wanted U.S. citizens to know about its foreign policy, and the volumes continued a longstanding commitment to promote government openness despite the controversy such efforts generated.

The extant documentation does not indicate to what extent principals like President Lincoln and Secretary of State Seward participated in the selection of the documents and the publication of the volumes, but one can reasonably surmise that they supported the initiative. It is difficult to imagine important documents being released without their concurrence, or at least their knowledge. In Frederick Seward's account of his father's tenure as Secretary of State, he writes that William Seward had a hand in preparing the text of Lincoln's message, but no mention is made of how the attached documentation was compiled.<sup>1</sup> Nevertheless, we can infer Seward's involvement based on context. The Department of State was quite small during the Civil War, with only 42 domestic employees in 1860. A project of this size and visibility could not have escaped the notice of the Secretary.<sup>2</sup> The archival record, however, does not identify who edited these volumes or what procedures they employed.

Evidence for Seward's opinion about the series, however, is directly available from his own pen. Two years after the release of the first volume, Seward explained the necessity of the publication in an exchange with Charles Francis Adams, U.S. minister in London during the Civil War. On February 11, 1864, Adams sent a despatch to Washington noting that "publication of the Diplomatic papers ... has elicited much comment in Parliament." Adams expressed a wish that if diplomatic correspondence were to be published, it would at least be done with adequate

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<sup>1</sup> Frederick W. Seward, *Seward at Washington, as Senator and Secretary of State: A Memoir of his Life, with Selections from His Letters, 1861-1872* (New York: Derby and Miller, 1891), p. 22.

<sup>2</sup> Department of State, Office of the Historian website, "Frequently Asked Questions: Department Personnel, 1781-2010," <http://history.state.gov/about/faq/department-personnel>.

context so that his own actions would not come under question in London.<sup>3</sup> Seward responded with a lengthy justification. For Seward, publishing documentation had a solid Constitutional basis that harkened back to precedents set as early as the 1790s: “The Constitution of the United States requires the President from time to time to give Congress information concerning the state of the Union.”<sup>4</sup> Beyond this Constitutional obligation, Seward noted, “our foreign affairs have ... been a subject of anxiety as deep as that which is felt in regard to military and naval events.” This widespread interest demanded a response. “The Government continually depends upon the support of Congress and the People, and that support can be expected only in the condition of keeping them thoroughly and truthfully informed of the manner in which the powers derived from them are executed.” Seward linked the publication directly to the exercise of democracy; because the authority of the government derived from the people, the people deserved to see the correspondence which revealed how policy was being carried out.<sup>5</sup>

Seward reiterated practices and principles enshrined during the early republic, telling Adams that “Congress and the country” had a “right” to see the documents that had caused Adams such consternation. Since “history would be incomplete without that account,” the President had a “duty to communicate it, unless special reason of a public nature existed for withholding it.” Seward did not believe that his correspondence with Adams qualified for this exception, and even if it did, sufficient time had elapsed to justify release: “the question which had called out this dispatch had been for a time put at rest.” Indeed, for Seward the greater error would have been *not* to release the documents. Failing to publish the correspondence “would have seemed to imply a confession that it was improper in itself, while to practice reserve on so great a question would be liable to be deemed an abuse of the confidence which Congress and the people had so freely reposed in the Government.” Congress and the American people needed to make an open and honest assessment of the government’s foreign policy, and the publication of these documents enabled the Constitutional framework of accountability to function.<sup>6</sup>

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<sup>3</sup> Adams to Seward, February 11, 1864, Vol. 24, NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State. For the assessment of one of Adams’s Legation assistants, see Sara Agnes Wallace and Frances Elma Gillespie, eds., *The Journal of Benjamin Moran, 1857-1865* (Chicago: University of Chicago Press, 1949), February 11, 1864, Vol. II, p. 1263. This was not the only time Adams was annoyed by publication; see Moran, *Journal*, Vol. II, December 22, 1862, p. 1099. But Adams also saw the value of publishing the diplomatic record; as he told Earl Russell in November 1862 regarding the publication of a note from the Russians to the French: “I expressed my satisfaction with the result, because I thought the publication of these papers in America would tend to correct any impressions which had been made of the disposition of France, to the disadvantage of Great Britain.” Adams to Seward, November 15, 1862, Vol. 24, NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State.

<sup>4</sup> Seward’s reference is to Article II, Section 3 of the Constitution.

<sup>5</sup> Seward to Adams, March 2, 1864, NARA, RG 59, Diplomatic Correspondence (1785-1906), Instructions to Diplomatic Officers, Great Britain, Vol. 98.

<sup>6</sup> Seward to Adams, March 2, 1864, NARA, RG 59, Diplomatic Correspondence (1785-1906), Instructions to Diplomatic Officers, Great Britain, Vol. 98.

The novel aspect of the 1861 volume lay in its comprehensive scope and unified presentation, which enhanced both the utility and the visibility of the documents. For the first time, documents about a variety of subjects all over the globe were presented under a single cover, rather than being published in an ad hoc manner.<sup>7</sup> Benjamin Moran's reaction to the publication illustrates the kind of change the inaugural *FRUS* represented. Moran served as a secretary in the U.S. legation at London. He complained that "Mr. Seward has introduced an unheard of precedent by publishing despatches from all our ministers with the President's Message, and the folly arises from his pride of authorship—and that alone."<sup>8</sup> Moran certainly knew that diplomatic correspondence had long been published. Indeed, he lamented the state of the legation's library.<sup>9</sup> Moran's criticism suggested that collating foreign policy documents and attaching them to the president's message represented a novel aspect in that it created a higher profile for the volumes. That heightened visibility carried with it risks for current diplomacy. As Secretary of State Seward remarked to Adams, "it is impossible when writing to you, (however confidentially) to feel sure that when what is expressed, shall ultimately become public, it will not be thought to have been written for effect or to produce an impression upon the British Government."<sup>10</sup> Nevertheless, Seward continued and vigorously defended the longstanding practice of documentary releases, even in time of war.

Evidence from the legislative branch supports Seward's arguments. Congress certainly exhibited concern about foreign relations during the Civil War and expected to receive documentation reflecting the administration's actions. [Appendix B](#) demonstrates that the nation's legislators approved tens of thousands of copies to be printed at the public expense. Seward's defense of publication and the actions of Congress demonstrate that *FRUS* represented an important element in the federal government's checks and balances: the executive branch carried out foreign policy, but the legislative branch reserved the right to monitor that policy via these requests for documentation.<sup>11</sup>

## Origins of the Inaugural Volume

In the usual manner, during 1861 the Congress asked for documents, and the executive determined how, when, and whether to comply. Executive branch denials included a refusal to comply with a March 25 Senate resolution requesting the "despatches of Major Robert Anderson to the War Department during the time he has been in command at Fort Sumter." Lincoln responded the next day that he

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<sup>7</sup> Leopold, "The Foreign Relations Series," p. 597.

<sup>8</sup> Moran, *Journal*, Vol. II, December 22, 1862, p. 1099.

<sup>9</sup> Moran noted the poor state of the volumes, stored "over the stables," susceptible to mildew and dust, for which he blamed "the niggardly spirit of the Gov't in not providing proper cases for them. All applications for an appropriation have been treated with silent indifference and as a consequence we have no library worthy the name." Moran, *Journal*, Vol. II, October 6, 1863, p. 1219.

<sup>10</sup> Seward to Adams, August 2, 1862, NARA, RG 59, Diplomatic Correspondence (1785-1906), Instructions to Diplomatic Officers, Great Britain, Vol. 97.

<sup>11</sup> Moss, "Public Diplomacy," pp. 4-5.

had “examin[ed] the correspondence thus called for” and decided that it would be “inexpedient” to publish.<sup>12</sup> As late as December 4, the day after the promulgation of the first *FRUS* volume, the House requested documentation on the “intervention of certain European Powers in the affairs of Mexico.” Seward responded five days later that the documentation would not be provided.<sup>13</sup>

Nevertheless, a trio of congressional resolutions asking for documentation, which passed over a two-week span in July 1861, spurred the publication of the inaugural *Foreign Relations* volume.<sup>14</sup> All three resolutions demanded to see the diplomatic correspondence, and all three deferred to the President’s judgment about whether or not it would be in the public interest to release the documentation. The long history of document releases in the pre-Civil War period meant that the Congressmen had every expectation that, absent a substantial reason to withhold, their requests would be satisfied. Two House resolutions came from Democrats and one Senate resolution from a Republican, indicating bipartisan interest in the issues as well as the prerogatives of congressional oversight.

Lincoln and Seward opted not to respond immediately. Seward replied that it would not be appropriate to share “the correspondence called for” in July 1861.<sup>15</sup> Instead, over the next several months, the Department prepared what became the first *FRUS* volume to be ready by the beginning of the subsequent Congressional session. On December 3, Lincoln sent his message (which included the “usual reservations” statement) and a note to the House of Representatives that stated that he was fulfilling the request of the July 13 resolution, quoting its text that the documentation covered “rights of blockade, privateering and the recognition of the so called Confederate States.”<sup>16</sup> The correspondence was forwarded to Congress, launching the *Foreign Relations* series.

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<sup>12</sup> Basler, *Papers of Abraham Lincoln*, Vol. IV, p. 299.

<sup>13</sup> Basler, *Papers of Abraham Lincoln*, Vol. V, p. 61.

<sup>14</sup> Congress was not in session between August 7 and December 1, 1861. The requests for information were intended to produce either an immediate result before Congress adjourned in August, or to signal their expectation that the correspondence would be transmitted upon their return in December. July 13, 1861 resolution by Member Samuel Sullivan Cox (Democrat, OH), *Congressional Globe*, 37th Cong., 1st Sess., p. 117. See also Cox, *Eight Years in Congress, from 1857-1865; Memoir and Speeches* (New York: D. Appleton and Company, 1865) and *Three Decades of Federal Legislation, 1855 to 1885, Personal and Historical Memories of Events Preceding, During, and Since the American Civil War, Involving Slavery and Secession, Emancipation and Reconstruction, with Sketches of Prominent Actors during these Periods* (Tecumseh, Mich.: A. W. Mills, 1885). Cox wrote of Seward that “while the diplomatic correspondence of our Civil War shall remain in the archives of the Nation, that monument of his worth and greatness must far surpass in grandeur any memorial of bronze or marble that genius can conceive or art execute” (*Three Decades*, p. 274); July 15 resolution by Member Erastus Corning (Democrat, NY), *Congressional Globe*, 37th Cong., 1st Sess., p. 129; July 25 resolution by Senator Timothy Howe (Republican, WI), *Congressional Globe*, 37th Cong., 1st Sess., p. 253.

<sup>15</sup> Roy Basler, ed., *Collected Works of Abraham Lincoln*, Vol. IV (New Brunswick, NJ: Rutgers University Press, 1953), p. 459. That same day, Lincoln and Seward also declined to provide correspondence with foreign powers relating to maritime rights (*ibid.*, p. 459-460).

<sup>16</sup> Roy Basler, ed., *Collected Works of Abraham Lincoln*, Vol. V (New Brunswick, NJ: Rutgers University Press, 1953), p. 55.

## Selling the War at Home

The contents of the inaugural volume indicate what the government wanted its citizens to know about foreign policy. The papers relating to foreign affairs, 425 pages in length, were attached to Lincoln's annual message.<sup>17</sup> In his message, Lincoln covered a range of topics and wrote briefly about foreign affairs. The principal topic of concern was whether the nascent Confederacy had obtained recognition from any other country. Lincoln expressed confidence about Union diplomatic efforts: "The disloyal citizens of the United States who have offered the ruin of our country, in return for the aid and comfort which they have invoked abroad," he wrote, "have received less patronage and encouragement than they probably expected." Lincoln noted that all the Confederacy had to offer to foreign countries was the prospect of commerce. As yet, foreign nations were not ready to "disca[r]d all moral, social, and treaty obligations" in order to maintain trading relations.<sup>18</sup> For the time being, the Union's overseas ministers had successfully fended off Confederate advances to other countries' foreign ministries.

The correspondence demonstrated the government's effort to prevent recognition of the Confederacy by foreign countries. The first document in the volume indicated continuity from the previous administration. In a circular from James Buchanan's Secretary of State, Jeremiah Black, to ministers abroad on February 28, 1861, Black characterized the November 1860 election as a victory for the "candidate of the republican or antislavery party." The election "had been confined almost entirely to topics connected, directly or indirectly, with the subject of negro slavery," and Lincoln was as popular in the North as he was despised in the South. Black noted that President Buchanan "expected" America's representatives to prevent Confederate agents from gaining recognition.<sup>19</sup> Seward's first circular, dated March 9, confirmed the goals of his predecessor.<sup>20</sup> After the brief section of circulars, the balance of the volume presented a country-by-country selection of correspondence with U.S. representatives in 24 states.<sup>21</sup> Some of the chapters comprised only a few pages, while others provided expansive coverage. The volume featured Seward's initial directions, bold in tone, specific to each country.<sup>22</sup> Seward's son Frederick, who served as Assistant Secretary of State, recalled in 1891: "Seward saw, at the outset of the war, that the first and indispensable step toward convincing

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<sup>17</sup> The volume also included reports, totaling 396 pages, from the Postmaster General and the Interior, War, and Navy Departments. The only other volume to include material not pertaining to foreign affairs was the 1871 *FRUS* volume, which featured reports from the Postmaster General, the Commissioner of Agriculture, and the Treasury War, Navy, and Interior Departments.

<sup>18</sup> *Message*, 1861, pp. 3-4.

<sup>19</sup> *Message*, 1861, p. 31.

<sup>20</sup> *Message*, 1861, p. 32.

<sup>21</sup> In order of publication: Prussia, Belgium, Mexico, Great Britain, Austria, France, Spain, Rome, Russia, Denmark, Italy, Switzerland, the Netherlands, Turkey, Sweden, Portugal, Peru, Guatemala, Nicaragua, Egypt, Venezuela, Chile, the Hawaiian Islands, and Japan.

<sup>22</sup> Seward, *Seward at Washington, 1846-1861*, p. 568.

European Governments that the Union would stand, was to show that he believed it himself."<sup>23</sup> The correspondence conveyed his conviction.

Seward focused on outmaneuvering Confederate envoys. To the minister to Spain, Carl Schurz, Seward wrote that preventing the Confederacy from gaining recognition was "your chief duty, and no more important one was ever devolved by the United States upon any representative whom they have sent abroad."<sup>24</sup> Even in countries of lesser import, the Secretary urged ministers to be on guard. Although Seward did not believe that the Confederates would attempt to gain recognition immediately from Denmark, he wrote to the U.S. representative there that "political action even of the more commanding or more active States is influenced by a general opinion that is formed imperceptibly in all parts of the Eastern continent. Every representative of the United States in Europe has, therefore, a responsibility to see that no effort on his part is wanting to make that opinion just, so far as the true position of affairs is in his own country is concerned."<sup>25</sup> Likewise to the minister to Switzerland: "You are in a region where men of inquiring mind and active habit seek a temporary respite from severe studies and exhausting labors. The world's affairs are discussed freely, and the sentiments and opinions which influence the conduct and affect the prospects of nations are very often formed in the mountains and dells of Switzerland."<sup>26</sup> The Union could not afford to let Confederates gain a foothold anywhere and wanted its representatives throughout Europe on alert. This meant that ministers would need to know about events in the United States. Seward urged Norman Judd in Berlin to "fix your attention in the first instance, and to keep it constantly fixed, on the actual condition of affairs at home" rather than being consumed with events in Prussia.<sup>27</sup>

Seward issued country-specific directions in some cases and indicated what information he required from abroad. To Thomas Corwin in Mexico, the Secretary wrote worriedly that "the actual condition of affairs in Mexico is so imperfectly understood here that the President finds it very difficult to give you particular and practical directions for the regulation of your conduct during your mission."<sup>28</sup> He instructed Corwin to reassure the Mexicans that the United States would not approve of any effort to incite revolution in Mexico.<sup>29</sup> He told Charles Francis Adams, minister to Great Britain, not to apologize or make excuses for the present condition of the country: "You will make no admissions of weakness in our Constitution, or of apprehension on the part of the government. You will rather prove, as you easily can, by comparing the history of our country with that of other

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<sup>23</sup> Seward, *Seward at Washington, 1846-1861*, p. 556.

<sup>24</sup> Seward to Schurz, April 27, 1861, *Message*, 1861, p. 257.

<sup>25</sup> Seward to Wood, May 1, 1861, *Message*, 1861, p. 311.

<sup>26</sup> Seward to Fogg, May 15, 1861, *Message*, 1861, p. 329.

<sup>27</sup> *Message*, 1861, p. 37. Seward's instruction to Judd is dated March 22, but Judd did not take over as representative until July 1. Joseph Albert White, Minister since 1857, was Minister until that date, and thus is also represented in the correspondence.

<sup>28</sup> Seward to Corwin, April 6, 1861, *Message*, 1861, p. 65.

<sup>29</sup> Seward to Corwin, April 6, 1861, *Message*, 1861, p. 68.

states, that its Constitution and government are really the strongest and surest which have ever been erected for the safety of any people."<sup>30</sup> Seward understood that some conservatives in Europe would delight in the collapse of the republican experiment; he wanted U.S. representatives to give such sentiments no comfort.<sup>31</sup>

The instructions encouraged ministers not to let discouraging news from America cloud foreigners' perceptions of the war effort. "You will hear of a reverse of our arms in Virginia," Seward wrote to Adams after the Battle of Bull Run in an instruction marked "Confidential." He encouraged the minister to think little of it: "The vigor of the government will be increased, and the ultimate result will be a triumph of the Constitution. Do not be misled by panic reports of danger apprehended for the capital."<sup>32</sup> He likewise wrote to William Lewis Dayton in France: "Treason was emboldened by its partial success at Manassas, but the Union now grows manifestly stronger every day."<sup>33</sup> Foreigners could get their news from any number of sources, and ministers must stand ready to put a positive "spin" on events.

The volume also printed despatches from ministers abroad. Some shared good news of support by foreign governments. From Belgium, Henry Shelton Sanford reported that the Confederate government would "receive no sanction by any act of Belgium" because it would violate the Belgian policy of "strict neutrality."<sup>34</sup> From Great Britain, George Mifflin Dallas reported that "there was not the slightest disposition in the British government to grasp at any advantage which might be supposed to arise from unpleasant domestic differences in the United States."<sup>35</sup> From Austria, Jehu Glancy Jones noted that the country "hoped to see us re-united" and, not surprisingly given the European upheavals of 1848-1849, "was not inclined to recognize *de facto* governments anywhere."<sup>36</sup> In Turkey, the minister of foreign affairs assured the American representative of "the most friendly sentiments towards the government of the United States, and expressions of warm sympathy" for the country.<sup>37</sup>

Other governments hedged their positions. Mexico held a unique position since it shared a border with the Confederacy. Corwin reported that the government was "well affected towards us in our present difficulties" but would be "unwilling to enter into any engagement which might produce war with the south, unless protected by promise of aid from the United States."<sup>38</sup> From France, Dayton reported

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<sup>30</sup> Seward to Adams, April 10, 1861, *Message*, 1861, p. 76.

<sup>31</sup> Howard Jones, *Abraham Lincoln and New Birth of Freedom: Union and Slavery in the Diplomacy of the Civil War* (Lincoln: University of Nebraska Press, 1999), p. 50.

<sup>32</sup> Seward to Adams, July 29, 1861, *Message*, 1861, p. 124.

<sup>33</sup> Seward to Dayton, August 17, 1861, *Message*, 1861, p. 240.

<sup>34</sup> Sanford to Seward, May 26, 1861, *Message*, 1861, p. 55-56.

<sup>35</sup> Dallas to Seward, April 9, 1861, *Message*, 1861, p. 81. Seward found the British response inadequate; see Seward to Adams, April 27, 1861, *Message*, 1861, p. 83.

<sup>36</sup> Jones to Seward, April 15, 1861, *Message*, 1861, p. 188.

<sup>37</sup> Brown to Seward, June 11, 1861, *Message*, 1861, p. 389.

<sup>38</sup> Corwin to Seward, May 29, 1861, *Message*, 1861, p. 70.

that while the French Government was “not in the habit of acting hastily upon such questions” as recognizing *de facto* governments such as the Confederacy claimed to be, the French representative was “equally bound to say that the practice and usage of the present century had fully established the right of *de facto* governments to recognition when a proper case was made out for the decision of foreign powers.”<sup>39</sup> In Caracas, Edward Turpin succeeded only in convincing Venezuelan President Pedro Gual Escandon that Confederate ships should not be allowed in Venezuelan ports in any case other than distress; “I could not obtain from him their complete denunciation as pirates,” he wrote.<sup>40</sup> King Kamehameha IV of Hawaii issued a notice that declared Hawaiian neutrality in the conflict and prohibited subjects “from engaging, either directly or indirectly, in privateering against the shipping or commerce of either of the contending parties, or of rendering any aid to such enterprises whatever” except in cases of distress.<sup>41</sup> This apparent even-handedness actually legitimized the Confederates and could not have pleased Seward.

Other ministers shared news from the public or other statesmen. In Berlin, Joseph Albert White reported that he was “in the receipt of hundreds of letters and personal calls seeking positions in the American army, and asking for means of conveyance to our shores. So numerous, indeed, are the applications, that I have been compelled to place on the doors of the legation a notice to the purport that ‘This is the legation of the United States, and not a recruiting office.’ ”<sup>42</sup> Dallas forwarded newspaper clippings from the London press featuring debates on the war.<sup>43</sup> From Sweden, Benjamin Franklin Angel noted that “so far as my reading and observations extend, the better informed European statesmen express the opinion that those charged with the administration of public affairs have acted with the greatest moderation” and that the Union “will have the sympathy and best wishes of all conservatives on this side the Atlantic.”<sup>44</sup> One month later, James Samils Haldeman noted that “quite a change is visible in diplomatic circles,” and that diplomats in Sweden “speak out openly that the government of the United States should act vigorously and efficiently” and that the “rebellion should be annihilated by force and not by compromise.”<sup>45</sup>

Although the volume reproduced only excerpts of some of the letters, moments of bluntness survived whatever editing the Department of State employed to ensure protection of “the public interest.” In an instruction to Adams in May 1861, Seward noted pointedly that “this government considers that our relations in Europe have reached a crisis.”<sup>46</sup> Seward also confided to the U.S. representative in Switzerland,

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<sup>39</sup> Faulkner to Seward, April 15, 1861, *Message*, 1861, p. 205.

<sup>40</sup> Turpin to Seward, July 27, 1861, *Message*, 1861, p. 427. Venezuela was itself in the midst of considerable political turmoil at the time.

<sup>41</sup> Dryer to Seward, September 7, 1861, *Message*, 1861, p. 436.

<sup>42</sup> Wright to Seward, May 26, 1861, *Message*, 1861, p. 40.

<sup>43</sup> Dallas to Seward, May 2, 1861, *Message*, 1861, p. 83-85.

<sup>44</sup> Angel to Seward, June 10, 1861, *Message*, 1861, p. 396.

<sup>45</sup> Haldeman to Seward, July 28, 1861, *Message*, 1861, p. 399.

<sup>46</sup> Seward to Adams, May 21, 1861, *Message*, 1861, p. 87.

George Gilman Fogg, that other European nations would enjoy the downfall of the United States: "I could easily imagine that either Great Britain, France, Russia, Austria, Prussia, Belgium, Spain, or even Denmark, might suppose that it could acquire some advantage, or at least some satisfaction to itself, from a change that should abridge the dominion, the commerce, the prosperity, or influence of the United States. Each of them might be believed to have envious sentiments towards us, which would delight in an opportunity to do us harm."<sup>47</sup> Printing this message warned the American people that certain other countries might cheer the Union's downfall.

The volume also outlined the frustration that Union officials felt over Great Britain's willingness to treat the Confederacy as a belligerent power. Although falling short of full recognition, London's position tacitly abetted the rebellion.<sup>48</sup> The volume exposed British actions to American citizens. Adams reported to British officials that the Americans were "irritated" by the Queen's neutrality proclamation, which was seen as "designed to aid the insurgents by raising them to the rank of a belligerent state." Although Adams demurred that he himself did not believe that the British intended to treat the Confederate states as equal to the Union, he went on to point out that the presence of Southern "pseudo commissioners" presented a continued aggravation. The British Secretary of State for Foreign Affairs, Earl Russell, responded that "it had been the custom both in France and here to receive such persons unofficially for a long time back. Poles, Hungarians, Italians, &c., &c., had been allowed interviews, to hear what they had to say. But this did not imply recognition in their case any more than in ours."<sup>49</sup> That response did not satisfy U.S. officials, who also rejected offers of British mediation. Another letter from Seward refused the idea of European arbitration: "we cannot solicit or accept mediation from any, even the most friendly quarter."<sup>50</sup>

### The Issue of Slavery

Although many historians have argued that North and South "denied at the war's beginning that slavery was the central issue," references to slavery appear throughout the inaugural *FRUS* volume.<sup>51</sup> Seward readily acknowledged that the Slave Power and designs of slave owners lay behind the war, even if the war itself was not about emancipation. Slavery certainly received credit for causing the war. Seward emphasized that the rebelling states operated against the will of the entire people. "The Union was formed upon popular consent and must always

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<sup>47</sup> Seward to Fogg, May 15, 1861, *Message*, 1861, p. 329.

<sup>48</sup> For example, Howard Jones states that the British "adhered to international law in equating a civil war with a war between nations and then assuming a position of neutrality." Through belligerent status, the Confederates gained "credibility;" their raids on Union ships were not considered piracy by the British, and Confederates could do business with British merchants. Jones, *Blue and Gray*, pp. 51-52.

<sup>49</sup> Adams to Seward, June 14, 1861, *Message*, 1861, p. 104.

<sup>50</sup> Seward to Adams, June 19, 1861, *Message*, 1861, p. 108.

<sup>51</sup> See a recent example in Jones, *Blue and Gray*, p. 3.

practically stand on the same basis," he told Norman Judd in Berlin.<sup>52</sup> But slavery was the root cause of the desire to break with popular consent. "The attempted revolution is simply causeless," Seward wrote to Dayton in France. "It is, indeed, equally without a reason and without an object, unless it be one arising out of the subject of slavery."<sup>53</sup> Seward instructed the U.S. representative in Russia, where Czar Alexander II had emancipated serfs on private landed estates and in domestic households on March 3, 1861, that although slavery had existed in all the states at the time of the Revolution, "it was expected that under the operation of moral, social, and political influences then existing the practice of slavery would soon cease." The "cause" of the rebellion was the fact that the slave states, having suffered defeat at the polls, "took an appeal from the verdict of the people, rendered through the ballot-box, to the sword, and organized a revolution with civil war."<sup>54</sup> The volume also included despatches from posts reiterating this point.<sup>55</sup> There could be no denying slavery's role in causing the conflict.

### Excisions, Excisions

Examining the material excluded from publication in the early *FRUS* volumes provides another way to substantiate the conclusion that they were in part designed to fulfill a public affairs function. Printed in an era before federal law or departmental directive indicated how the public should be informed of excisions, the volumes feature lines of asterisks to indicate excised material. Although we do not know the editorial policy that governed those decisions, a systematic examination of material deleted from despatches can offer some clues. Records from London provide the most important case study, since Great Britain constituted a critical target for the Confederacy. Comparing the London and Washington originals to the copies printed in *FRUS* reveals editorial patterns, especially important categories of redaction such as information about efforts to supply the Union with arms, clues about where Adams got his information and his connections with the British Government, tidbits of British politics and gossip, and candid assessments of British opinion about the Union.<sup>56</sup>

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<sup>52</sup> Seward to Judd, March 22, 1861, *Message*, 1861, p. 37.

<sup>53</sup> Seward to Dayton, April 22, 1861, *Message*, 1861, p. 197.

<sup>54</sup> Seward to Clay, May 6, 1861, *Message*, 1861, pp. 294-295.

<sup>55</sup> See in *Message*, 1861, Perry (Madrid) to Seward, June 13, 1861, p. 261; Clay (St. Petersburg) to Seward, June 21, 1861, p. 304; Pike (The Hague) to Seward, June 12, 1861, p. 351.

<sup>56</sup> For example, the exclusion of information on consular appointments did little to change the tenor of the complete volume. See in *Message*, 1861: Dallas to Seward, March 22 (p. 80); Adams to Seward, June 21, 1861 (pp. 109-110); Adams to Seward, June 28, 1861 (pp. 110-111), and the corresponding records in NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22. The documents also suggest that Seward and Adams may have maintained a separate channel of communication: "Last week I received and acknowledged a Despatch, likewise numbered 876. The mistake I presume to have arisen from attaching a number 874 to a Despatch strictly confidential and evidently not intended to be placed in the ordinary series." Adams to Seward, April 7, 1864, NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 24.

Clearly, some aspects of the war effort were too sensitive to publish. In a despatch of August 16, 1861 Adams wrote that a Mr. Schuyler had arrived and would be overseeing “the whole matter of the selection and supply of arms in Europe as well as of the payment for them.” Adams noted that he had promised Schuyler any assistance he could offer. In his September 2 response, Seward noted that he was “pleased” to learn that Schuyler had arrived, and noted that he “can scarcely be too active or efficient.”<sup>57</sup> Another sensitive issue concerned defectors from the Confederate cause. In 1863, *FRUS* published a statement from Clarence R. Yonge, who served on the C.S.S. *Alabama*, the British-built commerce raider ship that attacked Union shipping. Yonge’s deposition was included in the volume, but a portion of Adams’s assessment of his character was excised: “I think I can say this, that so far as his testimony is concerned, it appears to me very strongly confirmed by all the evidence heretofore received *aliunde*, as to the departure, outfit and adventures of the gunboat 290 [i.e., the *Alabama*]. He seems not to be wanting in intelligence or ability to tell the truth, when he has a mind to . . . . Possibly he might be made useful in spite of the circumstances which necessarily impair confidence in his permanent fidelity.”<sup>58</sup> Yonge’s defection was important enough to include, but Adams’s assessment was trimmed.

The editors also withheld passages that revealed where and how Adams got his information as well as his connections to the British Government. Adams’s despatch of May 17, 1861 noted an upcoming debate in the House of Lords on the Queen’s neutrality proclamation. Adams wrote that “the tone” of the newspaper report on the debate was not “generally such as I could wish,” and that he would be energetic in applying the appropriate pressure. Excised from the passage was Adams’s recounting of his meeting with William Forster, “the leading opponent of the measure, who is inclined to the opinion that it may ultimately subside altogether; if so, it will be a proof of greater discouragement on the part of the Confederate Commissioners than I believe now to exist.”<sup>59</sup> That Adams was at work on taking the temperature of the British debate was left in; the precise information about his contacts was left out. Another example of the editors removing information about Adams’s sources comes from a despatch written in late September 1861. The editors redacted most of its contents, including all of the details about how Adams received an unexpected invitation from Earl Russell to Abergeldie Castle in Scotland. The

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<sup>57</sup> Adams to Seward, August 16, 1861 in *Message*, 1861, pp. 127-128 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22; Seward to Adams, September 2, 1861 in *Message*, 1861, pp. 140-141 and NARA, RG 59, Diplomatic Correspondence (1785-1906), Instructions to Diplomatic Officers, Great Britain, Vol. 97.

<sup>58</sup> Adams to Seward, April 3, 1863 in *Message of the President of the United States, and Accompanying Documents, to the Two Houses of Congress, at the Commencement of the First Session of the Thirty-Eighth Congress, Part I* (Washington, D.C.: Government Printing Office, 1864) (hereafter *Message*, 1863), pp. 221-226 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 23.

<sup>59</sup> Adams to Seward, May 17, 1861 in *Message*, 1861, pp. 85-87 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22. For Forster, see Amanda Foreman, *A World on Fire: Britain’s Crucial Role in the American Civil War* (New York: Random House, 2011), p. 95.

published version notes that the conversation took place at Abergeldie, but only reproduces that Adams registered a complaint about the “reception of the insurgent privateer, the Sumter” by “authorities at Trinidad.” The majority of the despatch was excised. In it, Adams described his travel, the fact that the journey afforded him “abundant opportunity for full and free conversation” with Russell, a lengthy discussion of European interest in Mexico, and British complaints about “seizure and imprisonment of British subjects.” Adams concluded the despatch by noting that “during the whole of my stay at Abergeldie Castle I thought I perceived the symptoms of a more friendly and cordial feeling than had ever been manifested to me before,” which “fully compensated me for the length and fatigue of the journey.” In this case, the details of Adams’s protest about the friendly treatment afforded Confederate ships was more important (or less sensitive) than his views of how he was treated by the English or discussion of Mexico.<sup>60</sup> In 1863, Adams introduced a letter “which had been transmitted to me by one of many active friends of peace in this country.” But in the original document, Adams named the source: “Mr. Patter, the President of the Union and Emancipation Society at Manchester, who writes me that he had had no acquaintance with the author but that he had reason to believe him to be a man of character.”<sup>61</sup> Once more, the source of Adams’s information was excluded.

The editors also removed gossip or analysis of British politics. Adams wrote in 1861 that “it is generally known that the Queen has been affected by the loss of her mother, to such a degree to render her extremely indisposed to appear or take part in any public proceedings.” Despite the Queen’s condition, Russell arranged for Adams to have an audience with her, which to Adams was too “friendly to admit of any possibility of misconstruction.” The printed portion noted that these arrangements put “an end ... to all the speculations which have been set afloat in some quarters” about the “probable position of the minister of the United States at this court.” The editors included the good news about Adams’s reception but discreetly left out the information about the Queen.<sup>62</sup> Political gossip was excluded in 1863, when Adams reported the “singular ... prevalence in the city of a rumor that Lord Russell had threatened resignation”; the rumor was not published.<sup>63</sup>

Another category of excluded material concerned the opinion of British leaders about the American war effort. In 1863 Adams described the feelings of Prime Minister Lord Palmerston: “Of the nature of His Lordship’s feeling towards

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<sup>60</sup> Adams to Seward, September 28, 1861 in *Message*, 1861, p. 159 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22. For another case of excising material on Mexico, see Adams to Seward, September 14, 1861 in *Message 1861*, p. 155 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22.

<sup>61</sup> Adams to Seward, March 27, 1863 in *Message*, 1863, pp. 180-183 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 23.

<sup>62</sup> Adams to Seward, May 17, 1861 in *Message*, 1861, pp. 85-87 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22.

<sup>63</sup> Adams to Seward, July 3, 1863 in *Message*, 1863, pp. 349-350 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 24.

America generally I have never had a doubt since the first day I came to England; but as between the two parties to the struggle I fancy he is indifferent and therefore impartial.”<sup>64</sup> To have included this statement might have detracted from the more attractive documents included with Adams’s despatch: a series of antislavery resolutions.<sup>65</sup> In 1862, editors removed Adams’s assessment of Gladstone. Although the printed portion acknowledged that there was “little doubt on which side his sympathy was”; the editors excised a darker passage:

Whilst his tone of affected sympathy and compassion of the Free States about to be subjected to an inevitable mortification in which he can scarcely suppress his satisfaction; seems to me far more discreditable to him, considered in his present situation; than if he had spoken out his sentiments in round terms. The real idea at bottom is the selfish calculation of an English Statesman which counts upon the disruption of the United States as the source of additional strength to Great Britain. I should have thought better of him if he had not attempted to disguise it with fine words.<sup>66</sup>

The first *FRUS* volume contained notable excisions about British public opinion that suggest the sensitive nature of this topic in the volatile early stages of the war. On June 21, 1861, Adams sent to Washington a wide-ranging assessment of divisions in British opinion. Adams’s basic conclusion, “that the British desire only to be perfectly neutral, giving no aid nor comfort to the insurgents,” was published, but the lengthy reporting which led to this conclusion was excluded. To be sure, Adams assessed, there were many who opposed slavery, yet “those who sympathize the most with the position of the Free States as unfavorable to the extension of domestic slavery are the least inclined to favor their policy of war against the Slave States.” Rather, British opponents of slavery seemed to agree with the Confederacy; that there should be a “permanent and peaceful separation” of North and South. The reason? British opponents of slavery “fear a reunion of our States because they think it cannot be effected excepting at the expense of principle. They favor a separation because they think it will keep the Free States consistent and determined enemies of Slavery.” Such arguments must have struck the editors of the 1861 messages as potentially corrosive to Union morale. Into another category fell the “merchants and the manufacturers,” who also “look with great favor on a permanent separation of the States” and assessed the “difficulties” of the United States “in their purely material aspect and in the single interest of their own country.” Yet a third category of opinion was “purely political and purely

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<sup>64</sup> Adams to Seward, March 5, 1863 in *Message*, 1863, p. 154 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 23.

<sup>65</sup> *Message*, 1863, pp. 154-162.

<sup>66</sup> Adams to Seward, October 10, 1862 in *Message of the President of the United States to the Two Houses of Congress at the Commencement of the Third Session of the Thirty-Seventh Congress* (Washington, D.C.: Government Printing Office, 1862) (hereafter *Message*, 1862), pp. 209-210 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 23.

English.” Here Adams found conservatives who saw the conflict as “the realization of all their predictions of the failure of republicanism in its most portentous form.” This portion of the population “have no preference” for the Union or Confederacy but wanted them to “continue to devour each other.” Adams noted that these three sectors of opinion represented the “very large proportion” of the British population. By contrast, the portion of the population “who really understand the nature of the question at issue and who advocate the cause of the United States as identical with the progress of free institutions all over the world is comparatively insignificant.” Only this last group, Adams noted, saw the war as a “necessity”; all others “consider it as more or less the offspring of mere passion.” Perhaps the Lincoln administration feared the effect on Union morale of suggesting that a large portion of the British population would have been satisfied with Confederate independence. Whatever the reason for its exclusion, the editors deleted Adams’s long discussion of British opinion, along with his statement that Seward’s strong reaction to any “proclivity to a recognition” produced the desired effect. Only the conclusion that Adams was “earnestly assured” that the “sympathy with the government of the United States is general” made it to publication, preserving the appearance of support at the expense of conveying a more complex political situation.<sup>67</sup>

The editors also took care to redact documents dealing with battlefield reverses. On August 16, 1861, Adams wrote that the effect of Union defeat at Bull Run was more damaging because of the “ridicule it exposes the country to” rather than the “positive loss” stemming from the battle itself. Reports in the European press did not help the Union cause. Adams noted that the “military spirit of Europe does not reconcile itself to such scenes as have been distinctly painted by the European correspondent of the London Times, and the American press, as well as caricatured in Punch.”<sup>68</sup> In the portion of the despatch published in the volume, Adams refers to instructions he received to speak to Russell about the blockade.<sup>69</sup> In the deleted portion, Adams admitted that were he to take a “strong tone” in the midst of such ridicule regarding Bull Run, he would “scarcely likely do more than to provide a smile” on the faces of his interlocutors. Rather, Adams wrote, he should “await an hour doubtless not far distant when the people of the United States will have redeemed their reputation for judgment and skill and courage” and have proven that they can survive war “without the guidance or control of the military or civil officers of the slaveholding States.” The editing process for the volume retained the demand for a conference and its topic, but excised the embarrassing reasons for Adams’s delay.

Finally, editors of the early volumes excluded some of Adams’s more pointed criticisms of the United States. Regarding the *Alabama*, editors left out Adams’s

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<sup>67</sup> Adams to Seward, June 21, 1861 in *Message*, 1861, pp. 109-110 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22.

<sup>68</sup> Adams to Seward, August 16, 1861 in *Message*, 1861, pp. 127-128 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 22.

<sup>69</sup> Reference is to Seward to Adams, July 21, 1861, *Message*, 1861, pp. 117-121.

comment that “For the depredations actually committed by this vessel it seems to me there is almost as much responsibility of omission to prevent them on the part of the United States as of Great Britain. The information sent from this side ever since the month of June last was surely of a nature to be a full warning of the consequences of not being provided with vessels on the ocean competent to pursue and destroy this ship immediately upon her departure from this coast.”<sup>70</sup> The editors deemed Adams’s assignment of blame in the contentious *Alabama* issue too problematic to publish.

Thus, exclusions from the documents could radically alter the message. The editors could accept Adams’s reports of neutral British opinion, but not the reasoning or lengthy study which led to his basic assessment. Likewise, it was acceptable to publish material on Adams’s willingness to approach the British about vessels on the high seas, but not his embarrassing reason for delaying the meeting, given the Union performance at Bull Run. And, in the case of arms procurement or defectors, some matters were better left out of the public—and potentially Confederate—eye altogether.

Despite the questions raised by excisions, modern readers can assess the early *FRUS* volumes as a sign of what the Lincoln administration wanted the American public to know about its foreign relations efforts during the first months of the conflict. The editorial approach developed during 1861 continued through the remainder of the war. The volume communicates several clear themes. Seward immediately wrote to representatives abroad and instructed them to resist the efforts of Confederate agents to secure recognition and to demand that countries refuse Confederate ships succor at their ports. The correspondence reveals a range of responses from around the globe: some governments declared their support for the Union, others pledged a neutrality that partially legitimized the Confederates. The documentation from the ministers illustrated the arguments used to sway foreign governments. Moreover, the records indicate that several ministers, as well as Seward himself, placed slavery at the center of the factors causing war.

### **Reaction to the First *FRUS* Volume**

The first volume attracted significant attention in the press, almost all of it positive. Prior to the publication of the annual message, newspapers speculated about the coverage of foreign affairs in Lincoln’s address; both the *New York Herald* and the *New York Times* anticipated that the message would include correspondence about the *Trent* affair.<sup>71</sup> In this hope they would be disappointed, but newspapers along the Eastern seaboard published accounts of the correspondence shortly after the Lincoln administration released the message and documents to the public. On

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<sup>70</sup> Adams to Seward, November 20, 1862 in *Message*, 1863, pp. 6-7 and NARA, RG 84, U.S. Legation Great Britain, Despatches to the Department of State, Vol. 23.

<sup>71</sup> *New York Herald*, December 2, 1861; *New York Times*, December 4, 1861. On November 8, 1861, the USS *San Jacinto* seized Confederate Ministers James Mason and John Slidell from the British ship RMS *Trent*, violating British neutrality. See Jones, *Blue and Gray*, Ch. 3.

December 6, three New York newspapers (the *Times*, *Commercial Advertiser*, and *Herald*), three Philadelphia newspapers (the *Public Ledger*, *North American*, and *Inquirer*), and the Baltimore *Sun* published similar accounts, each reporting on the number of pages released and highlighting some of the documents. The next day, the *Albany* (New York) *Evening Journal* and *Boston Daily Advertiser* printed long synopses of the papers. The *Norwich* (Connecticut) *Morning Bulletin* printed a much shorter item, and praised the publication: "The diplomatic correspondence submitted to Congress by President Lincoln, reveals as favorable a condition of our relations with foreign Powers as could have been anticipated. This is doubtless owing in a great degree to the firm and decided position maintained by Secretary Seward in his official intercourse with these Governments." In Madison, Wisconsin, the *Weekly Wisconsin Patriot* lauded Lincoln's message, but the attached correspondence had clearly not yet made it over the telegraph lines: "He refers to the correspondence with foreign powers," the paper noted, "but does not discuss them in detail, or even give us a clue to their contents. So the public must wait for information on that score, till the diplomatic correspondence be published, and they may not be gratified in that respect, as Congress may not consider the public weal sufficiently guarded by their publication."<sup>72</sup> The publication continued to make the news in the following weeks.<sup>73</sup> Newspapers began to publish additional documents, particularly those relative to relations with France.<sup>74</sup>

The assessments of Northern newspapers indicate the volume succeeded as a public relations tool. The Baltimore *Sun* reported on December 9 that the correspondence was "receiving that close attention from persons skilled in diplomacy and public law which belongs to its distinguished source and the magnitude of the subject in question." Papers praised the publication of the correspondence and the contents of the documents. The Keene *New Hampshire Sentinel* reported that "in the whole of this correspondence, the Secretary of State exhibits marked ability as a statesman and diplomatist."<sup>75</sup> Others took heart from the correspondence that Seward would continue to act appropriately in the future. "The masterly ability which Gov. SEWARD has shown in his instructions to our Foreign Ministers," opined the *Albany Evening Journal*, "induce strong confidence that he will conduct the correspondence likely to grow out of the MASON and SLIDELL affair, to a successful and satisfactory issue."<sup>76</sup> By January 1862, the volume had reached the West Coast; the San Francisco *Daily Evening Bulletin* reported that the diplomatic correspondence was "quite voluminous" and "highly interesting." Seward again

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<sup>72</sup> *Albany Evening Journal*, *Boston Daily Advertiser*, *Norwich Morning Bulletin*, *Weekly Wisconsin Patriot*, all December 7, 1861; *Hartford* (Connecticut) *Daily Courant*, December 9, 1861.

<sup>73</sup> The District of Columbia *Daily National Intelligencer* published a range of documentation over several days at the end of December, for example.

<sup>74</sup> Correspondence with France was published or summarized by the *New York Times* (December 9, 1861); the *New York Herald*, *Hartford* (Connecticut) *Daily Courant*, *Public Ledger* (Philadelphia), *Boston Daily Advertiser* (all December 11); *Boston Daily Advertiser*, *North American*, *New Hampshire Sentinel* (all December 12); and the *Cincinnati Daily Enquirer* (December 14).

<sup>75</sup> *New Hampshire Sentinel*, December 12, 1861.

<sup>76</sup> *Albany Evening Journal*, December 18, 1861. For Mason and Slidell, see note 97.

came in for praise: his “high-toned” and “courteous” messages were “as nearly perfect models of diplomatic correspondence as are to be found on the pages of modern history.” The correspondence with Adams and Dayton “have swept to the winds all the aspersions of those who have accused him of favoring a timid and wavering policy in dealing with the rebels.”<sup>77</sup>

Other newspaper reports suggested that the publication of the correspondence would improve the standing of the United States abroad. The *New York Daily Tribune* opined that British newspapers painting Seward in an unfavorable light “would be surprised if the contents of this volume could be fairly laid before them. In vain would they turn page after page in eager quest of the passages whereon the criminations of their favorite journals were based; they do not appear because they do not exist.” The paper praised Seward for his “assured and firm” tone and his faith that the country, “reunited, will be stronger and more prosperous than ever before.”<sup>78</sup> According to those newspapers, at least, Seward acquitted himself well.<sup>79</sup>

The publication of the correspondence even attracted notice in the Confederacy.<sup>80</sup> The *Columbus (Georgia) Daily Enquirer* discussed the correspondence with France under the headline “Whom the Gods Wish to Destroy, They First Make Mad.” Naturally, the paper put a different spin on the correspondence; rather than depicting Seward as standing strong in the face of an unfavorable British and French response, the paper focused on the response itself: “It will thus be seen that the relations between the United States and Great Britain and France were far from being securely amicable before the arrest of Mason and Slidell, that there were issues between them of great irritation and danger, and that Great Britain and France are united in the policy to be pursued in reference to political troubles on this continent.”<sup>81</sup> The *New Orleans Daily Picayune* sneered at the correspondence with France from June 1861, noting that it came from a time when “arrogant confidence” about a speedy end to the war was “universally felt at the North,” before “the fervor of the Southern passion for independence” and the subsequent “holy war” had been fully experienced.<sup>82</sup> In these documents, Southerners saw hope for their cause in Europe because Union leaders appeared to be grasping at straws.

The extent of newspaper response to the 1861 volume illustrates the important domestic function that *FRUS* served. Newspapers across the country—including the Midwest and the West Coast—printed the correspondence directly (or an analysis of it), and many papers praised Seward, the decision to publish the correspondence, and the contents of the publication. Created in response to a request from Congress,

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<sup>77</sup> *Daily Evening Bulletin*, January 9, 1862. The paper published additional items on January 10, 13, 14, and 31.

<sup>78</sup> *New York Daily Tribune*, December 18, 1861.

<sup>79</sup> For more praise, see the *Trenton (New Jersey) State Gazette*, December 20, 1861.

<sup>80</sup> See, for example, *Macon (Georgia) Telegraph*, January 7, 1862.

<sup>81</sup> *Columbus Daily Enquirer*, December 23, 1861.

<sup>82</sup> *New Orleans Daily Picayune*, December 25, 1861.

the volume fulfilled its domestic purpose by informing the national discussion about Union diplomacy.<sup>83</sup>

### The Continuing Value of Openness

Given that the war only heightened the traditional congressional expectations about executive branch release, and the positive reviews of the first volume, almost all observers strongly supported continuing the publication. Although the extant archival record does not indicate precise numbers, it is clear that Congress approved printing many thousands of copies of *FRUS* throughout the Civil War.<sup>84</sup> The Department and Congress each ordered at least 2,000 copies of the 1861 volume.<sup>85</sup> The 1862 *FRUS* print run was probably 20,000 copies, and at least 10,000 copies of each of the two volumes produced for 1863 were printed. In 1864 Congress ordered the Public Printer to produce a minimum of 4,000 copies of each volume for the Senate and 7,000 copies for the House, although the print run was likely twice that figure.<sup>86</sup> In addition to the demand for more copies, the amount of correspondence published grew as well. The 1862 volume encompassed 910 pages, more than twice the length of its predecessor. William Seward himself noted the growth; when presented with the “bulky” volume, he commented: “There seems to be a difference between this and the Confederate State Department. I see Toombs is reported as saying he can ‘carry the whole business of his department in his hat.’ It is as much as I can do to carry the business of mine in my head.”<sup>87</sup> In 1863, the correspondence

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<sup>83</sup> Although this chapter focuses on the domestic impact of *FRUS*, one aspect of foreign reaction is worth noting. Shortly after the volume was released, Lord Richard Lyons, British Minister to the United States, sent a copy to Secretary of State for Foreign Affairs Earl Russell. Russell received the correspondence on December 25. Lyons obviously attempted to get his hands on the publication as soon as possible: “As the earliest copies did not come from the press until yesterday afternoon,” he apologized, “I have not had time to do more than read somewhat hastily that part of the correspondence which relates to England and France.” He then recounted what he considered the highlights of the documents, chiefly the reaction of the United States to the British and French willingness to treat the Confederacy as a *de facto* government and Washington’s contention that Confederates should be treated as pirates. Lyons to Russell, December 6, 1861, Message No. 130, p. 115 in *Correspondence Relating to the Civil War in the United States of North America*, North America, No. 1, Command Papers; Accounts and Papers, Paper No. 2909, Vol. LXII, 1862. The 1861 *FRUS* volume was promptly reprinted in full under the title *Extract of a despatch from her Majesty’s minister at Washington, dated December 6th 1861, inclosing papers relating to foreign affairs laid before the Congress of the United States at the opening of the session in 1861*, North America, No. 2, Command Papers; Accounts and Papers, Paper No. 2910, Vol. LXII, 1862.

<sup>84</sup> In addition to the specific citations below, see [appendix B](#).

<sup>85</sup> Letter from William Seward to John D. Defrees, November 29, 1861, p. 520, NARA, RG 59, M40 Domestic Letters of the Department of State, 1784-1906, Vol. 55, Reel 52; letter from Frederic Seward to Defrees, December 12, 1861, p. 22, NARA, RG 59, M40 Domestic Letters of the Department of State, 1784-1906, Vol. 56, Reel 53.

<sup>86</sup> *Message*, 1862, unnumbered page in the introduction; *Annual Report of the Superintendent of Public Printing*, January 20, 1863, 32nd Cong., 2nd Sess., H. miscdoc. 21. p. 8 (Ser. 1199); U.S. Code, Section 11, 13 Stat. 184 (June 25, 1864) (in force during 1864-1865); [appendix B](#).

<sup>87</sup> Seward, *Seward at Washington, 1861-1872*, p. 71. Robert Toombs served as the first Secretary of State for the Confederate Government.

expanded to fill two volumes.<sup>88</sup> The Department produced four volumes for both 1864 and 1865, exceeding 5,400 pages of documentation.

Few objections accompanied this significantly increased publication program. After release of the 1862 volume, one pamphleteer accused Seward of prompting the House to ask for records as an excuse for the Secretary to produce a lengthy propaganda instrument. In a complaint that would be voiced repeatedly in subsequent years, the author feared that release of recent, sensitive information damaged U.S. interests by unnecessarily causing affront to other nations. The author, probably a former Buchanan administration official, also criticized Seward's writing style, evinced pro-McClellan sentiments, railed against the "acrid" abolitionist movement, and lamented that the 1862 volume exemplified "fierce fanaticism" by an overweening executive bent on destroying the separation of powers.<sup>89</sup> Diplomats also occasionally muttered privately that the volumes revealed too much information too soon. Moran penned in his diary, "This year's batch of our Diplomatic Correspondence has been published by Mr. Seward & that Solomon has in so-doing exercised his usual indiscretion."<sup>90</sup> By 1864, a few members of Congress concerned about expenses questioned the need to print so many copies of each volume.<sup>91</sup> As the House debated Seward's 1864 request to print 10,000 copies for Departmental use, the *Washington Evening Union* wondered, "Where on earth will he find so many readers?"<sup>92</sup> Rather than criticizing the substance of the policies expressed in the volumes, press complaints focused on what they characterized as the lengthy, trivial nature of the documents. The pro-Democrat *New York Herald* commented when the correspondence for 1863 was released, "No other diplomat, we dare say, of modern or ancient time, has ever written so much in the space of three years as Mr. Seward."<sup>93</sup> The *Herald* pilloried him again in anticipation of the 1864 correspondence:

Seward is certainly the most industrious of Secretaries, and as his writings have kept all Europe busy reading them, so that neither

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<sup>88</sup> In anticipation of the increased size, the *District of Columbia Evening Union* had a short item entitled "Weighty Documents," which noted that the diplomatic correspondence of 1863 would "comprise a printed volume of two thousand pages" (November 25, 1863). By 1865, newspapers could report that "Owing to the time required for copying the diplomatic correspondence with England and France, referred to in the President's annual message, it is not probable the transcript will be communicated to Congress until after the holidays" (*The Sun* [Baltimore], December 18, 1865).

<sup>89</sup> A Northern Man, *The Diplomatic Year: Being a Review of Mr. Seward's Foreign Correspondence of 1862* (Philadelphia: n.p., 1863), pp. 12-13.

<sup>90</sup> Moran, February 11, 1864, *Journal*, Vol. II, p. 1263.

<sup>91</sup> *Congressional Globe*, 38th Cong., 1st Sess., February 4, 1864, pp. 495-496 and March 3, 1864, p. 926.

<sup>92</sup> Washington D.C. *Evening Union*, February 2, 1864.

<sup>93</sup> *New York Herald*, February 23, 1864.

Palmerston nor Napoleon has had any time to pick a quarrel with us, we must give him the credit of being very successful ... .<sup>94</sup>

Despite such occasional criticisms, the advent of war did not impede the tradition of informed debate on the nation's external affairs; no credible voice on the American political landscape objected in principle to the timely publication of foreign policy documents.

Indeed, the overwhelming majority of commentators marshaled multiple arguments in support of rapid, widespread release of substantial diplomatic correspondence. Members of Congress certainly understood the value of *FRUS* for mobilizing domestic support, promoting public diplomacy, and informing their own deliberations. Theodore Pomeroy (Republican, NY) noted, "there is no man in this country who does not know that the public interest within the past year has been more drawn to our foreign intercourse than to any other subject in our political history. Foreign intervention is the rock upon which the world at large and our enemies at home expected us to split. There is no subject upon which to-day the people of this country demand and have a right to demand light more than upon that subject." Henry Winter Davis (Unconditional Unionist, MD) supported printing *Foreign Relations* because the diplomatic correspondence

is the only mode that the Government has of stating its case authentically and fully to the nations of Europe. If it is not allowed to state it in that form it will be driven to the very questionable if not disreputable method of buying up the public press of Europe, as the rebels are in the habit of doing continually, for the purpose of manufacturing public opinion. The Secretary thought it better to have an authentic declaration of the opinions of the Government spread before the nations of Europe, official in form, for which we are responsible, and carrying with it the weight of official declarations.<sup>95</sup>

Davis concluded by noting that the House should support printing as many copies as Seward deemed "necessary for the purpose of stating our case to the nations of the world."<sup>96</sup> The House voted to support Seward's 1864 request of 10,000 copies for Departmental use by a margin of 118-17.<sup>97</sup> Members of Congress also utilized the volumes, comprehensive in scope and bound for ease of consultation, as they discussed key issues such as prosecution of the war and emancipation.<sup>98</sup>

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<sup>94</sup> *New York Herald*, December 4, 1864. See also *New York Herald*, December 1, 1863 and January 25, 1864; Harrisburg (PA) *Patriot*, January 28, 1864; Washington D.C. *Evening Union*, February 3, 1864.

<sup>95</sup> Both quotes from *Congressional Globe*, 38th Cong., 1st Sess., February 4, 1864, p. 495.

<sup>96</sup> *Congressional Globe*, 38th Cong., 1st Sess., February 4, 1864, p. 496.

<sup>97</sup> *Congressional Globe*, 38th Cong., 1st Sess., February 4, 1864, p. 496.

<sup>98</sup> *Congressional Globe*, 38th Cong., 1st Sess., January 25, 1864, p. 338; *Congressional Globe*, 38th Cong., 1st Sess., June 27, 1864, p. 3303; *Congressional Globe*, 38th Cong., 2nd Sess., January 13, 1865, p. 260.

The distribution of *FRUS* volumes at home and abroad generated considerable positive feedback.<sup>99</sup> The majority of the copies went to Congressmen, who, in turn, sent some to interested citizens. William Greenleaf Eliot wrote to Charles Adams in 1864 that “I spent a good many hours in careful reading of the English part” of the most recent volume. “I cannot refrain from thanking you,” Eliot wrote, “as an American citizen, for your most dignified + successful treatment of the subjects involved.”<sup>100</sup> Many volumes also went to government depository libraries that facilitated widespread access by the general public.<sup>101</sup> Overseas, the London legation kept a library featuring *Foreign Relations* volumes for reference to past precedent when examining current events.<sup>102</sup> U.S. posts abroad also transmitted copies of *FRUS* to foreign governments, and American representatives reported that the public release of documents had a positive impact.<sup>103</sup> From Egypt, Charge d’Affaires William Sydney Thayer argued that “public opinion” was “enhanced by the publication of the Department of State’s correspondence with foreign powers, which has dissipated many prevalent errors as to the nature and pretensions of our government, and as to the purpose and ability of our nation to maintain its integrity.”<sup>104</sup> Even Charles Francis Adams, who sometimes grouched when Seward released correspondence Adams believed too sensitive to publish, found reason to praise the series. Commenting on the 1861 volume, he wrote to Seward that “The publication of the foreign correspondence ... has materially corrected the old notion of determined hostility on your part to Great Britain, which has been used so mischievously for months past. On the whole, I think, I may say with confidence that matters look better.”<sup>105</sup> Newspapers continued to applaud both the release of

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<sup>99</sup> Most discussions of congressional distribution of documents focus on the post-Civil War era. For a general discussion of this topic, see Schmeckebier, *Government Publications*, pp. 94-95; and Boyd and Rips, *United States Government Publications*, pp. 35-36.

<sup>100</sup> Letter from William Greenleaf Eliot to Charles Francis Adams, September 16, 1864, LCM, Adams Family Papers, Part IV, “Letters Received and Other Loose Papers, Chronologically Arranged, 1639-1889,” Reel 572.

<sup>101</sup> In 1858, Congress authorized House members and Senators to designate a depository library for their districts. In the first year 98 sites received the designation, and the number of depository libraries increased in subsequent years. In addition, federal agencies, the White House, state and territorial libraries, every land-grant college, the military academies at West Point and Annapolis, and the Library of Congress (including dozens of extras for foreign exchange) also received one or more copies of all government documents. Although precise figures are not available, distribution of *FRUS* to these sites probably exceeded 300 copies in 1861 and no doubt increased thereafter. By 1900 the number of depository libraries exceeded 500, and in 1908 federal agencies and Congress distributed over 1.7 million documents to them. See H. Rpt. 188, House Select Committee on the Conduct and Accounts of William Cullom, Late Clerk of the House, 35th Cong., 2nd Sess. February 28, 1859, pp. 98-100 (Ser. 1020); Revision of Printing Laws, February 25, 1916, 64th Cong., 1st Sess., Senate Report No. 183, pp. 126-128.

<sup>102</sup> Moran, *Journal*, Vol. II, December 10, 1861 and June 17, 1862, pp. 921-922, 1022-1023.

<sup>103</sup> The U.S. consulate at Hamburg, for instance, passed on “a couple of volumes of Diplomatic Correspondence relating to the affairs of the United States.” Note from J. Anderson to C. H. Herck, July 14 [n.d.], CL VI, no 16p, Vol 3a, Fasc 9, 111-1 Senat, Staatsarchiv der Freien und Hansestadt Hamburg.

<sup>104</sup> Thayer to Seward, *Message*, 1862, p. 885.

<sup>105</sup> Adams to Seward, January 17, 1862, *Message*, 1861, p. 14.

the volumes and their contents, sometimes excerpting extensive quotations from the published correspondence.<sup>106</sup> Pro-Union, pro-*FRUS* pamphleteers emphasized that the President and Secretary of State possessed the capacity to make sound judgments about what documents to release, and that they had an obligation to inform Congress and the people about the international state of affairs in the midst of war.<sup>107</sup> For many, the documentation revealed what the administration hoped, that “there is not a single dissenting voice throughout the whole diplomatic circle, and the verdict of the nations is unanimous in favor of the United States Government.”<sup>108</sup>

## A Sad Duty

The diplomatic correspondence of the Civil War era closed with a volume unique in the series’s history. In addition to the usual diplomatic correspondence published in *FRUS*, the government produced a separate volume consisting entirely of condolences received following Lincoln’s assassination.<sup>109</sup> The editors included correspondence from every corner of the globe. The GPO produced at least 28,500 copies, the largest print run of any *Foreign Relations* volume in the series’s history.<sup>110</sup>

The first U.S. president to be assassinated, Lincoln’s death presented a test of the constitutional plan of succession. Some governments noted this fact, signaling the legitimacy of Andrew Johnson’s administration in the eyes of the world community. The response from China, for example, embodied both regret and reassurance that the transfer of power was perceived as smooth. Prince Kung, Chief Secretary of State for Foreign Affairs, wrote on July 8, 1865, that the announcement of Lincoln’s death “inexpressibly shocked and startled me.” Nevertheless, the news that “on the same day the Vice-President succeeded to the position without any disturbance, and the assassin had been arrested, so that the affairs of government

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<sup>106</sup> *Philadelphia Inquirer*, November 15, 1862, December 8, 1862, December 13, 1862, January 20, 1864, December 31, 1864, February 7, 1865; *The Sun* (Baltimore), December 8, 1862, December 10, 1862, January 21, 1864; *Dakota Republican* (Vermillion, SD), January 10, 1863; *San Francisco Bulletin*, January 16, 1863; *Trenton* (New Jersey) *State Gazette*, January 23, 1864; *Madison Wisconsin Daily Patriot*, February 16, 1864.

<sup>107</sup> (Joseph Nunes), *A Diplomat on Diplomacy* (n.p.: n.d. [probably 1863]); S. Kimber, *A New Sartor Resartus*, “Being a Critical Analysis of a Pamphlet Entitled ‘A Review of Mr. Seward’s Diplomacy’” (n.p.: n.d. [probably 1863]).

<sup>108</sup> *Philadelphia Inquirer*, January 21, 1864.

<sup>109</sup> *The Assassination of Abraham Lincoln, Late President of the United States of America, and the Attempted Assassination of William H. Seward, Secretary of State, and Frederick W. Seward, Assistant Secretary, on the Evening of the 14th of April, 1865* (Washington, D.C.: Government Printing Office, 1866) (hereafter *Assassination*). In 1867, Congress ordered a subsequent edition with an additional 200 pages of documents. No other volume has been dedicated to an assassination in the same way. Khrushchev’s letter to Johnson following the assassination of Kennedy was published in *Foreign Relations*, 1961–1963, Vol. VI, Kennedy-Khrushchev Exchanges, Document 119.

<sup>110</sup> [Appendix B](#). In addition to the regular distribution of *FRUS* volumes, Congress stipulated that sufficient additional copies should be printed to supply one to every government and non-governmental association whose tributes were included in the volume. See, for example, *Foreign Relations* 1868, p. 313.

were going on quietly as usual” seemed to satisfy the Prince’s worry, and he hoped that these facts would also “alleviate your grief at the event.”<sup>111</sup>

Similar expressions of expressions of shock, horror, mourning, condemnation of the crime, and condolence to the American people came from governments the world over. The Ecuadorian Government ordered all employees to “wear mourning for three days, during which time the Ecuadorian flag shall be displayed at half-mast from all the public buildings.”<sup>112</sup> British Secretary of State for Foreign Affairs Earl Russell made demarches both in London and Washington.<sup>113</sup> Liberia, recognized (along with Haiti) by the U.S. Government in 1862 at Lincoln’s urging, issued a proclamation mourning a man who “was not only the ruler of his own people, but a father to millions of a race stricken and oppressed.”<sup>114</sup>

Perhaps one of the most remarkable parts of the volume comes not from the official expressions of sorrow but the messages sent spontaneously from citizens’ groups both at home and abroad. The purpose of *FRUS* is to publish government documents, but the Lincoln Assassination volume includes a healthy selection of non-official messages from ordinary people. Within the United States, city councils, benevolent societies, spontaneous assemblies of citizens, religious organizations, chambers of commerce, corporation boards of directors, college trustees, social clubs, and veterans’ organizations all submitted declarations, resolutions, and even poems memorializing Lincoln. Some came from groups of immigrants so recently arrived that the messages included translations into English, and others from Mexican, French, or Portuguese expatriates resident in the United States. Condolences even arrived from southern cities, including a resolution passed by an overflow crowd in Savannah, Georgia, which had been occupied by Federal troops for less than four months. A group of Freemasons in France wrote to Johnson that they “wish[ed] to express to you their sentiments of admiration, gratitude, and regret for Lincoln, and their profound sympathy for the government of which you are the head. The blood of your martyred magistrate becomes a fecundating dew to give to liberty a new baptism throughout the entire universe.”<sup>115</sup> Working men from Berlin noted that Lincoln was a laborer’s son and “himself a laborer, he took up the fight for the rights of free labor and carried it to a triumphant termination.” While mourning his death, the laborers noted that “the freedom which has thus been sealed with the blood of one of the noblest men” will ultimately be victorious, and that the U.S. flag will represent “the cause of freedom and civilization”<sup>116</sup> wherever it flies.

The unusual nature of this volume highlights the unique communications platform that *FRUS* provided the U.S. government. As an official record, *Foreign Relations* could send “messages”—to Congress, to the U.S. public, to American

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<sup>111</sup> *Assassination*, p. 41.

<sup>112</sup> *Assassination*, p. 47.

<sup>113</sup> *Assassination*, p. 146.

<sup>114</sup> *Assassination*, p. 473.

<sup>115</sup> *Assassination*, p. 60.

<sup>116</sup> *Assassination*, p. 498.

diplomats abroad, and to other governments and peoples. Those communications routinely included factual information and policy positions, but *FRUS* could be used for special purposes as well. The “Lincoln Volume” afforded the opportunity, however tragic the occasion, to combine public affairs and public diplomacy. The volume not only gave voice to a global expansion of solidarity and support, but also demonstrated the resiliency of the American system of government. The peaceful transition of power at a time of national crisis provided an object lesson, and also a demonstration, of U.S. strength.

### **The Purposes, Impact, Value, and Values of Early *FRUS***

The available evidence supports a reconstruction of the context surrounding the birth of the series that illustrates important themes that recur into the 21st century. The *Foreign Relations* series did not spring fully formed from the head of Seward or Lincoln, but rather represented an important step in the evolution of a process ongoing since the early republic. Rather than a project conceived in the executive branch to promote its own purposes, the process of sharing information exemplifies checks and balances between the branches of government: the executive formulates and implements foreign policy, while the legislative oversees the conduct and content of that policy. In the early 1860s, Congress and the executive branch regularized a long-standing tradition of request for, and delivery of, documentation relating to foreign affairs, with certain limitations understood by both parties. “Under our form of Government,” Senator James Brooks (Democrat, NY) argued in 1864, “we are entitled to all the information from the Executive which is not detrimental to the public interests.”<sup>117</sup> Even though Brooks included the standard public interest caveat, he fully expected to receive sufficient documentation to pass judgment on the executive’s conduct of foreign policy. Indeed, the Department of State released significant quantities of information every year, both before 1861 and after 1865.

Moreover, congressional representatives and Department employees increasingly viewed publication of foreign policy documents as a normative governmental function. Benjamin Moran recognized as much in 1862 when referring to an incident between Adams and Russell: “When the correspondence shall be published, there will be a good deal of sarcastic comment in the newspapers at his expense on this confession that might have been saved.”<sup>118</sup> Moran assumed that it was a matter of *when*—not *if*—the correspondence would come to light. With little fanfare, the Department of State assumed a responsibility that it continues to hold today: to disseminate foreign affairs documentation, according to a coherent organizational scheme, on a regular basis.

The volumes also performed a multifaceted public affairs/public diplomacy function, indicating what the government wanted both the American people and

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<sup>117</sup> *Congressional Globe*, 38th Congress, 1st Session, April 29, 1864, p. 1967.

<sup>118</sup> Moran, *Journal*, Vol. II, June 20, 1862, p. 1024.

foreign observers to know about U.S. policy. It is clear from the correspondence written by the Secretary of State in 1861 and subsequent debates in Congress over the cost of printing that the Department intended the volume to serve as a public relations tool. On the one hand, the volume's contents appealed to multiple domestic audiences. Congress wanted tens of thousands of copies for its own distribution. Newspapers and concerned citizens across the country also read the volumes to judge how their contents reflected the wisdom and competence (or lack thereof) of the Lincoln administration. The documents also played to official and non-elite audiences overseas. The early *FRUS* volumes painted a picture of Seward firing off instructions around the world, ordering American ministers to parry Confederate advances in other lands. Demonstrating American resolve and exposing the willingness of Great Britain and France to treat the Confederates as legitimate belligerents yielded public relations benefits at home and abroad.

Perhaps most importantly, the volumes represent the high value placed on openness as a fundamental element of democratic governance. Seward's 1864 missives to Adams justifying publication of sensitive documents on grounds of responsibility to the electorate reflect a profound belief in the importance of transparency in governmental operations. Even in time of war, responsible government required public accountability for actions taken in the name of the people. In a mid-19th century world that featured few representative governments, and in which the European liberal revolutions of 1848-1849 failed, the U.S. Civil War threatened to undermine the principal bastion of republican institutions. As the above quote from Brooks indicates, Americans expected their government to operate transparently, albeit within the bounds of public interest; examining the material excised from early *FRUS* volumes indicates that the people did not learn everything about foreign policy. That the publication of recently-created foreign policy documents sparked some controversy indicated the health, rather than debility, of the American system. Insofar as the record enables us to judge, Seward seems to have grasped this point, and his views appear representative of the majority of government officials and ordinary citizens during that era.

Nevertheless, a careful examination of material excluded from early *FRUS* volumes also illustrates the limitations government officials imposed on openness. Put in 21st century terms, the editors censored material that they believed would damage national security, hinder the war effort, reveal information-gathering sources and methods, or violate privacy considerations. The tension between the desire for transparency and the responsibility to protect played out within the confines of the executive branch; Congress and the public had to trust that the President and Secretary of State would share as much information as possible. This enduring dynamic became increasingly problematic during the 20th century, and calculating what constitutes "responsible release" remains a key issue today.

Waging war against the Confederacy required not only fighting on battlefields but also combating their envoys in foreign lands as well as campaigning for support among multiple constituencies at home and abroad. Building on the tradition of

publishing diplomatic correspondence that began in the early republic, the first *FRUS* volumes marked an important stage in the evolution of informing politicians and the public about foreign affairs. The unknown Department employees who created the first volume probably could not have envisioned the massive undertaking that *FRUS* would become in the 20th century, but they would no doubt applaud the fundamental purpose: to create a public record of U.S. foreign policy, enabling citizens to assess the work of their government. In subsequent generations, the value ascribed to openness and transparency in governmental operations has remained a key factor informing the *FRUS* series, even as the changing role of America in the world has modified and transformed implementation of those values. The Civil War spawned the “Contemporaneous *FRUS*,” fostering openness practices that would remain normative for another half-century.

# Chapter 3: The Death and Resurrection of *FRUS*, 1868-1876

Peter Cozzens

Although for two years after the Civil War the Department of State continued to publish *Foreign Relations* in the same manner, the annual appearance of foreign policy correspondence in bound volumes had not necessarily become a permanent executive branch function. Some critics considered *FRUS* an artifact of the Secretary of State's outsized ego—in effect, Seward's *other* folly. It was not clear whether the volumes would outlive his tenure. The legislative branch continued to value the publication. In 1866 Congress fixed the minimum print run of every *FRUS* volume at 2,000 copies for the Senate, 4,000 for the House of Representatives, and 2,500 for the Department of State, a law that remained on the books for 30 years.<sup>1</sup>

Yet the Grant administration attempted to discontinue *FRUS*, both as a measure to reduce an overworked Department staff and in an attempt to assert executive branch prerogatives. President Ulysses S. Grant and his Secretary of State, Hamilton Fish, however, ultimately reinstated an annual compilation of the Department's activities. *FRUS* became a permanent, regular fixture of government operations only in 1870 when an insistent Congress refused to surrender its constitutionally-mandated oversight responsibilities through the timely examination of foreign policy documents.

## The Demise of *FRUS*

In 1868 the *Foreign Relations* volumes became caught up in partisan conflict and jurisdictional struggles between the executive and legislative branches. President Andrew Johnson battled with Congress from February, when the House of Representatives impeached him, until May, when the Senate acquitted him by one vote. Secretary Seward supported Johnson, who did not transmit a volume of diplomatic documents with his last annual message to Congress.<sup>2</sup>

When Hamilton Fish assumed the position of Secretary in March 1869, he found the Department's recordkeeping in disarray. Seward left a massive backlog of communications that had to be processed.<sup>3</sup> Additionally, in December 1867 the Senate called for the Department to provide all correspondence pertaining to the

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<sup>1</sup> U.S. Code, Section 2, 14 Stat. L. 305 (July 27, 1866).

<sup>2</sup> In a manner typical of his predecessors, Johnson did touch upon a number of foreign policy issues in his December 9, 1868 address. He also apparently submitted a few pages of documentation on two minor issues. See American Presidency Project website, <http://www.presidency.ucsb.edu/ws/index.php?pid=29509>.

<sup>3</sup> The backlog included over 9,000 manuscript pages of unrecorded outgoing instructions, more than 24,000 unindexed despatches, instructions, and letters, and 388 volumes of correspondence that required arrangement and binding. Fish also had to assign one Clerk to six weeks of full-time work compiling an immigration report that should have been prepared under Seward.

*Alabama* claims case, but Seward's staff had completed no work on that project by the following March.<sup>4</sup> Finally, nothing had been done to prepare an 1868 *FRUS* volume.<sup>5</sup>

Consequently, the Department spent nearly two years playing catch-up. Completing the *Alabama* correspondence, which ran to five volumes totaling 4,000 pages, took first priority. Remarkably, Fish submitted one volume three weeks after taking office. His staff produced the others over the course of 1869-1870.<sup>6</sup> No doubt much effort during that period also went into organizing the records backlog for the daily work of the Department. The Clerks who normally would have compiled *Foreign Relations* had their hands full with immediate issues. The Department eventually produced a two-volume compilation of *Foreign Relations* 1868, but not until December 1869, a full year behind the normal release date.

When he took office on March 17, 1869, Fish also confronted political-constitutional quandaries. Grant had neglected to consult with the powerful chair of the Senate Foreign Relations Committee, Charles Sumner (Republican, MA), whose arrogance the president abhorred, before appointing Fish. In return, Sumner became an implacable opponent of Grant's foreign policy and insinuated himself and his committee into Department business whenever possible. By year's end, Fish was disgusted with what he considered the Senate's blatant overstepping of its prerogatives. "The Senate, in fact Congress, but especially the Senate, [has] encroached largely beyond the former line of demarcation between their powers and those of the Executive," Fish complained. "They still claim the same extent of power; they wish, practically, to dictate nominations, not merely to 'advise and consult.' The constitutional power of the Senate is limited to yea or nay upon the names submitted to them."<sup>7</sup> Although on cordial personal terms with Sumner, Fish had no intention of giving Congress any more information about foreign affairs than he deemed absolutely necessary. Fish worked with Grant to include general statements about U.S. foreign policy in the President's December 1869 annual message to Congress, but for the second consecutive year, no diplomatic correspondence accompanied the chief executive's address to the legislative branch. Congress, and by extension the

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<sup>4</sup> The most pressing and potentially explosive diplomatic issue of the day, the *Alabama* claims case pitted the United States against Great Britain in a dispute over the British Government's liability for losses to Union merchant vessels suffered at the hands of the British-built Confederate commerce raider *Alabama* during the Civil War.

<sup>5</sup> Chief Clerk R. S. Chew to Fish, June 27, 1871, NARA, RG 59, M800, Reports of Clerks and Bureau Officers of the Department of State, Roll 5.

<sup>6</sup> *Correspondence Concerning Claims against Great Britain*, 41st Cong. 1st Sess. SED 11. The GPO printed Volumes 1 (Ser. 1394) and 4 (Ser. 1397) in 1869 and Volumes 2 (Ser. 1395), 3 (Ser. 1396) and 5 (Ser. 1398) in 1870.

<sup>7</sup> Quote from Fish to close friend and New York political benefactor J. Watson Webb, January 1, 1870, LCM, Fish Papers, Container 309, Folder January 1870. See also Michael J. Devine, "Hamilton Fish," in Edward S. Mihalkanin, ed., *American Statesmen: Secretaries of State from John Jay to Colin Powell* (Westport: Greenwood Press, 2004), pp. 192-195.

nation's citizens, would have to accept the President's unsubstantiated appraisal of the nation's foreign policy and international prospects.

Fish always maintained that staff cuts and the reshuffling of ministers occasioned by a new administration precluded preparation of a *Foreign Relations* volume for 1869. On December 6 (the date of the president's message), instead of submitting a *FRUS* volume, Fish responded to a nine-month old congressional request for a report on the clerical force in the Department. Fish reminded Speaker of the House James G. Blaine (Republican, ME) that during the prior year Congress slashed the number of Department employees from 48 to 31. "No [further] reduction in the number or compensation of the clerks now employed is compatible with the public interests," Fish told Blaine, adding pointedly, "With so large a reduction the business of the Department is already seriously embarrassed."<sup>8</sup> Congressional parsimony came at a cost. Three years later, when House Foreign Affairs Committee Chair Nathaniel P. Banks (Republican, MA) asked him why there had been no *Foreign Relations* 1869, Fish reminded him "that the period alluded to embraces that in which many changes in the diplomatic agents of the government were made. The clerical force in the Department was small and much occupied at the close of the year, and for these reasons no publication was made."<sup>9</sup>

Although some in the press welcomed the absence of 1869 diplomatic correspondence as an unnecessary extravagance,<sup>10</sup> Congress wanted much more than Grant's bare-bones recounting of foreign-policy priorities contained in his annual message, particularly about Cuba. On December 8, 1869, the Senate requested—with the usual caveat "if not incompatible with the public interest"—any information about "the progress of the revolution and the political and civil condition of the island [of Cuba]."<sup>11</sup> Five days later, the House requested all Department correspondence on Cuba between Secretary Fish and U.S. Minister to Spain Daniel Sickles, including instructions to Sickles, and all correspondence between the U.S. and Spanish governments. Fish tried to pigeonhole the resolution. The day after the House passed the resolution, Fish wrote Grant that "It is not deemed advisable at this time to comply with the request contained in the

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<sup>8</sup> Fish to James G. Blaine, December 6, 1869, p. 198 in NARA, RG 59, Reports of the Secretary of State to the President and Congress, 1790-1906, Report Book 10; *Clerks in the State Department*, 41st Cong. 2nd Sess., HED 9 (Ser. 1416), pp. 1-2.

<sup>9</sup> Although Fish added that "The correspondence will however, be reviewed if practicable, during the recess of Congress, with a view to the selection of such as may be proper to furnish," the Department never produced an 1869 volume. Fish to Nathaniel P. Banks, May 18, 1872, NARA, RG 59, Reports of the Secretary of State to the President and Congress, 1790-1906, Report Book 11. Department officials had made a good faith effort to present a respectable record. In addition to the diplomatic correspondence for that year, the 1868 *Foreign Relations* volume contained despatches on the Alabama Claims case and the imprisonment of U.S. citizen "Fenians" in Great Britain through the end of the Johnson administration in March 1869. This was the only 19th century instance in which an annual *Foreign Relations* volume contained documents from a succeeding year.

<sup>10</sup> "A Small Reform," *The Patriot* (Harrisburg, PA), December 7, 1869.

<sup>11</sup> Normally Congress simply requested any correspondence that the Department might have on a subject; in this case the request was directed to Fish personally.

resolution.”<sup>12</sup> Pressure on Fish to respond rapidly reached a crescendo. Not accepting Fish’s claim that transmission of the records would be “prejudicial to the public interests,” the influential—and hostile—*New York Herald* enjoined Congress to demand that Fish produce the Cuba correspondence.<sup>13</sup> On December 17, Sumner sent Fish a terse demand for Sickles’s correspondence, and in early February the House passed a second resolution requesting the Cuba correspondence.<sup>14</sup>

Fish reluctantly yielded to these multiple requests. Rather than answer Sumner himself, he took the unusual step of having the Assistant Secretary of State, J. C. Bancroft Davis, send Sumner the documents requested in the Senator’s December 17 letter with the unusual caveat that they were for the “private and confidential use” of the Foreign Relations Committee only.<sup>15</sup> While Davis handled Sumner’s letter confidentially, Fish complied with the Senate’s formal December 8 resolution openly and promptly. On December 20 President Grant submitted to the Senate 75 documents totaling 113 pages and dating from the start of his administration through December 16.<sup>16</sup> They were presented with the same “synoptical [sic] list of papers” that introduced annual *Foreign Relations* submissions, including a remarkably full summary of each document, considering that Department Clerks completed the job in just over a week. Finding himself cornered, Fish withheld nothing of importance.<sup>17</sup> These submissions demonstrate that even during times of strained relations between the executive and legislative branches, the Department sometimes released sensitive instructions pertaining to ongoing negotiations about significant foreign policy matters.

Yet Fish’s compliance with the congressional resolutions on Cuba reflected no softening in his sentiments about executive branch prerogatives. On the contrary, he hardened his determination to give Congress no more than it specifically requested and to invoke the “incompatible with the public interest” reservation to deny certain legislative branch requests. The combination of budget cuts leading to staff shortages and overwork, Fish’s clashes with Sumner, and the Secretary’s disdain for an

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<sup>12</sup> Fish to Grant, December 14, 1869, p. 208 in NARA, RG 59, Reports of the Secretary of State to the President and Congress, 1790-1906, Volume 10, Report Book 10.

<sup>13</sup> *New York Herald*, December 17 and 19, 1869.

<sup>14</sup> J. C. Bancroft Davis to Sumner, December 20, 1869, NARA, RG 59, Reports of the Secretary of State to the President and Congress, 1790-1906, Report Book 10; *Congressional Globe*, 41st Cong. 2nd Sess., February 7, 1870, p. 1089.

<sup>15</sup> Davis to Sumner, December 20, 1869, NARA, RG 59, Reports of the Secretary of State to the President and Congress, 1790-1906, Report Book 10.

<sup>16</sup> The President always formally transmitted the Department’s response to calls for documents with a brief cover letter.

<sup>17</sup> Two letters in particular clearly demonstrated the Grant administration’s evolving policy on Cuba. On April 16, 1869, Fish had written the Spanish Minister to assure him that, unlike many European countries, Spain included, which had rushed to grant the Confederacy belligerent rights in 1861, the United States would not do so in the case of Cuba. Reflecting his growing impatience with the stalemate on the island, Fish told the minister on October 13 that “the present state cannot be indefinitely prolonged,” and that the Grant administration reserved the “right of future action.” The correspondence was published as *The Revolution in Cuba*, 41st Cong. 2nd Sess., SED 7 (Ser. 1405).

obstructionist and overreaching legislative branch caused him to terminate the *FRUS* series in late December 1869 or early January 1870. Although he did not announce his decision publicly, in a private letter he confided that, “The publication of the Diplomatic Correspondence has been discontinued.”<sup>18</sup> President Grant concurred. In late March he told Fish “not to communicate to Sumner any confidential or important information received at the Department.”<sup>19</sup>

### ***FRUS Revived***

But Fish soon discovered that defying Congress and refusing to abide by long-established transparency expectations incurred significant costs. Given the tardy arrival of the 1868 volumes and the absence of an annual volume for 1869, Congress called for an unprecedented amount of diplomatic correspondence during 1869-1870.<sup>20</sup> Fish pigeonholed a January 31, 1870 Senate resolution calling for the correspondence of former Minister to China J. Ross Browne that deprived legislators of an important analysis of East Asian politics and U.S. policy.<sup>21</sup> Undeterred, beginning in February 1870, Congress besieged Fish with requests. In late February, the Department responded to a House query, sending 130 documents totaling 193 pages on Cuba, including 46 letters between Sickles and Fish not included among those sent earlier to the Senate, as well as 8 letters regarding consular issues. He provided Congress with correspondence on American citizen Fenians imprisoned in Great Britain. He also submitted to the Senate correspondence pertaining to a dispute between citizens of the Dakota Territory and the governor of the Northwest Territory of Canada. In March, Fish acceded to a House resolution calling for correspondence relating to another vexing issue, that of claims of U.S. citizen creditors against Venezuela for nonpayment of debt that Caracas had agreed to remit four years earlier.<sup>22</sup> In April, Fish invoked the “public interest” caveat to deny a House call for information regarding ongoing negotiations regarding a potential treaty with San Domingo,<sup>23</sup> but during the summer of 1870 he complied with two additional requests for Cuba-related documents as well for correspondence on

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<sup>18</sup> Fish to John Jay, Jr., January 17, 1870, LCM, Fish Papers, Container 67.

<sup>19</sup> Fish diary, March 30, 1870, LCM, Fish Papers, Reel 3 (Container 280). Grant specifically noted that Sumner had misrepresented Fish’s views with regard to the Santo Domingo treaty, but the admonition to withhold information applied generally.

<sup>20</sup> In addition to the two 1868 volumes and the 1870 volume eventually produced, the Department transmitted 1,015 pages of documents during 1869-1870, the largest number of records released in any biennium until the Blaine imbroglio delayed the 1881 volume (see [chapter 4](#) and [appendix C](#)).

<sup>21</sup> Paul H. Clyde, ed. *United States Policy toward China, Diplomatic and Public Documents, 1839-1939* (Durham: Duke University Press, 1940), p. 95-103.

<sup>22</sup> *American Citizens Prisoners in Great Britain*, 41st Cong., 2nd Sess., HED 170 (Ser. 1418); *Affairs on the Red River (Presidential message on presence of Hon. William McDougall ...)*, 41st Cong., 2nd Sess., SED 33 (Ser. 1405); *Claims of American Citizens against Venezuela*, 41st Cong., 2nd Sess., HD 176 (Ser. 1418).

<sup>23</sup> Fish to Grant, April 5, 1870, pp. 326-327 in NARA, RG 59, Reports of the Secretary of State to the President and Congress, 1790-1906, Report Book 10.

“questions pending” between the United States and Great Britain.<sup>24</sup> As the year progressed, so too did the drumbeat of congressional calls for correspondence; Congress gave every indication that its prerogatives included the continued release of foreign policy documents. By year’s end, Fish found it necessary to release, in piecemeal fashion, 444 documents totaling 686 pages. Congress published all of it; when aggregated, the releases equaled the size of a typical *Foreign Relations* volume.<sup>25</sup>

After two years of executive branch efforts to alter longstanding governmental call-and-response practices, and no doubt concluding that a more regularized release of documents would reduce the burden on his overworked staff, Fish resumed publishing the series in December 1870. Although neither Fish’s diary of his tenure as Secretary of State nor his personal papers reveals his reasons for resuming the annual transmittal to Congress of diplomatic correspondence with Grant’s annual message, the persistent congressional demands of 1869-1870 undoubtedly comprised the deciding factor.<sup>26</sup> The Grant administration’s attempt to overturn precedents established in the 18th century failed. The executive branch maintained the right to withhold certain information to protect the public interest, and cabinet records, personal papers, and Presidential documents remained outside the purview of congressional examination, but the legislative branch insisted on its prerogative to obtain the documentation necessary to assess the president’s conduct of foreign affairs. The Contemporaneous *FRUS*—remarkably timely (by modern standards), minimally redacted, and substantially comprehensive given its 19th century context—became an accepted part of governmental practice for the subsequent four decades.

### Calibrating *FRUS*

Even after Fish reinstated the volumes as a serial publication that became a central element of U.S. political practice, much remained to be determined about the potential uses for *FRUS*. During the remainder of his tenure, Secretary Fish experimented with how the series might be utilized. He manipulated the volumes for domestic political purposes, deployed *FRUS* in the service of immediate diplomatic objectives, and attempted to reduce the problems caused by the rapid release of foreign policy records. None of those initiatives succeeded; the

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<sup>24</sup> *Seizure of American Vessels and Injuries to American Citizens during Hostilities in Cuba*, 41st Cong., 2nd Sess., SED 108 (Ser. 1407); *Correspondence between the United States and Great Britain Concerning Questions Pending between the Two Countries*, 41st Cong., 2nd sess., SED 114 (Ser. 1407); *The Emancipation of Slaves in Cuba*, 41st Cong., 2nd Sess., SED 113 (Ser. 1407).

<sup>25</sup> The 1870 volume included a few documents from 1869 and a smattering of correspondence from early 1870, but most of the records date from the second half of the year.

<sup>26</sup> Fish’s correspondence with Sumner in the Charles Sumner Papers at Harvard University reveal no additional documentation. Department Historical Adviser Tyler Dennett said Fish “was forced by the necessities of the case to resume it under the name with which it is now familiar to us,” but does not elaborate. See Tyler Dennett, “Governmental Publications for the Study of International Law,” *Proceedings of the American Society of International Law at Its Annual Meeting* 23 (April 24-27, 1929): p. 56.

consequences of toying with the official documentary record proved unpredictable and the costs unacceptably high.

### **The Marsh Affair (1870-1873)**

Among the most able and respected American diplomats of the day,<sup>27</sup> Minister to Italy George P. Marsh was nevertheless vulnerable to partisan intrigue at home. An old-time Whig who no longer involved himself in domestic politics, Marsh owed his 1861 appointment to President Abraham Lincoln; by 1870 any residual support accrued from the slain president's selection had dissipated. President Grant's close political ally, Congressman John A. Bingham (Republican, OH), feared he would not win in the 1870 mid-term elections and signaled his desire to take Marsh's position.<sup>28</sup>

At this same moment, the Italian political scene erupted in turmoil. For nearly two decades, Emperor Napoleon III had supported the Papal States as a way to ensure a divided and subservient Italy on France's southeastern border. But Italian nationalists chipped away at the French and papal domain until only Rome and the province of Latium remained. In August 1870, Napoleon III recalled the French garrison from Rome to reinforce his army for war against the German states. Abandoned by his French ally, Pope Pius IX and his papal guard stood alone against the tide of Italian opinion, which demanded that the Italian government relocate from Florence to the historic capital of Rome—by force if necessary. Even as popular agitation for an end to the temporal power of the pope grew, indecision gripped the Italian government. Not until the resounding French defeat at Sedan and the Prussian capture of Napoleon III on September 1 did the Italian government decide to act, and then it did so haltingly. Italian King Victor Emmanuel II offered Pius IX a face-saving proposal that would have allowed the Italian army to enter Rome peacefully under the guise of protecting the Pope, but Pius remained intransigent. On September 10, Italy declared war on the Papal States. The Italian army crossed the Papal frontier the next day, but was slow to move on Rome. Finally, after brushing aside token resistance on September 20, the Italian army entered the city. Pope Pius IX declared himself a prisoner in the Vatican, and the Italian government again vacillated, not moving the capital from Florence to Rome until July 1871.

Minister Marsh tried to make sense of the confused events of the first days of September and report his interpretation to Secretary Fish. With the Italian government not knowing where it stood from one day to the next, Marsh was bound to err—and to grow frustrated. Both his errors and frustration were made manifest in four despatches he sent Fish between September 1 and the fall of Rome

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<sup>27</sup> Fluent in six European languages, he was also preeminent among the world's philologists. His varied writings included a compendium of Icelandic grammar, a book on the habits and uses of camels, and *Man and Nature*, an important early work of ecology. David Lowenthal, *George Perkins Marsh, Versatile Vermonter* (New York: Columbia University Press, 1958).

<sup>28</sup> *Lowell Daily Citizen and News*, June 21, 1870; *Boston Daily Advertiser*, June 20, 1870; Erving E. Beauregard, *Bingham of the Hills, Politician and Diplomat Extraordinary* (New York: Peter Lang, 1989), p. 137.

on September 20. Marsh's September 9 note retracted the hurried assessment he initially offered on September 6.<sup>29</sup> On September 12, he penned a despatch labeled "Confidential" and transmitted in cipher (thereby implying a greater degree of sensitivity) that characterized both his previous reports as premature. Marsh then provided a frank and scathing appraisal of Italian policy:

The Italian government has long hesitated in the adoption of a decided policy, and in fact it has been so constantly in the habit of blindly following the dictation of the Emperor of France in the conduct of all its foreign relations, without attempting to mark out a policy for itself, that since the downfall of the empire silenced its oracle the ministry has been completely bewildered and quite unable to arrive at a conclusion of any subject until forced by the fear of popular violence to decide upon the military occupation of the Papal territory.

Its future course in this matter, unless controlled by external forces, will be characterized by vacillation, tergiversation, and duplicity, as it has always been since 1864, and I see no reason to hope that any measures originated by this or any probable future cabinet will tend to settle the question upon any terms which ought to be acceptable to the Italian people.

The combat deaths of 53 Italian soldiers within a week of that message hardly constituted a policy of "vacillation," so Marsh hastened to report in a fourth, confidential despatch the day after Rome fell: "the purposes, or at least professions, of the ministry have changed very suddenly, although ... the minister of foreign affairs only last week declared in the most explicit manner to eminent statesmen opposed to the movement that the Italian troops could never enter Rome, and that they would simply occupy strategic points, none of which would probably be within twenty miles of the city."<sup>30</sup>

Taken together, these four communications could be construed as casting doubt upon Marsh's judgment and effectiveness. Unfriendly readers might conclude Marsh lacked access to the upper ranks of the Italian Government (only one additional document from Marsh appeared in *Foreign Relations, 1870-1871*). Bingham narrowly won reelection to Congress in November 1870, but his seat was far from secure, and he continued to hope for a diplomatic post. Bingham subsequently lost the November 1872 election, and a month later he renewed his quest for Marsh's job.

Marsh's four despatches, which had passed without domestic or international notice when published in December 1870, suddenly came to the attention of the Italian press in January 1872. The very day an Italian newspaper printed excerpts from the correspondence, Marsh dined with Italian foreign minister Emilio Visconti-

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<sup>29</sup> *Foreign Relations, 1870*, pp. 448-449.

<sup>30</sup> *Foreign Relations, 1870-1871*, pp. 450-452. See also George W. Wurts to Catherine C. Marsh, October 1, 1884, University of Vermont, George P. Marsh Papers.

Venosta. Instead of demanding Marsh's recall, however, Venosta greeted him warmly. He understood that Marsh had "but done his duty in thus reporting events, unpleasing as that report was." Former Prime Minister Bettino Ricasoli, who also was present, strode across the room to "salute Mr. Marsh in a most marked manner, as if to say, 'You told the truth.'"<sup>31</sup> Despite the private assurances of Venosta and Ricasoli that Marsh had nothing to fear, the affair simmered for nearly six months in the Italian press and parliament, and scattered speculation that the Italian government would demand his recall continued in the U.S. press until December 1872.<sup>32</sup> The affair played hard on Marsh. In April 1872 he fell "seriously ill" with what the press described on as a fever, and in June he took two months leave.<sup>33</sup>

Marsh's predicament elicited wide sympathy in the American press, demonstrating how 19th century Americans calculated the value of openness in government. Far from welcoming the release of confidential correspondence of such recent vintage, newspapers unanimously condemned the action, noting the larger ramifications for American diplomacy. Many who came to Marsh's support suspected either a leak for political purposes or general Departmental incompetence (or both) because the key despatches were communicated in cipher.<sup>34</sup> The reaction of the *Lowell* (Massachusetts) *Daily Citizen and News* was typical. "Honorable George P. Marsh, our able and accomplished Minister to Italy, sent a despatch to our State Department some time ago, in which he discussed the personal aspects of Italian politics with the freedom which was perfectly proper in a confidential communication," the paper editorialized. "But his letter was printed—through some unpardonable mismanagement in the Department—and he finds himself seriously compromised in consequence." The *Boston Journal* concurred that "it was Mr. Marsh's duty to report his opinions on the subject he discussed faithfully and explicitly [and] it was the duty of [the] government to shield its faithful minister and save his future usefulness by keeping his despatches in its own archives." The *Springfield* (Massachusetts) *Republican* complained of the "blundering publication of a letter that he intended to have kept private in the state department." Prominent New York clergyman Reverend T. E. Vermilyen wrote directly to Fish, "I have read with great regret the unpleasant position in which Mr. Marsh is placed by his letter from Florence recently made public," Vermilyen told Fish. "The letter was probably right enough, as a private communication to his government, but its publication

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<sup>31</sup> Wurts to Caroline Crane Marsh, October 1, 1884, University of Vermont, George P. Marsh Papers; Lowenthal, *Marsh*, pp. 288-289.

<sup>32</sup> William T. Sherman to George Perkins Marsh, March 28, 1872, University of Vermont, George P. Marsh Papers; *Middletown* (Connecticut) *Daily Constitution*, December 31, 1872.

<sup>33</sup> *St. Albans Daily Messenger* (Vermont), April 9, 1872; *New York Herald*, April 19, 1872; William T. Sherman to George P. Marsh, November 20, 1872, University of Vermont, George P. Marsh Papers.

<sup>34</sup> Both Marsh and his aide, George W. Wurts, believed Fish orchestrated the publication to edge Marsh out. Charles P. Marsh to John Bigelow, March 25, 1872, in Bigelow, *Retrospections of an Active Life*, 6 vols. (New York: Doubleday, Page and Company, 1913), Vol. 5, pp. 19-20; Wurts to Catherine. C. Marsh, October 1, 1884, University of Vermont, George P. Marsh Papers.

certainly was not fortunate. Do not let him be disturbed, or his feelings or reputation suffer.”<sup>35</sup>

The uproar surrounding publication of the Marsh despatches eventually subsided. Fish initiated an investigation of sorts, but nothing came of it; no Department officers took responsibility and no Clerks were dismissed.<sup>36</sup> President Grant named Bingham minister to Japan in June 1873, where he served with distinction for 12 years.<sup>37</sup> Marsh remained at his post in Rome until his death in 1882.

Although the evidence is not conclusive that Hamilton Fish manipulated *FRUS* for partisan purposes, the Marsh Affair illustrated one of the dangerous attractions that the volumes presented government officials. The temptation to advance domestic political interests, on occasion, proved irresistible. Yet the public reaction to the Marsh episode indicates the potentially high cost of attempts to skew the record. Then as now, the credibility of government transparency lies in the judicious, nonpartisan, disinterested character of the process by which documents are released. The Congress, the press, and the public expected *FRUS* to be “honest.”

#### **“A Surprising Manifestation of Backbone”: Letter of Instruction No. 270 (1872-1873)**

The timely nature of the Contemporaneous *FRUS* also tempted Fish to employ the volumes as vehicles for current diplomacy, and Cuba presented the most vexing foreign policy issue of the postbellum era. By October 1872 the savage rebellion against Spanish authority in Cuba had dragged on for four years, with no end in sight. Although personally sympathetic to the rebels’ cause, Secretary Fish never considered them sufficiently powerful to warrant recognition. Tensions increased as the Spanish government raised tariffs on U.S. imports and expropriated American estates on the island, rumors abounded of pro-Cuban filibustering expeditions launched from U.S. soil, and the press excoriated Fish for “blundering mismanagement” of the situation.<sup>38</sup> Fish decided to act before Congress reconvened

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<sup>35</sup> *Boston (Morning) Journal*, March 4, 1872; *Lowell Daily Citizen and News*, March 11, 1872; *Springfield Republican*, April 13, 1872; “European Complications,” *The Sun* (New York), March 2, 1872; T. E. Vermilyen to Hamilton Fish, March 5, 1872, LCM, Fish Papers, Container 86.

<sup>36</sup> Moreover, in January-February 1872, Fish offered Marsh the more prestigious post of Madrid, at the same time that rumors circulated in the press that Fish wanted to remove the current U.S. minister, Daniel Sickles. Marsh declined the offer. Davis to Fish, January 24, 1872, LCM, Fish Papers, Box 312, folder Bancroft Davis to Hamilton Fish Sept. 26(?), 1871 to Dec. 30, 1872; Charles Marsh to George Perkins Marsh, January 30, February 12, and February 17, 1872, University of Vermont, George P. Marsh Papers; *Cincinnati Daily Gazette*, February 26, 1872. *Register of the Department of State, Containing a List of Persons Employed in the Department and in the Diplomatic and Consular Service of the United States* (Washington, D.C.: Government Printing Office, 1872 and 1873).

<sup>37</sup> *Middletown Daily Constitution* (Connecticut), December 31, 1872; Beauregard, *Bingham of the Hills*, pp. 147-177.

<sup>38</sup> *New York Herald*, October 24, 1872; Charles S. Campbell, *The Transformation of American Foreign Relations, 1865-1900* (New York: Harper & Row, 1976), pp. 53-56; James W. Cortada, *Two Nations over Time, Spain and the United States, 1776-1977* (Westport, Conn.: Greenwood Press, 1978), p. 92-93.

in December, adopting a tough line to prevent legislative action and further press agitation. Without consulting Grant, on October 29, 1872 the Secretary of State instructed U.S. Minister to Spain Daniel Sickles to warn Madrid that American forbearance was running out. Fish biographer Alan Nevins called the message, which the Department entered into its records as Letter of Instruction No. 270, "the most menacing document ... from the State Department during the Grant Administration."<sup>39</sup>

Fish reviewed for Sickles Spain's poor record of reform, its failure to abolish slavery in Cuba, and the American response. Acknowledging that emancipation "may be a difficult task" because Spanish slaveholders had been able to block enactment of such legislation in 1870, he questioned Spanish sovereignty over the island. "If Spain permits her authority to be virtually and practically defied in that island by a refusal or neglect to carry into effect acts of the home government of a humane tendency, is not this tantamount to an acknowledgment of inability to control?" The Grant administration had repeatedly prevented "reckless adventurers ... and other partisans of the insurgents" residing in the United States from embarking on "hostile expeditions" against the colonial government. In "discharging those duties ... we are conscious of no neglect," wrote Fish, "but the trial to our impartiality by the want of success on the part of Spain in suppressing the revolt is necessarily so severe that unless she shall soon be more successful it will force upon this Government the consideration of the question, whether duty to itself and to the commercial interests of its citizens may not demand some change in the line of action it has thus far pursued." Turning next to the "causeless seizure in violation of treaty obligations" of American estates, Fish reminded Sickles that "there will readily occur to you several cases which have been referred backward and forward between Madrid and Havana to the very verge of the exhaustion of all patience." And then came the menacing instructions:

It is hoped that you will present the views above set forth, and the present grievances of which this Government so justly complains ... in a way which, without giving offence, will leave a conviction that we are in earnest in the expression of those views, and that we expect redress, and that if it should not soon be afforded Spain must not be surprised to find, as the inevitable result of delay, a marked change in the feeling and in the temper of the people and of the Government of the United States.<sup>40</sup>

Fish's demarche created a very delicate situation that ultimately failed to resolve the issue. On November 24, the day after Sickles received Instruction No. 270, Spanish Minister of State Cristino Martos y Balbi confidentially shared with

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<sup>39</sup> Allan Nevins, *Hamilton Fish, The Inner History of the Grant Administration* (New York: Dodd, Mead, and Company, 1936), p. 625; Fish to Henry C. Hall, October 25, 1872, LCM, Fish Papers, Container 313, July-December 1872; Fish Diary, November 4, 1872 and January 23, 1873 in LCM, Fish Papers, Reel 4 (Container 283).

<sup>40</sup> *Foreign Relations, 1872*, pp. 580-584.

him a soon-to-be-promulgated cabinet agreement that would abolish slavery and institute sweeping reforms in Puerto Rico by executive decree, but that rejected a change of course in Cuba until the insurgents surrendered. Sickles then delivered his instructions orally to Martos. Five days later, Sickles read them again to Martos, who copied the paragraph containing the thinly veiled threat.<sup>41</sup> Anticipating President Grant's December message to Congress, Martos feared that "anything like a hostile demonstration coming from the United States at this moment would greatly embarrass Spain by depriving her concession of that spontaneous character so essential to her independence and dignity." But, Martos added, the Spanish Government could not inaugurate reforms in Cuba until it had pacified the island.<sup>42</sup>

Finding that No. 270 had not succeeded, Fish decided to apply more tangible pressure. He persuaded Grant to include in his annual message a recommendation for high discriminatory duties upon goods from slaveholding countries—Cuba, Puerto Rico, and Brazil. This would satisfy Cuba sympathizers in Congress without exciting jingoism; it also would ruin Spanish sugar growers, upon whose profits the slave trade flourished. Fish intimated to Spanish minister Admiral Luis Polo that a heavy blow was about to fall on Cuban sugar interests. Polo, in turn, arrived at Fish's doorstep the day before Grant's message was to go forward with a promise from his government to "concede to Cuba" what it was about to offer to Puerto Rico.<sup>43</sup>

Doubting Madrid's sincerity, Fish opted for a middle course that exemplified how 19th century Secretaries of State sometimes used *FRUS* to advance policy. He removed the tariff threat from Grant's draft but in its place inserted Instruction No. 270 into the diplomatic correspondence for publication in *Foreign Relations, 1872*.<sup>44</sup>

Fish's fears proved well-founded, and Congress began to move in ways that threatened to curtail his options. A bill calling for immediate emancipation in Puerto Rico sailed through the Spanish Senate in late December, but Martos retracted Polo's pledge to Fish about Cuba. Meanwhile, in the U.S. Congress, Senator Frank P. Blair (Democrat, MO) had introduced a resolution endorsing a Colombian circular proposing that Latin American republics ask the United States to unite with them in urging Spain to grant Cuba independence. House Foreign Affairs Chair Nathaniel P. Banks indicated his intention to propose a resolution demanding Grant take firm action to protect American interests in Cuba.<sup>45</sup>

When *Foreign Relations, 1872* was published on January 8, 1873, the press reacted to Instruction No. 270 with a mix of wonder, admiration, skepticism, and

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<sup>41</sup> Daniel Sickles to Fish, January 28, 1873, NARA, RG 59, M31, Despatches From U.S. Ministers to Spain, 1792-1906, Roll 56.

<sup>42</sup> Sickles to Fish, November 24, 1872, NARA, RG 59, M31, Despatches from U.S. Ministers to Spain, Roll 55.

<sup>43</sup> Nevins, *Fish*, pp. 628-630.

<sup>44</sup> Fish diary, January 23, 1873, LCM, Fish Papers, Reel 4 (Container 283).

<sup>45</sup> Nevins, *Fish*, pp. 631-632.

fear. This “surprising manifestation of backbone” on the part of Secretary Fish, said the *New York Herald*, was “a plain hint that a new line of action will be adopted.” The next day, however, the *Herald* expressed more skepticism. “Since [No. 270] was written, the State department appears to have relapsed into a state of indifference, being satisfied, we suppose, with having made the usual red-tape demonstration ... making this great Republic appear ridiculous in the eyes of the world and creating disgust in the minds of the American people.” But the *Cincinnati Commercial* worried that Fish’s “ominous” despatch might lead to war. “We can not help thinking that the language of Secretary Fish must have amazed the Spanish government. It is not often that such language is used in diplomatic despatches unless it be meant as a prelude to hostilities.”<sup>46</sup> The London *Times* entered the fray on behalf of the United States, reminding its readers that for two years both the Grant administration and Her Majesty’s Government had exercised a “gentle pressure” on behalf of Puerto Rican independence and that the Spanish government “have all along been pledged to emancipation in Puerto Rico instantly, and in Cuba as soon as peace may be restored.”<sup>47</sup>

An element of mockery injected itself into press commentary after the Spanish government denied that it “had received any note from Secretary Fish upon the slavery question.” The *Herald* wondered, “In whose mouth lives the diplomatic lie?”<sup>48</sup> The *New York Tribune* withdrew its endorsement of Fish’s course. In a scolding editorial titled, “A Dispatch which failed to Arrive,” the *Tribune* said,

the dispatches of yesterday morning from Madrid bring the astonishing news that the president of the council, in a speech in the Cortes, positively and categorically denied that any correspondence had passed between the two governments on [slavery and Cuba] ... .The dilemma has no favorable horn. If Mr. Fish knew his instructions had not been carried out in Madrid, there is an apparent disingenuousness in printing this note ... . If he did not know this, the discipline of the Department is extraordinarily lax, and the publication was a piece of reckless thoughtlessness.

In any event, the effect of the incident cannot but be unfortunate. We may not by strict diplomatic rules have the right to question the Radical government of Senor Ruiz Zorrilla in relation to a communication made by him to the legislative body in Spain. But the whole country read yesterday the words in which he indirectly accuses our government of a deception practiced upon our own people. It is highly desirable that this should be explained.<sup>49</sup>

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<sup>46</sup> *New York Herald*, January 10 and 11, 1873; *Cincinnati Commercial*, January 17, 1873.

<sup>47</sup> *The Times* (London), January 14, 1873.

<sup>48</sup> *New York Herald*, January 17, 1873.

<sup>49</sup> *New York Tribune*, January 17, 1873.

The Cortes also demanded an explanation. Brandishing a copy of *Foreign Relations*, 1872, on January 16, 1873, Senator Felix Suarez Inclan, leader of a coalition of Conservatives opposed to emancipation in the Spanish colonies, called upon the government to follow the American example and provide the Cortes with its diplomatic correspondence on Cuba. He dismissed the government's claim not to have received No. 270, and joined other reactionaries in declaring the ruling Radical party's emancipation of Puerto Rico a "cowardly attempt to conciliate America," an act that "could only strengthen the hands of the rebels in Cuba." Several days of acrimonious debate raged in the Spanish Senate.<sup>50</sup>

Fish's attempt to use *FRUS* for current policy goals placed him in a bind. Unable to disavow No. 270 since it appeared in an official government publication, he offered convoluted explanations to avoid becoming trapped by his own maneuver. Trying to limit the damage domestically, bring Spain into line, and avoid a war that his own message intimated, the Secretary told the press that the Spanish Government had not, strictly speaking, received his note. Fish had written it to Sickles, and Sickles had read it to the Spanish Minister of State. "No copy would be furnished unless asked for, and none was asked for," averred Fish, "so that, diplomatically speaking, the government has received no such communication; but the Spanish government has full knowledge of the latest views of this government on the subject of slavery in the Spanish West Indian possessions, whatever they may say in the Cortes." Fish's explanation left the *New York Herald* cold. "We would suggest that the American people had quite sufficient of this diplomatic humbug ... and they would like now a little plain, intelligible language. We have had enough intrigue, deception, and underhanded influence in all our recent transactions with the Spanish government. Now let us know where the responsibility rests."<sup>51</sup> Privately, Fish told Spanish Minister Polo that he had done Spain a favor in publishing No. 270 and related correspondence. "The publication of the letters submitted with the president's December 2 message to Congress was necessary," Fish insisted, "to satisfy Congress that the administration had the subject in hand; that the danger has been and is one of the question of Congressional debate, which would give occasion to the utterance of many hard things and would agitate the public mind." Fish implored Polo to ask his government to desist from further denials or controversial statements on the matter.<sup>52</sup>

Whatever Fish's original intent, he clearly did not have "the subject in hand." American opinion was hardening toward intervention in Cuba. The press expected Grant to take a firm stand in his March 4, 1873 inaugural address. On February 3, Banks reported out a resolution asking Grant to talk informally with European

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<sup>50</sup> Sickles to Fish, January 28, 1873, NARA, RG 59, M31, Despatches From U.S. Ministers to Spain, 1792-1906, Roll 56; *La Gaceta de Madrid*, January 16 and 21, 1873; *The Times* (London), January 12 and 14, 1873; *Daily News* (London), January 15, 1873.

<sup>51</sup> *New York Herald*, January 19, 1873.

<sup>52</sup> Fish diary, January 23, 1873, LCM, Fish Papers, Reel 4 (Container 283); Nevins, *Fish*, p. 632.

governments about joint measures to protect non-combatants in Cuba, hasten emancipation, and promote peace.

Fish escaped the dilemma when, on February 9, Spain declared for a republic. The well-meaning but ineffectual King Amadeus abdicated, and the two chambers of the Cortes coalesced into a National Assembly. Fish telegraphed Sickles to recognize the republican government as soon as it was fully established. Sickles apparently exceeded his instructions and announced that the United States had “determined to cooperate as far as it depends upon them in bringing the insurrection in Cuba to an end.” Not even the interventionists objected. Most Americans rejoiced at the birth of a new republic in the monarchical Old World.<sup>53</sup>

The publication of Instruction No. 270 unleashed forces that Fish could not control. Although Fish’s diplomatic high-wire act succeeded—he managed to pressure Spain, defend American commercial interests, prevent congressional action, placate domestic opponents, and avoid war—employing *FRUS* for public “message sending” threatened the delicate balance among persuasion, compromise, coercion, and face-saving upon which diplomacy depends. Moreover, attempts to manipulate the volumes’ content brought into question the integrity of the series, which never sat well with Congress, the press, or the public. With the spectacular additional cautionary example provided by James G. Blaine discussed in the next chapter, the Marsh Affair and the No. 270 imbroglio persuaded Secretary Fish and his successors to avoid overtly manipulating the series for immediate political or diplomatic purposes.

### **“The Proper Selection of Despatches” (1874-1876)**

Perhaps to spare ministers future embarrassment or to enhance their stake in the *Foreign Relations* series and thus minimize their complaints about its contents, in 1874 Hamilton Fish began soliciting input from the field in determining which documents might be too sensitive to publish.<sup>54</sup> Although the Hayes administration abandoned the experiment, this short-lived initiative illustrates the perennial tension between the value of openness and concerns to protect secrecy in a 19th century context. Ultimately, officials in Washington retained the authority to make such determinations.

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<sup>53</sup> Quote from Nevins, *Fish*, p. 634. See also Campbell, *Transformation*, p. 59.

<sup>54</sup> Two years before he joined the Department of State as chief historical adviser, in his book *Americans in East Asia* (New York: MacMillan, 1922), pp. 687-688, Tyler Dennett asserted without attribution that complaints from Peking and Tokyo in the early 1870s about *Foreign Relations* content led to a Department policy to permit ministers to choose which despatches from their legations were printed in *Foreign Relations*. Subsequent works have repeated this claim, along with Dennett’s implication that this policy remained in place. This section demonstrates that the practice existed only from 1874-1876. See for instance Leopold, “The Foreign Relations Series,” pp. 597-598, and William Francis Sheppard, “A History and Evaluation of Foreign Relations,” (master’s thesis, California State College, Fullerton, 1967), p. 27. There is no evidence that reaction from Peking and Tokyo precipitated the policy, although such interventions probably contributed to Fish’s decision to conduct the experiment.

“I enclose a list of despatches from [your] legation which it is proposed to submit to Congress for publication with the President’s annual message in December next,” Secretary Fish told ministers at the 37 American legations in a circular instruction bearing dates between September 2 and 16, 1874. “Should there be any papers or parts of papers covered by this list, the publication of which would be objectionable, I will thank you to specify them at your earliest convenience and to designate any others which have been omitted which you think should be published.” Fish gave ministers until October 15 to respond.<sup>55</sup> Only six ministers replied to Fish’s offer, which suggests that the remainder either did not consider the prospect of publication sufficiently problematic to merit a response, or they were unable to meet the short due date (the content of *Foreign Relations* was normally completed by mid-November). The Department, moreover, explicitly reserved the final authority to determine which documents to publish.

The Department generally obliged those ministers whose requests arrived prior to the November cut-off date. Minister to China S. Wells Williams asked that all despatches on the “Japanese and Chinese imbroglio”<sup>56</sup> be omitted from *Foreign Relations*, 1874 because “the affair is in such a state that their publication officially and perusal by the Chinese and Japanese, who will obtain them, will be in some respects disadvantageous.”<sup>57</sup> The Department not only accepted Williams’s recommendations, but also published no China despatches that postdated his request. Not surprisingly given his prior experience with Fish’s manipulation of *FRUS*, Minister to Italy George P. Marsh was among those who replied. He had no objection to the publication in full of the three Italy despatches that the Department had identified for release, and advised against publishing anything else he had submitted that year because the correspondence dealt with matters of less consequence. The Department followed his recommendations.<sup>58</sup> Minister to Turkey George H. Boker asked that the Department withhold two despatches his predecessor had written. The first related the “designs and diplomatic character of H.E. the Russian Ambassador [which] would not be very acceptable reading to my distinguished colleague.” The second contained unflattering remarks about a prominent figure in the Ottoman Empire, publication of which, Boker said, could cause difficulties “if he were in quest of contemporary opinion as to himself, and he should unfortunately stumble upon the short but all sufficing characterization

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<sup>55</sup> Fish to James B. Partridge, September 18, 1874, NARA, RG 59, Diplomatic Instructions of the Department of State, 1801-1906, Brazil, Microfilm M77, Roll 24.

<sup>56</sup> A reference to Japan’s punitive expedition against Taiwanese tribesmen, ostensibly for the murder three years earlier of 54 Ryukyuan sailors, but in reality to test the strength of Chinese suzerainty over the Ryukyuan islands, which Japan also claimed, and over Taiwan. China’s feeble response was an invitation to foreign encroachment on her disputed possessions and further confirmed the weakness of the Qing Dynasty.

<sup>57</sup> S. Wells Williams to Fish, September 17, 1874, NARA, RG 59, M92, Despatches from U.S. Ministers to China, 1843-1906, Roll 38.

<sup>58</sup> George P. Marsh to Fish, October 20, 1874, Despatches from U.S. Ministers to the Italian States, 1832-1906, NARA, RG 59, M90, Despatches from U.S. Ministers to the Italian States, 1832-1906, Roll 16.

of his public qualities." Second Assistant Secretary of State William Hunter, a key arbiter of *Foreign Relations* content, passed Boker's communication to the chief of the diplomatic bureau, whose staff identified and recommended despatches for publication, with instructions for him to "take note" of what Boker had said. The offending material was omitted from *Foreign Relations*, 1874.<sup>59</sup>

On at least one occasion Congress permitted the Department to redact correspondence after its submission but before its publication. Undoubtedly with an eye toward hostile British journalists in Japan, Minister Bingham asked that significant portions of two despatches on the relations of the European "treaty powers" with Japan be omitted. Although Bingham's request did not reach the Department until December 8, a week after the President's annual message to Congress and submission of diplomatic correspondence, the excisions were made in *Foreign Relations*, 1874 precisely as Bingham had requested.<sup>60</sup> After receiving a copy, he gratefully thanked Fish "for the care manifested in suppressing whatever in my despatches might possibility give offense, though not so intended by me."<sup>61</sup>

In 1875 Fish granted ministers an even greater role in selecting contents of the annual *Foreign Relations* volume. To give them sufficient time to register their views, Fish sent the following circular instruction to the field in April:

Sir:

With a view to the proper selection of the despatches to be submitted to Congress, for publication with the President's annual message in December next, I will thank you to inform the Department so that the information may be received by the fifteenth of October, which of the despatches from your legation you would designate as those from among which selection may hereafter most properly be made by the Department, and especially which despatches or portions of despatches should in your opinion be excluded.

Should any despatch be addressed by you to the Department subsequent to the date of giving this information, which may be received in time to be also submitted to Congress, the whole or any portion of which should in your opinion be excluded and note

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<sup>59</sup> Boker to Fish, October 15, 1874, NARA, RG 59, M46, Despatches from U.S. Ministers to Turkey, Roll 27. For an additional example see Eugene Schuyler (charge de affaires in Russia) to Fish, October 6, 1874, NARA, RG 59, M35, Despatches from U.S. Ministers to Russia, 1808-1906, Roll 27. The request of Minister to Brazil James R. Partridge, sent on October 23, arrived on November 21, too late to be included because the volume had already gone to press. See Partridge to Fish, October 23, 1874, NARA, RG 59, M121, Despatches From U.S. Ministers to Brazil, 1809-1906, Roll 43.

<sup>60</sup> John A. Bingham to Fish, November 2, 1874, NARA, RG 59, M133, Despatches from U.S. Ministers to Japan, 1855-1906, Roll 29.

<sup>61</sup> Bingham to Fish, February 12, 1875, NARA, RG 59, M133, Despatches from U.S. Ministers to Japan, 1855-1906, Roll 29.

published, I will thank you to state the fact at the time of forwarding the despatch, or to mark any objectionable passage.

I am, Sir,

Your obedient servant,

Hamilton Fish<sup>62</sup>

This missive elicited a more robust response than the year prior. Of the 37 ministers, 12 submitted lists of despatches they considered worthy (or at least safe) for publication. Several of the ministers also identified passages they wished to see omitted from the published record. In cases including China, France, Italy, Mexico, Russia, and Sweden, the Department published only those despatches that the ministers had recommended and excised all passages of concern to the ministers. The Department also took care not to publish potentially controversial despatches from these legations received subsequent to the ministers' requests.<sup>63</sup>

But in several instances senior Department officials overruled ministers. Second Assistant Secretary Hunter directed that four despatches the minister to Chile recommended for publication not be released, one of which was a lengthy, self-congratulatory report about his success in uncovering pervasive malfeasance at the consulate in Valparaiso.<sup>64</sup> Acting Secretary of State John Cadwalader declined to release a number of despatches that Minister to Great Britain Robert Schenck recommended for publication.<sup>65</sup> Despite advice from the Minister to Turkey to the contrary, the Department not only published all despatches relating to the "Affair of Tripoli," but also included little else from Constantinople in *Foreign Relations*, 1875 not pertaining to the subject.<sup>66</sup> The Department rejected Minister Bingham's

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<sup>62</sup> Fish's message is filed on April 12, 1875, in NARA, RG 59, M77, Diplomatic Instructions of the Department of State, 1801-1906, Argentine Republic, Roll 11, with the annotation "sent to all countries." It is important to note that Fish did not grant ministers any voice in the selection of correspondence sent to Congress in response to the many requests for diplomatic correspondence that we have termed Supplemental *FRUS* Submissions.

<sup>63</sup> B. P. Avery to Fish, July 31, 1875, NARA, RG 59, M92, Despatches from U.S. Ministers to China, 1843-1906, Roll 39; Elihu Washburne to Fish, September 22, 1875, NARA, RG 59, M34, Despatches from U.S. Ministers to France, Roll T80; George P. Marsh to Fish, July 22, 1875, NARA, RG 59, M90, Despatches from U.S. Ministers to the Italian States, 1832-1906, Roll 16; John W. Foster to Fish, September 1, 1875, NARA, RG 59, M97, Despatches from U.S. Ministers to Mexico, 1823-1906, Roll 52; Eugene Schuyler to Hamilton Fish, July 23, 1875, NARA, RG 59, M35, Despatches of U.S. Ministers to Russia, Roll 28; C. C. Andrews to Fish, September 10, 1875, NARA, RG 59, M45, Despatches from U.S. Ministers to Sweden and Norway, 1813-1906, Roll 16.

<sup>64</sup> See the notation about Hunter's directions written in the bottom margin on the first page of C. A. Logan to Fish, July 27, 1875, NARA, RG 59, M10, Despatches from U.S. Ministers to Chile, Roll 28.

<sup>65</sup> Robert C. Schenck to Fish, September 10, 1875, NARA, RG 59, M30, Despatches From U.S. Ministers to Great Britain, 1791-1906, Roll 124.

<sup>66</sup> The so-called Affair of Tripoli referred to the dispatching of an American warship to that city after some locals had "insulted" the U.S. consul and his wife. Horace Maynard to Fish, September 28, 1875, NARA, RG 59, M46, Despatches from U.S. Ministers to Turkey, 1818-1906, Roll 29; Maynard had

strong request that “the whole of Despatch 98, with its enclosure, be published, which shows more fully than any other the action of China in regard to the Formosa Expedition.”<sup>67</sup>

Eleven ministers answered Fish’s solicitation of despatches for inclusion in *Foreign Relations*, 1876. In his letter to the field, Fish said, without elaborating on the reasons, that “it is found necessary to curtail the publication [of *Foreign Relations*], and no large number of despatches can be published from any one legation.” Perhaps the dysfunctional condition of the corruption-ridden Grant administration in its final months prompted Fish’s decision to shorten the volume.<sup>68</sup>

Minister to Great Britain Edward S. Pierrepont was happy to comply with Fish’s admonition to brevity: He wanted none of his despatches published. Noting that in the short time he had been at post the only subject of interest upon which he sent despatches related to differences with Great Britain on extradition matters. “As a new treaty may be negotiated,” wrote Pierrepont, “I would suggest that publication of the official correspondence at the present time might cause embarrassment.”<sup>69</sup> In keeping with its general policy not to release correspondence pertaining to ongoing or anticipated negotiations, the Department concurred. The only correspondence from Pierrepont to appear in *Foreign Relations*, 1876 was two brief despatches that simply forwarded British newspaper articles on extradition.

At the other extreme, Minister to Sweden C. C. Andrews understood the utility of *Foreign Relations* as a public diplomacy tool. Andrews implored Fish to include in the 1876 volume two lengthy reports he had written on the subjects of pauperism and civil service reform in Sweden, both of which reflected well on the Scandinavian country. He also asked Fish to print 300 extra copies of each separately for his own use, and to provide him extra copies of *Foreign Relations*, 1876 to distribute to Swedish universities. It is not known whether the Department printed the reports separately as Andrews asked, but they did appear in *Foreign Relations*, 1876. Andrews was delighted. He gave his counterpart a copy of the volume. The Swedish Government translated Andrews’ report on the civil service and published it in their

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suggested that “the more important despatches relating to ... the affair of Tripoli you will probably not think best to make public until results should have been reached.” Because both British press and local press had reported on the affair, the Department probably felt compelled to put something on record. For press coverage of the affair see especially the *Daily Levant Herald*, September 20 and 25, 1875, enclosed with Maynard’s correspondence.

<sup>67</sup> Bingham to Fish, September 9, 1875, NARA, RG 59, M133, Despatches from U.S. Ministers to Japan, 1855-1906, Roll 30.

<sup>68</sup> Fish to Thomas O. Osborne, July 21, 1876, NARA, RG 59, M77, Diplomatic Instructions of the Department of State, 1801-1906, Roll 11. *Foreign Relations*, 1876 totaled 648 pages, down from 1,399 pages contained in the two-volume *Foreign Relations*, 1875. *Foreign Relations*, 1874 comprised 1,238 pages.

<sup>69</sup> Edward S. Pierrepont to Fish, September 30, 1876, NARA, RG 59, M30, Despatches From U.S. Ministers to Great Britain, 1791-1906, Roll 127.

official journal. "As I have never before known of such a proceeding by the Foreign Office, I could not but feel flattered at the notice," he wrote.<sup>70</sup>

In assembling *Foreign Relations*, 1876 the Department proved less receptive to the counsel of its ministers than it had been in 1875. Minister to Turkey Horace Maynard advised that "selections should be made only from those which relate to the condition of Turkey and to the stirring events which will make the present year memorable in the annals of the Empire" such as despatches dealing with famine in Asia Minor, financial affairs of Turkey, and a massacre at Salonica (omitting personal observations from the reporting U.S. Consular Agent and "the attitude of Russian and British ambassadors, which is intended for official eyes only)."<sup>71</sup> For whatever reason, the Department chose not to include despatches on the famine and Turkish financial affairs.<sup>71</sup> Contrary to the wishes of the minister to Ecuador that nothing on domestic political affairs be published because they were "rather unsettled," the Department printed a revealing despatch on revolutionary activity in Guayaquil.<sup>72</sup>

The U.S. Minister to Colombia exhorted the Department to omit a sensitive reference to the machinations of foreign embassies encouraging Colombia to employ British and French engineers for a proposed interoceanic canal:

This project has been all the more favorably received by the Colombians, by reason of the general belief that the US commission has made a final report in favor of the Nicaraguan route. And what is perhaps an object of more surprise, the scheme is quietly encouraged by one of the foreign legations here, while some of the British naval officers, as if acting in concert therewith, have been writing letters to parties here denouncing the Nicaraguan route as practically impossible, and pointedly insinuating that the surveys of the Atrato and Panama routes by the United States commission amount to a farce, if nothing more serious.<sup>73</sup>

Although the Department normally excised comments on the dealings of foreign representatives, Assistant Secretary Hunter authorized the release of this paragraph. Perhaps the intent was to feed sentiment against British meddling on the isthmus. Minister to China George F. Seward also saw himself overruled. He strongly urged that nothing on Chinese immigration be published "as the subject has become one of a specially delicate nature." The Department saw the matter otherwise. No doubt to put its position on record with California representatives, for whom the issue

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<sup>70</sup> C. C. Andrews to Fish, October 12, 1876 and quote from February 24, 1877, NARA, RG 59, M45, Despatches from U.S. Ministers to Sweden and Norway, Roll 17.

<sup>71</sup> Horace Maynard to Fish, September 20, 1876, NARA, RG 59, M46, Despatches from U.S. Ministers to Turkey, 1818-1906, Roll 31.

<sup>72</sup> Christian N. Wullweber to Fish, August 28, 1876, Despatches from U.S. Ministers to Ecuador, NARA, RG 59, T50, Despatches From U.S. Ministers to Ecuador, 1848-1906, Roll 14.

<sup>73</sup> William L. Scruggs to Fish, October 3, 1876, NARA, RG 59, T33, Despatches From U.S. Ministers to Colombia, 1820-1906, Roll 31.

was an explosive one, the Department published several despatches on the topic from Peking, including a “long and frank” discussion Seward had with the Chinese Foreign Minister.<sup>74</sup>

The 19th century experiment in soliciting legation input to *Foreign Relations* ended with the Grant administration. No protest arose from the field. In 1877, only two ministers took it upon themselves to make known their druthers on *Foreign Relations* content,<sup>75</sup> and a single request arrived in 1878.<sup>76</sup> From 1879 onward, diplomats at post confined themselves to occasional grumbling over unwelcome *Foreign Relations* content after publication.

Although the extant records do not indicate the motivations for Fish’s experiment in soliciting input from the field, nor why the practice was discontinued, this episode highlights a widespread commitment to openness despite the difficulties inherent in publishing potentially sensitive foreign policy documents of recent vintage. Undoubtedly Fish’s invitations to participate in the decision making process were meant to give ministers a stake in *FRUS*. In the final analysis, however, it appears the value of transparency played a key role in continuing the series. Despite the difficulties that publication of *Foreign Relations* volumes could cause, even the diplomats most directly affected rarely argued against the principle that the American people had a right to know as much as possible about the conduct of the nation’s overseas affairs.

Although publishing recent diplomatic correspondence could cause problems, the utility of *FRUS* to placate Congress, inform the public, influence key constituencies, and send messages to foreign governments strongly mitigated in favor of continuing the series. Fish’s attempts to overcome the precedents of the past failed. His subsequent episodic use of the volumes for nonstandard purposes demonstrated the potential benefits and likely risks inherent in venturing outside the transparency paradigm developed over the preceding eight decades. The nation expected *FRUS* to be “honest” and with few exceptions, his successors took heed.

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<sup>74</sup> George F. Seward to Fish, September 7, 1876, NARA, RG 59, M92, Despatches from U.S. Ministers to China, 1843-1906, Roll 43. See, for example, Seward to Fish, June 29, 1876, in *Foreign Relations*, 1876, pp. 57-58.

<sup>75</sup> Foster to Frederick W. Seward, August 15, 1877, NARA, RG 59, M97, Despatches from U.S. Ministers to Mexico, 1823-1906, Roll 57; Washburne to William M. Evarts, October 16, 1877, NARA, RG 59, M34, Despatches from U.S. Ministers to France, Roll T85.

<sup>76</sup> Bayard Taylor to Evarts, September 2, 1878, RG 59, M44, Despatches from U.S. Ministers to the German States and Germany, 1799-1801, 1835-1906, 1799-1906, Roll 42.

# Chapter 4: The Contemporaneous *FRUS*, 1870-1905

Peter Cozzens and William B. McAllister

After the reinstatement of *FRUS* in 1870, the production of annual volumes, in conjunction with supplementary irregular releases (discussed later in this chapter), became a regular part of executive-legislative interaction, Departmental operations, diplomatic calculations, and public civic discourse. The signal feature of the later 19th-early 20th century series and the supplementary submissions to Congress that complemented the bound volumes was timeliness: the U.S. Government routinely published foreign policy records within a year (and sometimes within a few weeks) of their creation. Most Americans believed this immediate form of openness, which informed both the electorate and the elected, to be essential to the proper exercise of democratic, responsible government. This chapter outlines the expression of those republican values, as exemplified by the “Contemporaneous *FRUS*,” in their 19th and early 20th century setting.

## ***FRUS* as Vehicle for Congressional Oversight**

Congress comprised the most important audience for the Contemporaneous *FRUS*. In accordance with practices established in the 1790s, the House and Senate requested records as they saw fit, and the Department frequently released records throughout the year. In addition, by 1870 Hamilton Fish had concluded that the Department could most efficiently meet Congressional expectations by producing one or more general volumes of documentation not previously transmitted to the legislative branch. Consequently, it is important to take account of both types of releases when considering the total dissemination of foreign policy documents after 1860.

The regular release of bound volumes became a routine part of Department business. Between 1870 and 1880 the Department transmitted selected correspondence for the year concurrently with the President’s annual December message to Congress for publication by the Government Printing Office approximately one month later.<sup>1</sup> Correspondence from the remainder of December was included in the subsequent year’s volume. In 1881 the Department began transmitting annual correspondence early the following year, with publication normally occurring between April and June.<sup>2</sup> The correspondence appeared as either a single volume or in two volumes as the quantity and length of documents dictated. The 1866 legislation that required publishing at least 8,500 copies of each volume

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<sup>1</sup> *Foreign Relations*, 1872, for example, was published on January 10 or 11, 1873. *New York Herald*, January 12, 1873; *The Times* (London), January 14, 1873.

<sup>2</sup> For example, the diplomatic correspondence for 1887 was published on June 26, 1888; that for 1894 was published in May 1895. *Foreign Relations*, 1887, p. xv; *New York Times*, May 10, 1895.

(at congressional expense) remained in place until 1895, at which time Congress reduced the minimum print run to 4,682 copies (see [appendix B](#)).

In addition to the annual *Foreign Relations* publication, throughout the year the Department regularly responded to Senate and House resolutions calling on the President to transmit diplomatic correspondence on issues of interest to Congress. These periodic submissions were published most frequently as Senate or House Executive Documents and occasionally as Miscellaneous Reports. These documents often totaled hundreds of pages. They consisted of instructions, despatches, and telegrams—the same type of material presented in the same fashion as in *Foreign Relations*—from the year of the request as well as relevant correspondence from earlier years not previously published in *Foreign Relations*. Annual *Foreign Relations* volumes rarely reprinted correspondence previously transmitted to Congress in response to Senate and House requests throughout the year, a strong indication that the Department considered these periodic submissions to have accomplished the same purpose as *Foreign Relations*.

A sampling of these “extra-FRUS” submissions supports this expanded definition. For example, the Department gathered in three “supplemental volumes,” also termed “appendices” to *Foreign Relations*, 1894, diplomatic correspondence provided to the House and Senate during 1894 on diverse subjects.<sup>3</sup> Correspondence that the Senate requested in December 1894 on unrest along Nicaragua’s Mosquito Coast appeared both as a Senate Executive Document and as a third supplemental volume to *Foreign Relations*, 1894.<sup>4</sup> As discussed in more detail below, the executive branch transmitted considerable documentation about Cuban affairs in the months before declaration of war in 1898, as well as large tranches of records transmitted confidentially to Congress within a few weeks of the formal cessation of hostilities.

The timely transmittal of what we term “Supplemental FRUS Submissions”—fully integrated with the “regular” annual *Foreign Relations* volumes—demonstrated the Department’s recognition of the foreign-policy prerogatives of the legislative branch as well as the need to respond promptly and as comprehensively as possible to its requests for information. From 1868 to 1914, the Department of State submitted 16,022 pages of diplomatic correspondence *in addition* to the documents included in the “regular” annual FRUS publications—the equivalent of roughly 30 additional *Foreign Relations* volumes (see [appendix C](#)).

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<sup>3</sup> Appendix 1 contained reprints of Senate and House Executive Documents on Samoa, the Bering Sea “Fur-Seal Controversy”; the claim of an American businessman against Spain for losses incurred in Cuba; and import duties levied on products from Colombia, Haiti, and Venezuela. Although not requested by Congress, the Department’s compilers also included diplomatic correspondence pertaining to the Chinese-Japanese War in appendix 1. Appendix 2 assembled reports and correspondence pertaining to the newly annexed island of Hawaii that had originally appeared in Congressional Executive Documents from 1820 to 1894.

<sup>4</sup> See [appendix C](#) for a comprehensive list of the congressional executive documents reprinted as part of *Foreign Relations*, 1894.

Through the first decade of the 20th century, the *Foreign Relations* series, when considered together with the frequent Supplemental *FRUS* Submissions of diplomatic correspondence to Congress that complemented the annual volumes, established itself as a reliable primary source for United States foreign policy. Consisting primarily of correspondence, these records can be considered as complete as possible, taking into account the very small number of documents redacted in part or in whole according to 19th century standards for withholding, and given that that Presidential records such as Cabinet minutes remained off limits and contemporaries did not consider “personal” documents such as diaries and private letters government records. As the Supplemental *FRUS* Submissions in particular demonstrate, the Department took seriously its obligation to provide Congress, in a timely manner, the information necessary to exercise appropriate oversight. Indeed, Supplemental *FRUS* Submissions running into hundreds of pages were prepared and submitted to Congress normally within a month of a congressional request, a remarkable performance given the small number of Clerks on staff. The Department made every effort to ensure *Foreign Relations* and the Supplemental *FRUS* Submissions met the contemporary standards for timeliness, accuracy, and completeness.

### ***FRUS* Production and Departmental Operations**

The available evidence indicates that highly qualified individuals prepared 19th and early 20th century *FRUS* volumes following systematic procedures that utilized the expertise of personnel from multiple bureaus.<sup>5</sup> Although the Secretary of State took direct charge of volumes in a few cases, in most instances the Second Assistant Secretary of State redacted despatches for *FRUS*. In addition to supervising production of *Foreign Relations* volumes, the Second Assistant Secretary served as the principal policy adviser to the Secretary of State.<sup>6</sup> That position rendered him uniquely qualified to determine the contents of the series. From 1866 to 1924, the Department employed only two Second Assistant Secretaries – William Hunter (1866-1886) and Alvey A. Adee (1886-1924). The importance of Hunter and Adee

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<sup>5</sup> For descriptions of *FRUS* production, especially the roles played by the Diplomatic Bureau, the Bureau of Archives and Indexes, and the Chief Clerk’s office as well as references to the role the series played in executive-legislative relations, see: *Methods of business and work in Executive Departments and causes of delays in transacting public business* (Part 3, March 18, 1887) 50th Cong., 1stSess., S. rpt. 507 (Ser. 2522); Report to the Senate Committee on Printing, July 29, 1891, NARA, RG 59, Reports of the Secretary of State to Congress and the President, 1790-1906, Report Book 17; Report of the Chief Clerk of the Department of State to the Secretary of State, especially the section entitled “Publication of the Diplomatic Correspondence,” NARA, RG 59, Report on the History of the Department of State, compiled 03/27/1897–03/27/1897; memorandum entitled “On Publications by the Department of State of the United States,” August 2, 1898, NARA, RG 59, M800, Reports of Clerks and Bureau Officers of the Department of State, 1790-1911, Roll 7, pp. 981ff; draft document entitled, “Division of Information Duties and Functions,” 1911, NARA, RG 59, M800, Reports of Clerks and Bureau Officers of the Department of State, 1790-1911, Roll 8, Vol. 2, pp. 243ff. See also, for example, *Register of the Department of State* (Washington, D.C.: Government Printing Office, 1870), p. 8.

<sup>6</sup> First Assistant Secretaries of State were usually political appointees who developed little expertise; two-thirds only served one or two years.

to Departmental operations cannot be overemphasized.<sup>7</sup> As career officials with a deep reservoir of knowledge and who enjoyed the confidence of Secretaries and Presidents from both parties, they brought to *FRUS* professional-diplomatic expertise and nonpartisan oversight. A meticulous review of all despatches in the National Archives that were stamped for inclusion in *Foreign Relations, 1887*, together with a representative sampling of redacted correspondence from other years published in *Foreign Relations*, shows that Hunter or Adee marked passages for exclusion. They also assigned despatches to Clerks within the Diplomatic Bureau for action and identified despatches to be omitted from *Foreign Relations*. Hunter normally made changes or identified correspondence for exclusion when reviewing the proof copies of *Foreign Relations* volumes. Adee preferred to review the original documents before preparation of page proofs.

The task of selecting and compiling correspondence for both *Foreign Relations* and the Supplemental *FRUS* Submissions fell primarily to Clerks in the Diplomatic Bureau. Rather than mere menials, Clerks served as career officials possessing considerable substantive knowledge. Assigned portfolios according to region and expertise, Diplomatic Bureau Clerks drafted responses to incoming despatches on behalf of Department principals, and they also submitted reports to them on issues of importance. They functioned as the equivalent of today's Country Desk Officers. Available evidence in the form of marginal annotations to despatches shows that the Diplomatic Bureau Director or a Division Chief reviewed *Foreign Relations* page proofs at some stage in the process. The production process for 19th and early 20th century volumes, then, consisted of high-ranking officials participating directly in the work, complemented by a staff that can be fairly characterized as "professional" with regard to the expertise necessary to compile *FRUS* volumes in their contemporary context.<sup>8</sup>

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<sup>7</sup> Adee often served as Acting Secretary, especially over the summer months when Department principals and the President often left town. Numerous Secretaries of State and Presidents noted their confidence in his abilities. See, for example, Root to Roosevelt, July 2, 1904, LCM, Root Papers, Box 186, Part 2, p. 405. Adee's handling of difficult issues and international incidents was well-known within the Department. At least one instance, involving a quick-witted demarche concerning Spain in April 1898, was used as a case study in Departmental training materials even decades after his death. See Exhibit 5, Writing Effective Correspondence, M 100 course, January 1949 and attached "Adee Biography" materials in NARA, RG 59, Records of the Office of Coordination and Review, Miscellaneous Records of the Office of Coordination and Review, 1892-1942, Box 1.

<sup>8</sup> See, for example, the reports of December 11, 1871 and January 2, 1872 by First Diplomatic Bureau Chief H. D. J. Pratt in NARA, RG 59, Entry A1-745, Reports of the Diplomatic Bureau, 1863-1891, Unbound Material, 1863-1871. The reports outline the transmittal of documents sent to Congress as part of Supplemental *FRUS* Submissions, and then state that only a few were selected for inclusion in the 1871 *FRUS* volume. The criteria determining how documents were selected is not explained, but the record clearly suggests that careful thought was put into balancing unnecessary duplication with the goal of including key communications necessary to provide a succinct, comprehensive account of events. The Bureau of Archives and Indexes played a coordinative document-tracking role, the editing and publication preparation functions appear to have been divided among one or more bureaus, and the Chief Clerk's office monitored overall workflow. See also footnote 227.

The Department regularly produced both the annual volumes and Supplemental *FRUS* Submissions despite a steadily increasing burden of work. Departmental correspondence during the Civil War more than doubled the volume handled by the Buchanan administration, and the flow did not decrease after 1865. During the first Grant administration the communications traffic increased an additional 17 percent. In 1873, the Department received over 20,000 diplomatic communications and sent out more than 19,000 replies. During that year, Congress received 2,122 pages of manuscript records printed in Supplemental *FRUS* Submissions. Department staff processed nearly 8,000 additional pages of manuscript to produce the annual *FRUS* volumes covering events for 1873. At that time, the Department employed fewer than 80 people in Washington. Staff shortages perennially plagued the Department as it sought to balance preparation of *Foreign Relations* volumes and responses to congressional requests for correspondence with other work.<sup>9</sup>

It should come as no surprise, then, that in addition to informing Congress, officials utilized *Foreign Relations* as an integral element of Department operations. *FRUS* served as the ready reference for Clerks of the Diplomatic Bureau in preparing reports (the equivalent of today's action and information memoranda) for the Secretary and other Department officers. An exhaustive examination of Diplomatic Bureau reports for the period reveals that Clerks regularly cited correspondence found in *Foreign Relations* as references or included them as appendices to the reports.<sup>10</sup> Indeed, the Department reserved several copies of each volume for internal use, and some volumes (or perhaps galley proofs not bound into volumes) were cut up into clippings and inserted directly into the files. The *FRUS* series and Supplemental *FRUS* Submissions together provided an aid to institutional memory, an account of past decisions, and a record of negotiations, all essential functions that the volumes still serve today.

*FRUS* also served as a key vehicle for expounding on evolving Departmental interpretations of international law. Publishing those documents served notice to Congress, foreign governments, and the public of such interpretations, and

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<sup>9</sup> Chief Clerk Sevellon A. Brown to Fish, January 27, 1874, NARA, RG 59, M800, Reports of Clerks and Bureau Officers of the Department of State, 1790-1911, Roll 5. In 1873, Department staff also translated over 2,000 pages of manuscript and made copies of many incoming and all outgoing messages. In addition to the figures cited above, Department employees processed over 35,000 other documents, including passport applications and passports, extradition warrants, nominations, commissions, employment applications, and laws passed by Congress. See also Thomas F. Bayard to George F. Edmunds, March 27, 1888, NARA, RG 59, Reports of the Secretary of State to Congress and the President, 1790-1906, Vol. 17, p. 141 and Department of State, Office of the Historian website, <http://history.state.gov/departmentshistory/short-history/worldpower>.

<sup>10</sup> *Passim*, NARA, RG 59, Reports of the Diplomatic Bureau, 1863-1891. In the early 20th century compiler Margaret Hanna noted that the staff regularly consulted *FRUS* volumes to research questions 10 or 20 years in the past; a half-hour perusal of *FRUS* could avoid "almost a hopeless search through the record index." Hanna memo of April 3, 1907 and covering note to Adee, April 4, 1907, NARA, RG 59, Numerical and Minor Files of the Department of State, 1906-1910, M862, Roll 466, Case 5690.

provided a ready reference to Consuls and Ministers overseas as well as Department officials in Washington. In his seminal *Digest of International Law*, the preeminent American expert John Bassett Moore frequently cited correspondence in *Foreign Relations* volumes or in the Supplemental *FRUS* Submissions as sources for United States decisions and precedents in matters of international law.<sup>11</sup> The volumes typically featured foreign diplomatic notes or records of conversations, oftentimes confidential, with U.S. ministers. Of particular importance were despatches and instructions from the Secretary of State to U.S. ministers elucidating the reasons behind American decisions. Also significant were ministers' analyses and recommendations. For example, in the wake of the 1871 Tien-Tsin Massacre of foreign missionaries, Minister to China Frederick F. Low sent Secretary of State Hamilton Fish a detailed despatch with his interpretation of China's treaty obligations with respect to the rights of missionaries. The Department retransmitted the communication as authoritative to U.S. ministers in nations having such treaties with China.<sup>12</sup> In addition to informing Congress, the Department of State utilized *Foreign Relations* volumes to posit definitive interpretations of international law advantageous to American interests.

Another important body of documentation in *Foreign Relations* dealt with American citizen services, an essential diplomatic and consular function. The dissemination of correspondence concerning foreign government practices and laws averse to the interest of American citizens served a function similar to that of today's consular travel advisories and warnings. Correspondence from American legations and consulates advising U.S. citizens of an array of potential problems Americans might face when traveling abroad suffused the volumes, ranging from unique marriage and divorce procedures to the risks of dual nationals being conscripted into foreign armies.

### ***FRUS* Document Selection**

During the 19th century, outgoing government officials retained their "personal" correspondence. Today those records are found not in *Foreign Relations* volumes or Department records at the National Archives, but rather in collections of personal papers. This leads to a fundamental question regarding the utility of 19th century *Foreign Relations* volumes: how complete a picture did they offer of U.S. foreign policy? Gaillard Hunt, a long-time Department employee but with little direct experience of *FRUS*, wrote in a 1911 history of the Department that "the most interesting correspondence of the Department does not appear in the [*Foreign Relations*] volumes."<sup>13</sup> On the other hand, John Bassett Moore, who served

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<sup>11</sup> John Bassett Moore, *A Digest of International Law: As Embodied in Diplomatic Discussions, Treaties and Other International Agreements, International Awards ...*, 8 vols. (Washington, D.C.: Government Printing Office, 1906).

<sup>12</sup> *Foreign Relations*, 1871, pp. 97-111.

<sup>13</sup> Gaillard Hunt, "The History of the State Department VIII," *The American Journal of International Law* 5 (October 1911), p. 1018. Many subsequent writers have relied on Hunt's 1911 article, probably because of his reputation as a longstanding Department official and because he

as Third Assistant Secretary (1886-1891), Assistant Secretary (1898), and Counselor (1913-1914), and whose role in the production of the 1898 volume is discussed below, judged that *Foreign Relations* “embraced all our important diplomatic exchanges.”<sup>14</sup> Comparing the contents of *Foreign Relations* volumes and Supplemental *FRUS* Submissions with the registers of Department of State correspondence in the National Archives does not account for the absence of significant “personal” records that were not controlled by the Department, but it does allow for a retrospective evaluation of the comprehensiveness of the series’s coverage of “official” diplomatic records.

On only one occasion did a Secretary of State publicly certify the contents of a *Foreign Relations* volume as comprehensive. In a letter to the President accompanying the correspondence for submission to Congress for publication as *Foreign Relations*, 1887, Secretary of State Thomas F. Bayard wrote,

Since the commencement of the present session of Congress sundry reports have been made by this Department in response to resolutions of the House of Representatives and of the Senate respectively, and also in the absence of such requests as the public interest has required. The correspondence accompanying the reports referred to is now before Congress.

There are, however, other matters of general public interest upon which special report has not been made, but as to which it would appear to be desirable that Congress should be informed, in order that a connected

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later served as the Department’s first official historian several years after he wrote this article. In a single paragraph related to *FRUS*, Hunt made a series of statements unsubstantiated by any evidence. Before 1918 Hunt had very little direct experience of the *FRUS* process; at the beginning of his career in 1887, he served no more than 18 months in the Bureau of Indexes and Archives, the unit partially responsible for producing *Foreign Relations* and Supplemental *FRUS* Submissions to Congress. Between 1888 and his departure for the Library of Congress in 1909, Hunt was assigned to Bureaus responsible for statistics, pardons and commissions, consular affairs, and accounts. He became Chief of the Passport Bureau in 1902 and Chief of the Citizenship Bureau in 1907. None of those units played a significant role in compiling or editing *FRUS*. Hunt claimed that the series was “often delayed for reasons of policy” even though at the time of his 1911 writing 55 volumes had been published within a year and only 9 volumes could be considered late. The tardy volumes included the most recent six covering 1906-1909, but Hunt did not utilize Departmental or public records indicating that congressional parsimony caused the delays. See especially Charles Denby’s testimony in Hearings, Sundry Civil Appropriation Bill for 1908, 59th Cong., 2nd Sess., House, Committee on Appropriations, January 05, 1907, pp. 839-845 and the citations regarding heightened strictures on federal printing discussed below. Hunt also stated, “In printing the diplomatic correspondence it is freely edited, only that portion, the publicity of which can not disturb the diplomatic relations of the United States, being given out.” Hunt provided no examples of what he meant by “freely edited” nor did he define what criteria Departmental officials used to determine how a passage might disturb diplomatic relations. Moreover, Hunt averred that “The most interesting correspondence does not appear in the volumes,” but again cited no comparative examples. Finally, Hunt made no reference to the substantial additional releases to Congress embodied in the Supplemental *FRUS* Submissions discussed here and in [appendix C](#).

<sup>14</sup> John Bassett Moore, “The Dictatorial Drift,” *Virginia Law Review* 23, no. 8 (June 1937), p. 865.

and comprehensive view may be had of our foreign relations. To this end the accompanying correspondence is respectfully submitted.<sup>15</sup>

Bayard's assertion takes on additional significance because during 1887 Congress requested and published only one small Supplemental *FRUS* Submission.<sup>16</sup>

On balance, Bayard's claim to comprehensiveness stands up to scrutiny.<sup>17</sup> In 1887, the Department received 3,308 despatches from its legations. Of these, 221 appeared in *Foreign Relations*, 1887 and 151 in *Foreign Relations*, 1888, comprising just over 11 percent of the despatches retained in Department records.<sup>18</sup> Of the 3,308 despatches recorded in the Department that year, only 35 omitted from *Foreign Relations*, 1887 or 1888 might have merited inclusion. They include the following:

- Five of the 153 despatches from the U.S. legation in Guatemala City, which represented the United States in every country in the region except Nicaragua: three are reports on Costa Rican railroad concessions, two on internal politics (Secretary Bayard opposed Guatemalan efforts to impose federal union on the states of Central America in 1885).
- One of 255 despatches from China: a report on trade developments that lamented the "ignorance of American manufacturers on the needs of remote markets."
- Nine of 194 despatches from France: six deal with the Triple Alliance and ongoing Franco-Russian maneuvering; three treat domestic French politics.
- Three of 164 despatches from Persia; these report on the escape from Persia of the claimant to the Afghan throne and Great Britain's successful demand that the Persian Foreign Minister consequently be dismissed.
- Eight of 61 despatches from Peru; these despatches report on the quarantining of Peruvian ports from Chilean vessels for fear of an outbreak of cholera. This subject seemingly would have been of interest to U.S. merchant vessels.
- All reporting (six despatches) on political affairs in Cuba (particularly the presence of U.S. filibusterers) and U.S. estate claims; also two reports of domestic Spanish politics. None of the 131 despatches from Spain deals with those sensitive subjects.

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<sup>15</sup> *Foreign Relations*, 1887, p. xv. Ironically, 1887 was the only year in which a President did not address foreign policy in his annual message to Congress.

<sup>16</sup> *American Fisheries*, 49th Cong., 2nd Sess., HED 153 (Ser. 2483). This Supplemental *Foreign Relations* Submission on the rights of American fishing vessels in Canadian territorial waters contained only 19 pieces of diplomatic correspondence.

<sup>17</sup> To test the veracity of Bayard's claim, Peter Cozzens conducted a document-by-document comparison of the contents of *Foreign Relations*, 1887 with all the despatches and telegrams received in the Department during the period encompassed by that volume (October 1886-December 1887).

<sup>18</sup> The majority of the 1887 despatches found in *Foreign Relations*, 1888 were written between October and December 1887.

- Four of 120 despatches from Korea: two reports on China's efforts to assert power over Korea (which Bayard strongly opposed) and two reports on Korea's interest in obtaining foreign military instructors.

In addition to the 35 despatches outlined above, all 13 despatches from Japan reporting on negotiations among foreign representatives in Tokyo regarding the regulation of Japanese commerce were omitted from *Foreign Relations*, 1887 or 1888. The omission of these despatches was consistent with Department policy to exclude from *Foreign Relations* correspondence pertaining to ongoing treaty negotiations. In this instance, Bayard had instructed the U.S. minister to Japan to oppose any measure that would impinge upon Japanese sovereignty.

The content of Supplemental *FRUS* Submissions accounts for what otherwise appear to be gaps in *Foreign Relations*, 1887. Congress had already requested and received diplomatic correspondence on the most volatile and potentially dangerous issue of the day—the German occupation of Samoa, where the United States maintained a naval coaling station.<sup>19</sup> The absence of documents on Samoa in *Foreign Relations*, 1887 demonstrates that these periodic additional *FRUS* submissions to Congress should be rightly viewed as integrally related to *Foreign Relations*, and the completeness of annual volumes should be evaluated in that light. A similar case involved the British-Venezuelan border dispute, which the discovery of gold in the contested area of British Guiana exacerbated. In April 1888, Congress asked for Department correspondence on the subject, and the Cleveland administration complied in July. All 1887 despatches on the dispute were included in the package the President submitted.<sup>20</sup>

*Foreign Relations*, 1887 and the Department of State correspondence published as Supplemental *FRUS* Submissions provided a comprehensive and complete rendering of despatches on issues of importance. Department officials and Clerks exercised good stewardship by not republishing records already released earlier that year; they devoted their efforts to disclosing additional material in the bound volume. Although this careful examination of the thoroughness of *FRUS* and attendant supplementary releases was limited to one year, the available evidence indicates that the same commitment to near-comprehensive coverage was common throughout the era of the Contemporaneous *FRUS*.

### **Excisions and Exclusions From *FRUS***

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<sup>19</sup> Congress requested information on Samoa in March 1888, three months before *Foreign Relations*, 1887 was due for publication, and President Grover Cleveland forwarded the material in April. See *American Rights in Samoa*, 50th Cong., 1st Sess., HED 238 (Ser. 2560) and *Condition of Affairs in Samoa*, 50th Cong., 2nd Sess., SED 31 (Ser. 2610).

<sup>20</sup> Registers of Diplomatic Correspondence Sent, 1870-1906, Volume 4, July 1, 1884-July 31, 1890 (Great Britain and Venezuela), NARA, RG 59, M17, Registers of Correspondence of the Department of State, 1870-1906, Roll 14; *Boundaries of British Guiana and Venezuela*, 50th Cong., 1st. Sess., SED 226 (Ser. 2514).

Despite the general comprehensiveness of 19th and early 20th century releases, Department officials sometimes excised portions of correspondence before publication. Usually, the Second Assistant Secretary of State edited the diplomatic correspondence. Hunter, and later Adee, removed passages appearing in *Foreign Relations* if the information fell into one of several categories similar to those first outlined by Edmund Randolph in 1794.<sup>21</sup> The most frequently excised passages were inflammatory in nature, or critical of the Department or U.S. government officials, or revealed sensitive foreign sources. Rather than employing exactly-defined criteria, it appears that Hunter and Adee excised material as they deemed appropriate based on their appreciation of the subject matter and the context. Illustrative examples of excised despatches appearing in *Foreign Relations* volumes include:

- On June 24, 1874, U.S. Minister George Williamson submitted an appraisal of the limited prospects for a Central American Union, articulating eight reasons why it would fail. The first seven reasons, which were noncontroversial, appeared in *FRUS*. The eighth reason, which constituted a frontal assault on the local political class, the Catholic Church, Spanish colonial rule, and the general state of society was excised from *Foreign Relations*. The deleted passage reads in part:

The apparent want of public faith is a serious impediment to any plan of Union ... The man who aspires to office is supported by his personal followers, either with ballots or bullets ... I infer from my present information [that] office is regarded here more as a personal benefaction than as a sacred trust confided to an honorable Citizen, whose acceptance of it implies the pledge of honor that he will only use it to promote the interests of his Country ... Whether this want of public faith results from religious teachings, from the suspicion and possible hatred that might have been engendered by centuries of oppression of the aboriginal classes by the Spanish element, from National characteristics, from the admixture of races, from a sad experience in politics, or from a combination of all these causes, it would be difficult to say.<sup>22</sup>

- A self-congratulatory despatch to Acting Secretary Hunter from U.S. Consul General to Tripoli M. Vidal dated November 6, 1873, in which Vidal boasted of his nearly single-handed dismantling of the slave trade between Tripoli and Constantinople, was peppered with excisions. The deleted paragraphs dealt with Vidal's assertion that Turks were unable to live in Europe without smuggled slaves, and his comparison of upper-class Turks who return to

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<sup>21</sup> See [chapter 1](#) above. To assess this practice, Peter Cozzens examined the originals of two to three despatches with significant excisions in their published form for each year from 1870 to 1897. No clear pattern emerged.

<sup>22</sup> George Williamson to Fish, June 24, 1874, NARA, RG 59, M219, Despatches From U.S. Ministers to Central America, 1824-1906, Roll 28.

Constantinople from Tripoli with slaves to American tourists who return to the United States with smuggled cigars.<sup>23</sup>

- In a note enclosing a copy of Japan's copyright law, Minister to Japan John A. Bingham railed against "'political fledglings and demagogues' who wanted to strip the diplomatic service of needed resources," beginning with his indispensable Japanese translator. His tirade against Congress was excised.<sup>24</sup>
- From Minister George W. Merrill's 1887 report on a constitutional crisis in Hawaii that ended peaceably, Assistant Secretary Adee excised the following reference to gunboat diplomacy: "I am confident also that the presence of the three United States naval ships, and one English ship, now moored in the harbor, have a very tranquilizing effects on those desirous of creating turmoil and unrest."<sup>25</sup>
- In an 1886 paragraph withheld from a report on discriminatory petroleum regulations in Austria-Hungary and hopes for a more favorable treaty, Charge d'Affaires James F. Lee questioned the integrity of his predecessor. "Our trade in petroleum has naturally steadily declined. Not from any want of proper attention to its interests (as implied in recent publications in the United States) by those representing the Department of State at present in this monarchy," he assured Secretary Bayard. "It is surprising to learn that other administrations have, through the friendly personal relations of their representatives, prevented some mythical hostile legislation. The truth is there has been no legislation and none proposed during the last ten years." Also excised were references to Lee's secret dealings with Standard Oil to improve the company's position in the Austro-Hungarian market and with Bohemian Clubs to encourage them to speak out against the imperial policy.<sup>26</sup>
- From a despatch of Minister John W. Foster regarding a ministerial crisis in Spain, the following sentence was omitted: "The constitution of 1876, now in force, was formulated which gives its character as one of the most retrograde of the governments of Europe."<sup>27</sup>

The excision of derogatory assessments of the integrity and legitimacy of host-nation governments, such as those Williamson and Foster leveled, may have been calculated to protect the authors of the correspondence.

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<sup>23</sup> M. Vidal to William Hunter, November 6, 1873, NARA, RG 59, M466, Despatches From U.S. Consuls in Tripoli, Libya, 1796-1885, Roll 5.

<sup>24</sup> Bingham to Fish, March 23, 1876, NARA, RG 59, M133, Despatches from U.S. Ministers to Japan, Roll 32.

<sup>25</sup> George W. Merrill to Thomas F. Bayard, December 15, 1887, NARA, RG 59, T30, Despatches From U.S. Ministers to Hawaii, 1843-1900, Roll 23.

<sup>26</sup> James F. Lee to Bayard, October 24, 1886, NARA, RG 59, T157, Despatches From U.S. Ministers to Austria, 1832-1906, Roll 32.

<sup>27</sup> Foster to Bayard, June 24, 1885, NARA, RG 59, M31, Despatches from U.S. Ministers to Spain, 1792-1906, Roll 104.

## The (Limited) Confidentiality of Diplomatic Communications

The experience of Minister to Venezuela Thomas Russell after the publication of a despatch critical of Venezuelan government certainly provided Hunter and Adee with a cautionary precedent for excising inflammatory remarks that served no policy interests. In 1866 the United States and Venezuela agreed to submit claims of American citizens against the South American country to a mixed commission for arbitration. Nine years later, the commission had yet to render judgment in all the cases. Those funds it had awarded to Americans remained locked in the Venezuelan treasury, the government unwilling to release them. On May 8, 1875, an exasperated Minister Russell told Secretary Fish that there were, in his opinion, “only two ways in which the payment of so large an amount can be obtained. The first is by sharing the proceeds with some of the chief officers of this government; the second, by a display of force, or, at least, a threat of force. The first course, which has been pursued by one or more nations, will of course never be followed by the United States. The expediency of the second it is not my province to discuss.”<sup>28</sup> Although Fish made no reply to the despatch and it did not appear in *Foreign Relations*, 1875, Russell’s impolitic message was included in a July 1876 Supplemental *FRUS* Submission on the Venezuelan Mixed Commission.<sup>29</sup> When the Venezuelan Government became aware of the message in January 1877, Foreign Minister Caleano told Russell to pack his bags. The statements in Russell’s May 1875 despatch, the foreign minister wrote, represented “a most violent attack because they insult the administration most grievously, besides involving a notorious falsehood.” Secretary of State Thomas Evarts rushed to Russell’s defense. On April 2, 1877, he sent Venezuelan Minister to the United States Dalla Costa a note stating that if the Venezuelan Government did not communicate a satisfactory explanation for the “abrupt and extraordinary step” of expelling Russell, Dalla Costa would also be sent home. Although Caracas formally withdrew its statement in July, Russell remained *persona non grata* in Venezuela and did not return.<sup>30</sup>

Either Assistant Secretary Hunter misjudged the potential Venezuelan reaction to Russell’s uncomplimentary despatch, or he decided that it failed to meet the “not in the public interest” threshold for withholding correspondence from Congress. Had Hunter deemed the despatch sufficiently important to share with Congress, but too sensitive for public consumption, he might have taken an alternative course—submit the despatch confidentially. As had been the case since the Early Republic, occasionally the Department provided Congress diplomatic correspondence with the understanding that the documents would be treated as confidential and not published. Normally this procedure was reserved for correspondence pertaining to treaty negotiations. Congress printed the correspondence as lettered, rather than the

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<sup>28</sup> *Venezuelan Mixed Commission*, 44th Cong., 1st Sess., H. Rpt. 787(Ser. 1713), pp. 33-34.

<sup>29</sup> *Venezuelan Mixed Commission*, 44th Cong., 1st Sess., H. Rpt. 787(Ser. 1713), pp. 33-34.

<sup>30</sup> John Bassett Moore, *A Digest of International Law: As Embodied in Diplomatic Discussions, Treaties and Other International Agreements, International Awards ...* 8 vols. (Washington, D.C.: Government Printing Office, 1906), Vol. 4: pp. 535-536.

usual numbered Executive Documents, and marked them “Confidential.” In every other respect the printed documents resembled the Supplemental *FRUS* Submissions described above.<sup>31</sup>

Even the routine communications regularly published in *FRUS* sometimes caused difficulties for American diplomats abroad. For example, from the legations in China and Japan came complaints that the English-language press in those countries—newspapers that British interests controlled—used published despatches to bludgeon both the ministers and American policy. In August 1872, the U.S. Minister to Japan Frederick F. Low reported with annoyance and perplexity the mixed reaction of *The Shanghai Courier*, a British-run newspaper, to despatches concerning China in *Foreign Relations*, 1871. The *Courier* praised some of the volume’s reporting about China, but also decried the inexperience and lack of sound judgment evidenced by some U.S. representatives.<sup>32</sup> Similarly, the U.S. Minister to Japan, John A. Bingham, lamented the regular criticism of American policy toward Japan by English journalists in that country.<sup>33</sup> Many U.S. ministers regarded such problems as a cost of doing business. Low attributed the *Courier*’s somewhat hostile commentary to his unmasking of the evils of the opium trade, in which British merchants, with government support, were conspicuously engaged. But, he told Fish, “at the risk of incurring the displeasure of the local press I shall continue to prosecute my investigation with reference to the internal economy of this country, the result of which together with such suggestions as may seem appropriate, will be given to the Department.” Low did not ask that the Department refrain from including such reports in *Foreign Relations*, but his reassurances about continued straightforward reporting identified a key risk to excessive transparency: the central purpose of sending diplomats abroad would be defeated if they did not feel “safe” to provide honest accounts and incisive assessments.<sup>34</sup> Fish’s attempt to secure input from the field (discussed in [chapter 3](#)) indicates that he recognized this dilemma.

A few objected to *FRUS* altogether. Echoing the sentiments expressed by security guardians since the inception of the series, in 1907 Third Assistant Secretary of State Huntington Wilson opposed “rushing into print with the prompt publication of our diplomatic business” because “the effect of the publication of *Foreign Relations* is to show our hand to our competitors and to place in their hands arguments to

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<sup>31</sup> See, for example, *Correspondence between the Secretary of State and the Minister of the United States at Bogota upon the Subject of the Proposed Interoceanic Canal across the Isthmus of Panama or Darien*, 41st Cong., 3rd Sess., SED E. Treaties submitted to Congress for ratification also were labeled Confidential.

<sup>32</sup> See Frederick F. Low to Fish, January 10, 1871, in *Foreign Relations*, 1871, pp. 77-87 and Low to Fish, August 4, 1872 (with July 15 and July 20 *Shanghai Courier* articles enclosed), NARA, RG 59, M92, Despatches from U.S. Ministers to China, 1843-1906, Roll 33.

<sup>33</sup> Bingham to Fish, January 19, 1875, in *Foreign Relations*, 1875, p. 783.

<sup>34</sup> Low to Fish, August 4, 1872, NARA, RG 59, M92, Despatches from U.S. Ministers to China, 1843-1906, Roll 33. Fish did not respond to Low’s letter; the Department ledger for 1872 shows only an acknowledgement of its receipt. Acting Secretary Charles Hale to Low, October 16, 1872, NARA, RG 59, M77, Diplomatic Instructions of the Department of State, 1801-1906, China, Roll 39.

be, in turn, used by them against us. Foreign governments await the publication of *Foreign Relations* more eagerly than anyone else." Opponents of significant documentary releases often proposed substitute arrangements that would have fundamentally altered the character of the established U.S. transparency regime. Wilson, for example, wanted to discontinue *FRUS* in favor of occasional papers on discrete subjects or concluded negotiations, produced primarily for confidential dissemination to the Senate and diplomatic posts abroad. Revealing his approach to public affairs, Wilson suggested, "those of these papers which might be found useful to inform and mould public opinion and which were still innocuous could be given to the press at opportune times."<sup>35</sup>

Despite the difficulties inherent in publishing potentially sensitive foreign policy documents of recent vintage, considerations about how much information to publish took place within a widespread commitment to openness. Department officials repeatedly held that no system of occasional releases could take the place of *FRUS*. In response to Wilson's complaint, Adee judged that even if some arrangement to produce disaggregated brochures were to replace *FRUS* "they should be serial, and bound in annual volumes and distributed for preservation in continuation of the For. Rels. Series."<sup>36</sup> The problems that *FRUS* could cause notwithstanding, even the diplomats most directly affected rarely argued against the principle that the American people had a right to know as much as possible about the conduct of the nation's overseas affairs.

### **Idiosyncratic Information Management Practices**

The many examples cited above highlight a fundamental problem exacerbated by the deeply-valued practice of releasing recent foreign policy documents. In the 19th and early 20th centuries, the Department of State lacked clear, consistent information security policies to control the protection and release of documents. This led to skirmishes between Department principals and ministers at overseas posts reluctant to express themselves freely for fear that their words might appear in public.

After the Department published, and the German press reprinted with angry commentary, a despatch he had written in May 1883 on the contentious issue of American pork exports, Minister A. A. Sargent told Washington that he would desist from reporting honestly. That angered First Assistant Secretary J. C. Bancroft Davis. Second Assistant Secretary of State Adee, a career civil servant widely respected in Congress for his nonpartisanship, crafted a carefully worded rebuke for Davis's signature. In view of Adee's impeccable credentials and long service, and the 13 years that Davis logged under two administrations, the letter of instruction

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<sup>35</sup> Wilson to Root, March, 11, 1907, NARA, RG 59, Numerical and Minor Files of the Department of State, 1906-1910, M862, Roll 466, Case 5690.

<sup>36</sup> Adee to Bacon, April 4, 1907; see also Bacon to Adee, April 5, 1907, both in NARA, RG 59, Numerical and Minor Files of the Department of State, 1906-1910, M862, Roll 466, Case 5690.

is reprinted as the best postbellum expression of Department policy. As Davis explained to Sargent:

The Department gives to the consideration and preparation for publication of the despatches of its agents abroad every attention with the object of guarding against the publication of their personal views which might, if known, expose them to criticism or censure in the land of their official residence. On an examination of the Blue Books of other governments, it is believed that far more care is here exercised in this respect than in other countries . . . .

Your intimation that the effect of the publication of despatches of this character is that a Minister, situated in the midst of jealous influences, cannot venture to speak freely in criticism or even explanation of measures aimed at his government is, it is conceived, an extreme conclusion to be drawn from the premises, if it represents your opinion that such matters are not expedient to be included in despatches which the interests of the government require to be made public in whole or part. As you justly observe: "To send such information in such colorless form that, if it were published, the government to which the Minister is accredited could not find a shade of criticism, or matter of exception, and yet the Department get from it a true picture of occurrences having inimical tendencies, and of which it should be expressly warned, would seem impossible." The Department explicitly invites and confidently expects that its agents abroad will transmit just such matters in their official correspondence, and it would hold the omission to do so an unfortunate caution.

If the propriety of making such matters public in due time be left to the discretion of the Secretary of State, it is indeed possible that his views as to what parts of such communications may or may not be obnoxious to adverse criticism may differ from those of the writer. The latter being brought into direct contact with the foreign adverse elements surrounding him, is naturally often better qualified to judge of what may be liable to be used by unfair partizanship [sic] to his discredit. Fully aware of this, the Department always gives the most considerate attention to any intimation its agents may convey that their despatches are to be deemed confidential, and it rarely happens that public interests are so grave as to override such intimations.

I have to suggest therefore that whenever, in your judgment, the information you communicate to your government is of a character to demand reserve, it be either embraced in a separate despatch, marked "confidential" and confined to that subject alone, or that, in event of your deeming any isolated paragraphs of an otherwise public despatch

proper to be withheld from publication, you bracket them with a red line and mark them “confidential” in the margin.<sup>37</sup>

It is unlikely that Davis’s assurances assuaged Sargent; there simply were too many examples of both confidential and private communications finding their way into the *Foreign Relations* series and the Supplemental *FRUS* Submissions transmitted in response to congressional requests.

In November 1892, Secretary of State John W. Foster invoked Davis’s stratagem to preempt possible publication of sensitive correspondence from U.S. Minister to Hawaii John L. Stevens. Like Davis, Foster told Stevens that he should separate despatches into “two classes, one of which shall aim to give the narrative of public affairs in their open historical aspect, and the other to be of a strictly reserved and confidential character reporting and commenting upon matters of personal intrigue and the like so far as you may deem necessary for my full understanding of the situation.” Too many of Stevens’ despatches, observed Foster, “combine these two modes of treatment to such a degree as to make their publication in the event of a call from Congress or other occasion therefore, inexpedient and, indeed, impracticable, without extended omissions.”<sup>38</sup>

Either Foster played Stevens false, or he did not believe his own instructions. In January 1893, Congress requested correspondence relating to the 1854 Treaty with the Kingdom of Hawaii, with the usual “if not inconsistent with the public interest” caveat. Foster interpreted Congress’s intent liberally and provided documents from 1843 to 1893. Among them were two despatches from Stevens, clearly marked “Confidential,” about personal intrigue in the court of Queen Liliuokalani. Both predated but were in accordance with Foster’s November letter of instruction. In his submission of documents to Congress, Foster omitted his letter of instruction; apparently the public interest was not served by its implication that Foster hoped to evade close congressional scrutiny of the Harrison administration’s Hawaii policy.<sup>39</sup> In March 1893, Walter Q. Gresham replaced Foster as Secretary of State in the new administration of Democrat Grover Cleveland. That December, Congress asked for all correspondence of recent vintage relating to Hawaii, and Gresham resubmitted Stevens’ confidential despatches, this time with Foster’s November 1892 cautionary instructions. There is no indication that anyone in Congress took note of Foster’s earlier sleight of hand.<sup>40</sup>

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<sup>37</sup> J. C. Bancroft Davis to A. A. Sargent, May 23, 1883, NARA, RG 59, M77, Diplomatic Instructions of the Department of State, 1806-1901, Germany, Roll 68.

<sup>38</sup> Foster to Stevens, November 8, 1892, NARA, RG 59, M77, Diplomatic Instructions of the Department of State, 1801-1906, Hawaii, Roll 100.

<sup>39</sup> John L. Stevens to Foster, September 14 and October 31, 1892, in *Relations between the United States and the Hawaiian Islands from September 1820 to January 1893*, 52nd Cong., 2nd Sess., SED 77 (Ser. 3062), pp. 179-180, 181-183..

<sup>40</sup> Foster to Stevens, November 8, 1892, in *Report of the Secretary of State, with Copies of the Instructions Given to Mr. Albert S. Willis, the Representative of the United States now in the Hawaiian Islands, and also the Correspondence since March 4, 1889, concerning the Relations of This Government to Those Islands*, 53d Cong., 2nd Sess., HED 48 (Ser. 3224), p. 376.

In an 1886 book based on lectures he had given at Johns Hopkins University and Cornell University on American statecraft, former U.S. Minister to Greece Eugene Schuyler voiced an argument that typified the position of security guardians in a 19th century setting.<sup>41</sup> He dismissed the utility of split correspondence or red-inked despatches and warned of the impact of the *Foreign Relations* series on frank reporting. "Even with all the care that can be exercised despatches are not infrequently published which get their writers in trouble," wrote Schuyler. As a consequence, "our ministers do not feel free to express to the Secretary their real opinions; for they have always in view the possibility that their despatches may be published . . . . Even confidential letters do not always tell the whole truth." Schuyler proposed to scrap the *Foreign Relations* series, contending that "it would be wrong to print, simply for the general information of the public, anything more than . . . routine despatches." Better, he thought, to wait until Congress asked for information on special subjects. "Even then," Schuyler added, "great caution should be observed [because] foreign governments sometimes make confidential communications, and in such cases it would be improper to print these communications without the consent of those governments."<sup>42</sup>

Although the Department did make small allowances for the sensitivities of other governments, the exceptions were few and narrow. First of all, no U.S.-originated documents required publication approval from abroad. Hamilton Fish made this clear to Horace Maynard, U.S. Minister to Turkey, after the latter reported that the Turkish Foreign Minister was angry that the correspondence of American consular officers in Tripoli and Tunis were grouped in *Foreign Relations*, 1874 under the heading "Barbary States," instead of "Turkish Empire." The encroachment of European powers, particularly France, upon Constantinople's indirect sovereignty over Tripolitania and Tunis made this suggestion that they were independent nations particularly irksome to the Turks. "The fact that the volume to which he referred," Fish told Maynard, "was a communication by the President to Congress and not one addressed to foreign governments (although we furnish them with copies of this, as we do of all or nearly all of our public documents)," and "that the arrangement to which he had referred was not intended to convey any special political significance, but was one of usage and domestic convenience; that we do regard both Tunis and Tripoli as Barbary States; that they are so regarded and spoken of by geographers, historians, and lexicographers; that we have separate and independent treaties with each of them, for the execution and observance of which we hold them responsible."<sup>43</sup>

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<sup>41</sup> Schuyler left the diplomatic service in 1884 to teach diplomatic history.

<sup>42</sup> Eugene Schuyler, *American Diplomacy and the Furtherance of Commerce* (New York: Charles Scribner's Sons, 1886), pp. 34-36.

<sup>43</sup> Quoted in Moore, *Digest of International Law*, Vol. IV, p. 686. Nevertheless, in *Foreign Relations*, 1875, Tunis and Tripoli were listed under "Turkish Empire." Fish undoubtedly instructed the change in designation, which suggests his continued perception of the series as at least partly an instrument of public diplomacy.

Withholding information from other governments required specific agreement in advance. In a letter of instruction to U.S. Minister to Mexico Philip Morgan in 1883, Secretary Frederick Frelinghuysen reiterated the Department's view that other governments had no voice in determining contents of the *Foreign Relations* series. "In the absence of any express reserve or pledge of confidence asked and given, correspondence between governments is the property of either," Frelinghuysen averred, "to be published if the interests of either require. This government in common with most other governments publishes so much of its diplomatic correspondence to be required for the information of the national legislature and the people. It is thought quite immaterial on which side the correspondence may have been initiated, questions of public utility alone being sufficient to decide the time and the extent of publicity to be given to it."<sup>44</sup>

Although official Department policy regarding confidential communications and defining the limits to foreign government equities in the *Foreign Relations* series appears to have been constant through the early 20th century, actual practices could vary considerably. The episodes related throughout [Part One](#) of this book demonstrate the absence from one Presidential administration to another (and sometimes even during the course of a single Secretary's tenure) of clearly understood or uniformly applied policies defining the universe of diplomatic correspondence open to public submission to Congress or publication in *Foreign Relations*. As a consequence of this lack of policy clarity, in order to prevent the publication of sensitive despatches, ministers employed a variety of informal designators. Because "Confidential" despatches frequently appeared in *Foreign Relations*, they used labels such as "Confidential and Secret," "Personal and Secret," "Private and Confidential," and "Personal and Private" to safeguard despatches from release. Documents marked as "personal" or "private" generally did not appear in *Foreign Relations* or in Supplemental *FRUS* Submissions to Congress. Their absence seems to represent a gentleman's agreement within the Department that the airing of such correspondence was not in the public interest. Many such despatches were never entered into the regular recordkeeping mechanisms of the Department. Essentially, Department officers were struggling toward a concept that is embodied today in the Departmental handling designations such as NODIS (No Distribution), which restricts the dissemination of highly sensitive communications to the Chief of Mission at post, the Secretary of State, and the President (express permission is required to share such documents more broadly).<sup>45</sup>

Ultimately, the criteria for determining what required redaction could not be simplified to a formula. In 1900, John Bassett Moore stated, "I am not aware of any precise rule on which one could rely." The decisionmaking process involved "a

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<sup>44</sup> Frederick Frelinghuysen to Philip H. Morgan, August 28, 1883, NARA, RG 59, M77, Diplomatic Instructions of the Department of State, Mexico, Roll 116.

<sup>45</sup> See "Captions and Handling Instructions" Department of State, Foreign Affairs Handbook, 5 FAH-2 H-440, <http://www.state.gov/documents/organization/89284.pdf>.

question of judgment and discretion.”<sup>46</sup> For over a century, the responsibilities of principal officers at the Department of State included deciding, collectively, what information could be divulged without prejudice to “the public interest.” Although usually only an irritant in its 19th and early 20th century context, this aspect of publishing foreign policy documents rose to a much greater level of significance after 1914.

### Press and Public Assessments of *FRUS*

The press and engaged American citizens also commented directly upon *FRUS*, albeit sporadically.<sup>47</sup> As would be expected with any collection of government documents, the volumes received a mixed reception. An assessment of *Foreign Relations, 1870* in the *Cincinnati Commercial* exemplifies the amalgamation of disdain and respect typically expressed about the content of the volumes and the process of creating them (including the Supplementary *FRUS* Submissions), as well as the congressional prerogative to request documents and the Departmental role in selecting and transmitting the records.

The government of the United States occasionally prints documents illustrating our relations with the Governments of foreign powers. Sometimes these documents are printed in pursuance of a call of the Senate or the House for information on some special topic. Thus, an honorable Senator or Representative wants to know all about the ... correspondence which has passed between [Great Britain and the United

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<sup>46</sup> Moore to Day, December 26, 1900, LCM, Moore Papers, Box 214, Autobiography, 1896-1900. For other general statements about the value ascribed to as much transparency as possible, see Moore to Day, December 31, 1900, LCM, Day Papers, Box 13, General Correspondence 1900, L-2—M-1; Day to Moore, January 1, 1901, LCM, Day Papers, Box 1, Personal Letterbook Vol. 2, 1900-1901, pp. 16-17; Day to Adee, January 2, 1901, LCM, Day Papers, Box 1, Personal Letterbook Vol. 2, 1900-1901, pp. 14-15; Adee to Day, January 2, 1901, and Adee to Day, January 26, 1901, LCM, Day Papers, Box 14, General Correspondence 1901, A-B-1.

<sup>47</sup> Conclusions regarding U.S. newspaper coverage of *Foreign Relations* are based on Peter Cozzens’s search of the very large number of contemporaneous articles contained in <http://www.newspaperarchives.com> together with those available from Library of Congress, *Chronicling America: American Historic Newspapers*, <http://chroniclingamerica.loc.gov> and additional resources available online and on microfilm at the Library of Congress Newspaper and Current Periodical Reading Room. Press accounts about the annual *FRUS* volumes occurred much less frequently after the tenure of Hamilton Fish as Secretary of State. By the time his experiments with “calibration” and ministerial input ended in 1876 (see [chapter 3](#)), publication of the series had become routine; the Department provided essential documents to Congress without the need for legislative pressure. Frequent submissions of diplomatic correspondence during the course of a year in Supplemental *FRUS* Submissions normally addressed foreign policy matters of greatest interest to the public, and consequently commanded greater press notice than the annual volumes. Most of the press coverage of the annual volumes consisted of short notices and often succinct summaries of a few documents the editors judged of interest. See, for example, *The Sun* (Baltimore), January 26, 1874; *Bangor* (Maine) *Whig and Courier*, January 7, 1874; *New York Times*, December 7, 1874; *Philadelphia Inquirer*, December 8, 1875 (from which two dozen other newspapers extracted excerpts); *North American and United States Gazette* (Philadelphia), January 31, 1876; *New York Herald*, December 28, 1876; *Daily Evening Bulletin* (San Francisco), December 11, 1876.

States] about Fenianism. So he gets through a resolution calling on the President, "if not incompatible with the public interest," for the coveted information. The resolution is duly engrossed in red tape and sent up to the White House. Thence, after being invested with more red tape, it is referred to the Department of State. Straightaway, a corps of department clerks is set to work to copy the correspondence and other documents desired. These copies ... are enveloped in red tape and consigned to the President, by whose direction they receive another string of red tape and are dispatched to Congress. Arrived there, they are announced as "a message from the President of the United States" and (usually) referred to the Committee on Foreign Affairs and ordered to be printed. Another member, perhaps, is anxious on the subject of the Chinese immigration, or the Greek brigands, or free ocean cables, or our trade with South America, or claims upon Mexico, or any other topic that may involve correspondence or negotiations with foreign powers. So he pops through his resolution calling for the documents, and, when communicated, they are in nine cases out of ten printed, even though not one American citizen in ten thousand has the smallest interest in the question.

Besides these extra and occasional documents, there is printed every year a regular volume or volumes consisting of documents on the foreign relations of the United States and sent to Congress with the annual message of the President ... . These ponderous issues commenced in 1861, and were kept up, continually growing in volume, until Mr. Seward was, much to his regret, relieved from the cares of office in 1869 ... . At length [Seward] laid down the official stylus and gave place to a less voluminous successor. Mr. Hamilton Fish has what is commonly charged to be a leading characteristic of President Grant ... occasional "flashes of silence." So we find our diplomatic correspondence again compressed into reasonable if not altogether readable bounds.

[The 1870] "Foreign Relations of the United States" ... appears to be carefully edited and tolerably well indexed. It opens with papers relating to the Franco-Prussian War, and this very fruitful theme absorbs ... nearly one-half the volume. The perusal of it tends to enhance our opinion of the efficiency and discretion of our present minister in Paris, Mr. E. B. Washburne ... Under the most difficult and trying circumstances, [Washburne and the legation staff] stood at their posts after the representatives of nearly every other nation had left, and our Minister was the means of succor and defense not only to all Americans, but to the friendless subjects of many European Powers.

About fifty pages are taken up with correspondence on the commercial relations between the United States and the Spanish-American states,

including Brazil. This is a matter of the gravest consequence, since it is a deplorable fact that we have been steadily losing ever since 1861 our relative share in the foreign commerce of the South American States, Mexico, and the West Indies ...

The subject is followed by a hundred pages upon Chinese affairs, rather interesting in view of the more recent Korean [sic] difficulties ...

Miscellaneous correspondence, not very extensive or interesting, with Greece, Turkey, Italy, Japan, Peru, Mexico, etc., concludes the volume.<sup>48</sup>

Reviewers often complained about the trivial nature of the material in the volumes or the excessively detailed coverage, except, of course, when they found the information of interest. Editors of the *Commercial*, for example, believed their readers wanted to know more about trade with Latin American countries. The 1870 *FRUS* also included significant material about an important ongoing dispute with Great Britain over American fishing rights in Canadian waters, but apparently that topic generated little interest in southwestern Ohio. The Department supplied nearly 200 Cuba-related documents in Supplementary *FRUS* Submissions during the year, which generated commentary in the press.<sup>49</sup> Those earlier transmittals obviated the need to cover a leading foreign policy topic of the day in the end-of-year volume, and, consequently, the *Commercial* did not discuss the issue in its review.<sup>50</sup> In 1876, the *New York Herald* opined that “The Argentine Republic, judging from the despatches of Mr. [Thomas O.] Osborn ... must be a good deal of a sinecure. During the year he has written four short letters. If he has sent any more, Mr. Fish has not deemed them worth publication.”<sup>51</sup> In 1880, the San Francisco *Daily Evening Bulletin* noted the absence of correspondence about Chinese immigration, a subject of deep concern in the West.<sup>52</sup>

Given that the volumes published correspondence no more than 18 months old, perhaps most surprising to modern eyes are complaints about lack of timeliness. In December 1873, the *New York Times* dismissed the 1873 volume as stale, noting “some of the documents [date] as far back as 1872, and a few up to the month of August [1873].”<sup>53</sup> The *New York Herald* said of the 1877 volume, “Some of the

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<sup>48</sup> *Cincinnati Commercial*, June 24, 1871.

<sup>49</sup> The *New York Herald*, for example devoted two full pages to a dissection of communications between Secretary Fish, the Spanish Government, and the American minister in Spain, offering the public cogent summaries of U.S. policy. *The Revolution in Cuba*. 41st Cong., 2nd Sess., SED 7 (Ser. 1405); *Struggle for Independence in the Island of Cuba*. 41st Cong., 2nd Sess., HED 160 (Ser. 1418); *New York Herald*, January 10, January 12, and March 6, 1870.

<sup>50</sup> For other complaints about the trivial nature of documentation or excess coverage in *FRUS*, see *Saturday Review of Politics, Literature, and Science* (London) 34, no. 887, October 26, 1872, p. 543. The *Chicago Daily Tribune* of June 16, 1895 satirically characterized the series as “charming volumes for summer outings.”

<sup>51</sup> *New York Herald*, December 28, 1876.

<sup>52</sup> *Daily Evening Bulletin*, January 19, 1880.

<sup>53</sup> *New York Times*, December 3, 1873.

contents are more than a year old, while the others are not of recent date.”<sup>54</sup> In 1895, the *Chicago Daily Tribune* characterized the volumes as “deferred so long that they are of the quality of last year’s bird nests.”<sup>55</sup> In early 1889, an ongoing dispute among the United States, Great Britain, and Germany over commercial rights in Samoa and use of the coaling station at Apia threatened to erupt into open warfare. Having become accustomed to timely Department submission of correspondence on international crises, the press loudly protested what the *New York Herald* called the “Silence on Somoa” and demanded Congress request all correspondence on the subject. Congress heeded the call, the Department complied promptly with a Supplemental *FRUS* Submission, and newspapers nationwide scrutinized the released documents closely.<sup>56</sup> Conversely, when diplomats or journalists complained about improper releases of documents, the objections focused on sensitivity. Most observers would have agreed, for example, that Marsh’s 1870 despatches (see [chapter 3](#)) sent confidentially should have been retained within the Department for at least a few years. Yet even such cases, the “expiration date” on most sensitive-restricted material would be considered quite short by modern standards.<sup>57</sup>

Most observers appreciated the capacity of the Contemporaneous *FRUS* to inform citizens about recent events of major interest. Immediately after publication of the reinstated *Foreign Relations* in early December 1870, the *New York Tribune* printed two columns of excerpts about the Franco-Prussian War from the volume, entitled “Official War Correspondence,” directly adjacent to stories filed by civilian reporters. The *New York Times* printed excerpts from several despatches bearing on American policy during the war, and other American newspapers ran shorter summaries of the volume’s war coverage.<sup>58</sup> The 1870 volume received attention abroad as well. With the French-German war still ongoing, *The Times* of London highlighted valuable information from the 1870 volume not otherwise available.<sup>59</sup> Given Great Britain’s global interests, *The Times* also carefully examined the 1871 *FRUS*, reviewing the correspondence regarding the 1870 war and its aftermath,

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<sup>54</sup> *New York Herald*, January 7, 1878. There was nothing unusual about the vintage of diplomatic correspondence in *Foreign Relations*, 1877. It was standard practice to reach back to the fall of the preceding year to include despatches that arrived or instructions sent after the mid-November cut-off date for preparation of the diplomatic correspondence for submission to Congress with the President’s annual early December message to Congress. The oldest document in *Foreign Relations*, 1877 was a despatch from Egypt dated August 10, 1876, and only 20 of the 354 items predated November 1876.

<sup>55</sup> *Chicago Daily Tribune*, June 16, 1895.

<sup>56</sup> *New York Herald*, January 28, 1889; *Condition of Affairs in Samoa*, 50th Cong., 2nd Sess., SED 31 (Ser. 2610); *Condition of Affairs in the Samoan Islands*, 50th Cong., 2nd Sess., SED 68 (Ser. 2611); *Affairs in Samoa*, 50th Cong., 2nd Sess., SED 102 (Ser. 2612); *Affairs at Samoa*, 50th Cong., 2nd Sess., HED 118 (Ser. 2651); *Daily Inter Ocean* (Chicago), December 2, 1889; *Boston (Morning) Journal*, February 8, 1889; *The Sun* (Baltimore), February 9, 1889.

<sup>57</sup> See, for example, later in this chapter, the consideration of what additional material could be included in the 1898 volume after less than two years’ delay.

<sup>58</sup> *New York Tribune*, December 10, 1870; *New York Times*, December 17, 1870; *Hartford (Connecticut) Daily Courant*, December 10, 1870; *Times-Picayune* (New Orleans), December 15, 1870.

<sup>59</sup> *The Times* (London), January 6 and 7, 1871.

conditions in China, the Treaty of Washington that settled the *Alabama* claims dispute, and the state of affairs in Austria-Hungary.<sup>60</sup> London's *Saturday Review of Politics, Literature, and Science* appreciated American reporting about the Franco-Prussian War not only from Paris, but Berlin as well.<sup>61</sup> Departmental releases could also provide information about more ephemeral events that made headline news. The *New York Herald* published a full page analysis of a 688-page Supplementary *FRUS* Submission on strained relations with Chile in the wake of an October 1891 Chilean mob attack on crewmen of the USS *Baltimore* while harbored in Valparaiso.<sup>62</sup>

The voluminous correspondence revealed much about the Department's operations and representatives, causing readers to draw conclusions about both the nation's policies and the competence of those who carried it out. The 1870 volume featured a rebuke of the highly capable Minister to China, Frederick F. Low, by Secretary Fish for failing to convey United States policy accurately to the Chinese government. In the wake of the Tientsin massacre, the condition of American missionaries in China was the subject of vigorous press debate. The Department probably included the rebuke in *Foreign Relations* to assure the American public that it took the matter seriously.<sup>63</sup> Sometimes the press criticized policy; in reviewing the 1876 volume, the *New York Tribune* disagreed with the belligerent U.S. response to Peking's request to open a consulate in San Francisco to address complaints about the treatment of Chinese subjects there.<sup>64</sup> Most often, press criticism focused on the inadequacy of the nation's diplomatic representatives. Both the *Chicago Daily Tribune* and the *Nation* cited the malapropisms and diplomatic miscues of American diplomats revealed in *Foreign Relations*, 1894 to bemoan the lack of a professional diplomatic service. The *Tribune* offered a representative sampling of despatches that "express a manifest contempt for style." The *Nation* called attention to an exchange between Secretary of State Walter Q. Gresham and the U.S. Minister to Bolivia Thomas Moonlight to illustrate the unfamiliarity of many ministers with the basic rules of diplomacy. Moonlight had asked Bolivian authorities to promote a Bolivian army officer for "courtesies and kindnesses" he had extended Moonlight since the minister's arrival in La Paz. Gresham hastened to remind him that, "however usual such a proceeding may be in Bolivia," it was against U.S. statutes and Department regulations for an American diplomat to advocate for the advancement of a foreign official. The *Nation* also took note of a query from Minister Lewis Baker asking if he

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<sup>60</sup> *The Times* (London), May 20 and 21, 1872.

<sup>61</sup> *Saturday Review of Politics, Literature, and Science* (London) 34, no. 887, October 26, 1872, p. 543.

<sup>62</sup> *Relations with Chile*, 52nd Cong., 1st Sess. HED 91 (Ser. 2954); *New York Herald*, January 28, 1892, p. 3.

<sup>63</sup> *Foreign Relations* 1870, p. 398.

<sup>64</sup> *New York Tribune*, January 9, 1877; *Daily Evening Bulletin* (San Francisco), December 11, 1876. The despatches in question are Seward to Fish, June 19, 1876 and Cadwalader to Seward, August 31, 1876, in *Foreign Relations*, 1876, pp. 53-60. The only other national newspaper to print extracts or otherwise comment on *Foreign Relations*, 1876 was the *Daily Picayune* (New Orleans), December 21, 1876. A review of diplomatic despatches from China reveals no complaints from the U.S. Legation regarding publication of the despatches.

had the authority to perform marriages in Nicaragua. The *Nation* reached the same conclusion as had the *Tribune*: the United States needed better-qualified diplomats.<sup>65</sup>

Other commentators discovered in the volumes much to commend American diplomacy. Assistant Secretary of State J. C. Bancroft Davis mailed copies of the 1870 volume to colleagues and friends in states in which he had business interests. Benjamin Moran wrote from London, "I much like your new publication. The title—Foreign Relations—is legitimate and the volume is wisely arranged. It contains just what we want to know, and the Alphabetical Index is both novel and extremely useful. Please send me some more copies." After his "first dash at it," Alexander Hamilton, Jr. said he found the volume "very interesting." Eminent New York City attorney James W. Gerard, Jr. also thought *Foreign Relations*, 1870 worthwhile. "I will peruse it with much gratification," wrote Gerard, "and will find it very serviceable in my library for purposes of reference." Massachusetts attorney William S. Richardson eagerly awaited the tome. "I believe in your department," Richardson told Davis, "and I have done what few people outside of your office have undertaken. I have read nearly all the volumes and I shall read this one."<sup>66</sup> Many praised the evenhanded U.S. policy during the Franco-Prussian War revealed by the 1870 and 1871 volumes, as well as the actions of Minister to France Elihu Washburne to alleviate suffering during the siege of Paris. American officials in China generally received high marks for their promotion of treaty rights and commercial opportunity, and support for missionaries in China.<sup>67</sup> Of the 1871 volume *The Times* of London opined, "Taken altogether, the papers in this collection, with few exceptions, bear witness that the great Power, of which the destiny is to be supreme in the New World, is not unworthy of its high mission, and that its policy is in the main intended to promote the civilization and happiness of mankind."<sup>68</sup> Commenting on the 1894 volume, the *Worcester* (Massachusetts) *Daily Spy* found of particular and "timely" interest correspondence pertaining to Great Britain's dispute with Venezuela over the Guianese border that revealed the trajectory of U.S. efforts to broker a negotiated settlement: "It is gratifying to find in these [documents] proof that the [Cleveland] administration has been true to the precedents of its predecessors and has asserted American principles as embodied in the Monroe Doctrine with commendable firmness."<sup>69</sup> The *Denver Evening Post* concurred and also praised the organizational structure of the 854-page *Foreign Relations*, 1894. "Never before has such a great mass of diplomatic correspondence been published in a single year," observed the *Post*, "and a novelty is in the arrangement of the

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<sup>65</sup> *Chicago Daily Tribune*, June 16, 1895; *Nation*, June 20, 1895. The documents in question are Gresham to Moonlight, June 4, 1894, Baker to Gresham, January 22, 1894, and Edwin F. Uhl to Baker, February 24, 1894, in *Foreign Relations* 1894, pp. 55, 447.

<sup>66</sup> Moran to J. C. Bancroft Davis, January 11, 1871, Alexander Hamilton Jr. to Davis, January 21, 1871, James W. Gerard, Jr. to Davis, January 21, 1871, Richardson to Davis, January 28, 1871, all in LCM, Davis Papers, Letters Received, Box 8.

<sup>67</sup> *New York Tribune*, December 10, 1870 and January 7, 1871; *Cincinnati Commercial*, January 9, 1871; *The Times* (London), January 6 and 7, 1871 and May 20 and 21, 1872.

<sup>68</sup> *The Times* (London), May 21, 1872.

<sup>69</sup> *Worcester Daily Spy*, April 19, 1895.

letters, grouping them by subject rather than chronologically by country, has been adopted for the convenience of reference.”<sup>70</sup>

On rare occasions that echoed the example of the 1865-1866 Lincoln memorial volume (see [chapter 2](#)), *FRUS* provided material that aided in honoring the service of the nation’s statesmen. The May 29, 1895 issue of the *New York Times* drew upon *Foreign Relations*, 1893 and 1894 as well as the three 1894 supplemental volumes to extol the “consummate statecraft, wisdom, and patriotism” of Secretary of State Walter Q. Gresham, who had died the previous day. Said the *Times*: “The *Papers Relating to the Foreign Relations of the United States* from March 1893 to the time immediately preceding Mr. Gresham’s death pay rich tribute to his skill as a diplomatist. Every subject of statecraft is touched upon.” Republicans, the *Times* continued, had bitterly assailed Gresham’s policies, but *Foreign Relations* permitted his record to stand “where the whole world may see it. It is one to be proud of . . . . The several volumes of *Foreign Relations* which tell the story of his achievements show also that while his attitude on all important questions was firm, he was never disposed to be quarrelsome . . . . His reputation will not suffer in the least by a careful examination of the diplomatic correspondence.”<sup>71</sup>

### **Special Cases That Illustrate Normative Expectations**

Even before the end of Hamilton Fish’s tenure, the *Foreign Relations* series had become a regularized element of government operations that functioned within widely-accepted parameters. The publication faced no fundamental challenges to its continued existence, the executive and legislative branches presumed that openness pervaded the process (with the usual reservations concerning “the public interest”), Congress paid for the requisite number of volumes the GPO produced each year as required by law, diplomats sometimes grouched about too much openness but nevertheless continued to convey substantive assessments, and the press followed foreign affairs with sufficient attention to weigh in if some egregious aberration occurred. The volumes appeared annually, and for the most part received little fanfare. Within the normally smooth operation of the Contemporary *FRUS* era, two extraordinary incidents occurred that highlight key elements of the informal but powerful “*FRUS* compact” that governed the series.

#### **“Jingo Jim” Blaine**

In 1881, Secretary of State James G. Blaine became disastrously embroiled in the muddled multilateral diplomacy surrounding the War of the Pacific.<sup>72</sup> By the

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<sup>70</sup> *The Evening Post*, April 17, 1895.

<sup>71</sup> *New York Times*, May 29, 1895.

<sup>72</sup> Chile went to war with Peru and Bolivia in 1879 over contested territory rich in sodium nitrate and guano, Europe’s fertilizers of choice. The Chilean army rolled up Bolivian and Peruvian forces over the next two years, occupying Lima in early 1881. The Chilean navy also soundly defeated the Peruvian navy, giving it uncontested control of coastal waters. For documentary accounts of the events discussed in this section, see *Papers Relating to the War in South America*, 47th Cong., 1st Sess., SED 79 (Ser. 1989) (3 parts); Alvey Adee, “The Chile-Peruvian War. Causes Leading to Mr. Trescot’s

time Blaine took office, the conflict had degenerated into a guerrilla war between remnants of the Peruvian army and Chilean occupation forces. Blaine believed stability in Latin America comprised the necessary precondition for enhanced U.S. trade opportunities in the region, and he decried the continued hostilities as an opportunity for European intervention in South America.<sup>73</sup> After failed attempts by Hayes administration officials to broker a peace settlement, Blaine involved the United States again in order to prevent European influence from growing, and perhaps mindful too of the political capital he would accrue from a diplomatic victory.

Blaine drew up judicious and evenhanded instructions to his representatives emphasizing friendship and fair dealing with both belligerents.<sup>74</sup> He directed Minister to Chile Hugh Judson Kilpatrick to admonish Santiago not to make unreasonable demands on Peru. He told Minister to Peru Stephen A. Hurlbut to encourage the Peruvians to accept any “reasonable conditions and limitations” necessary to facilitate Chilean recognition of the Peruvian provisional government and bring an end to the fighting.

Neither diplomat followed Blaine’s orders. Hurlbut sided openly with Peru, urged the U.S. government to intervene to prevent Chile from carving up the country, and negotiated an agreement with the provisional Peruvian Government for a U.S. naval coaling station. Kilpatrick openly espoused Chile’s cause and disputed publicly with Hurlbut, fervently criticizing his actions. Moreover, Hurlbut became entangled in the dubious machinations of several private companies’ claims to contested Peruvian nitrate and guano deposits (located in Chilean-occupied territory). Some of the claimants had political connections in Washington, lending credence to the appearance that Blaine and Hurlbut could be pursuing “guano diplomacy” to save Peruvian territory from Chile for the benefit of private business interests in which they might have a stake.<sup>75</sup>

Blaine neglected to rein in his ministers in a timely manner. The July 2, 1881 attack on President Garfield, after which he lingered for 11 weeks before dying, threw the Cabinet into disarray. Few instructions of any sort emanated from the Department for nearly three months, and after Garfield died on September 19, an ill and exhausted Blaine departed for an extended vacation in Maine. He returned in mid-November to galvanizing developments. Blaine learned that President

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Special Mission,” December 29, 1881, NARA, RG 59, Reports of the Diplomatic Bureau, January 10, 1881–October 23, 1882, Report No. 74.; and the 1880 and 1881 *Foreign Relations* volumes. The most useful recent overview of the events described in this section is David Healy, *James G. Blaine and Latin America* (Columbia: University of Missouri Press, 2001), pp. 54–119.

<sup>73</sup> Campbell, *Transformation*, p. 94; *New York Times*, January 30, 1882.

<sup>74</sup> *Papers Relating to the War in South America*, pp. 157–158, 500–501.

<sup>75</sup> *Foreign Relations*, 1881, pp. 921–948; *Papers Relating to the War in South America*, 47th Cong., 1st Sess., SED 79 (Ser. 1989) (3 parts), pp. 508–509, 522, 545; *Investigation of papers on Chili and Peru missing from State Department and allegations of improprieties by U.S. ministers*, 47th Cong., 1st Sess., H. Rpt. 1790 (Ser. 2070), pp. iii–vii.

Chester A. Arthur intended to replace him with Frederick Frelinghuysen, pending confirmation when Congress reconvened in December. Newspapers had begun to ridicule the Secretary for his inattention to Hurlbut's rogue diplomacy and to the unseemly duel between Hurlbut and Kilpatrick.<sup>76</sup>

With his tenure fast coming to an end, Blaine hastened to rescue his position and protect his longer-term reputation by manipulating the *Foreign Relations* series. He had not yet written his errant ministers; if made public, the record would show three months of silence on his part. Because the cut-off date had already passed for selection of records to be published in the 1881 *FRUS*, Blaine ordered a halt to work on the volume. For the first time since 1869, there would be no annual submission of diplomatic correspondence to Congress with the President's December message.<sup>77</sup>

Blaine's public relations-oriented strategy only made his situation worse. He hurriedly wrote the two ministers, upbraiding them for failing to follow his instructions, chiding them for undiplomatic behavior, and downplaying the impression that he had favored one of the competing claimants in the mineral deposits dispute. At the same time Blaine withheld the *FRUS* volume, he doled out select documents to the press himself. The suspect timing of those releases and the self-serving nature of the documents only exacerbated criticisms about Blaine's judgment and his ministers' competence. Both Houses of Congress called for all Department correspondence on the War of the Pacific. On December 19, 1881, President Arthur removed Blaine in favor of Frelinghuysen.<sup>78</sup>

Blaine's longer-term reputation suffered most from his machinations, although his actions caused collateral damage as well. On January 26, 1882, Arthur submitted to Congress as a Supplemental *FRUS* Submission the Department's War of the Pacific correspondence in its entirety—441 documents totaling 743 pages.<sup>79</sup> In his eagerness to distance the Department from Blaine's actions and avoid scandal, Frelinghuysen released everything, including very recent confidential reports that torpedoed the efforts of an American special envoy sent in December to broker peace between Chile and Peru. The issue of whether U.S. representatives overseas

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<sup>76</sup> *Elkhart (Indiana) Review*, October 6, 1881; *New York Herald*, November 25, 1881; Frelinghuysen to Davis, November 24, 1881, LCM, Davis Papers, Letters Received, Box 30; *New York Times*, November 27, 1881.

<sup>77</sup> Healy, *Blaine and Latin America*, p. 104, asserts that Blaine was accelerating the preparation of *Foreign Relations*, but the fact that he waited until after the normal cut-off date for documents in *Foreign Relations* to begin targeting Hurlbut suggests the opposite conclusion.

<sup>78</sup> *Papers Relating to the War in South America*, 47th Cong., 1st Sess., SED 79 (Ser. 1989) (3 parts), pp. 168-169, 176-179, 184, 509, 561-566, 577; *New York Herald*, December 12, 1881; *New York Herald*, December 13, 1881; *New York Times*, December 12 and 13, 1881; *New York Herald*, December 19, 1881; Russell H. Bastert, "Diplomatic Reversal: Frelinghuysen's Opposition to Blaine's Pan-American Policy in 1882," *The Mississippi Valley Historical Review* 42, no. 4 (March 1956): especially pp. 655-659. Frelinghuysen to Davis, December 8, 1881 and Fish to Davis, December 15, 1881, both in LCM, Davis Papers, Letters Received, Box 30. Blaine's disclosures also angered the London press. See London newspapers quoted in *New York Times*, December 14, 1881.

<sup>79</sup> *Papers Relating to the War in South America*, 47th Cong., 1st Sess., SED 79 (Ser. 1989) (3 parts).

could report with candor, and the related question of what information could be appropriately divulged publicly, reappeared in the press. The Department and the Congress launched investigations to determine whether anyone had engaged in improper actions to involve the U.S. government in business transactions with regard to the guano claims cases. Although the inquests produced no charges, the impression remained that Blaine had sought to manipulate the outcome of the war for personal gain.<sup>80</sup> His political enemies, both Democrats and opponents within the Republican Party, pounced on the rumors and accusations to discredit the former Secretary. Blaine's enemies made his conduct of Latin American policy a centerpiece of their attacks on his 1884 Presidential campaign. By that time Blaine had become the "tattooed man" to his political opponents primarily because of questionable dealings on domestic matters. The renewed suggestions—however unfounded—of scandalous conduct as Secretary of State reinforced that image, and while not decisive, the allegations contributed to his electoral loss to Grover Cleveland.<sup>81</sup>

The Blaine affair raised again fundamental questions that troubled diplomats throughout the era. Would their despatches be manipulated for partisan purposes, or would certain sensitive communications find their way into print? And what might such revelations mean for their relations with the host government and for their own careers? American ministers abroad sometimes protested the release of documents, and it is probably true that episodes such as this dampened honest reporting from the field for a time. Yet even these officials, most directly interested, rarely objected in principle to the value of government accountability to its constituents.<sup>82</sup>

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<sup>80</sup> Fish to Davis, December 16 and 30, 1881, LCM, Davis Papers, Letters Received, Box 30; Davis to Fish, January 1, February 1, 4, and 8, 1882, LCM, Fish Papers, Container 134; Alvey Adee, "The Chile-Peruvian War. Causes Leading to Mr. Trescot's Special Mission," December 29, 1881, NARA, RG 59, Reports of the Diplomatic Bureau, January 10, 1881-October 23, 1882, Report No. 74; Perry Belmont, *An American Democrat, The Recollections of Perry Belmont* (New York: Columbia University Press, 1940), pp. 219-237; David S. Muzzey, *James G. Blaine, A Political Idol of Other Days* (New York: Dodd, Mead, and Company, 1935), pp. 249-251; Campbell, *Transformation*, pp. 97-98.

<sup>81</sup> *Boston (Morning) Journal*, January 27, 1882; *Cincinnati Daily Gazette*, January 30, 1882; *New York Herald*, February 1, 4, and 10, 1882; *The Daily Commercial* (Vicksburg, Mississippi), February 8, 1882; *Daily Picayune* (New Orleans), February 26, 1882; *New York Times*, July 19, 1884; *Boston Herald*, August 1, 1884; *Boston Daily Advertiser*, August 14, 1884; *St. Albans (Vermont) Daily Messenger*, September 19, 1884; *New York Herald*, September 24 and 25, 1884; Belmont, *American Democrat*, pp. 238-269; Matias Romero, "Mr. Blaine and the Boundary Question between Mexico and Guatemala," *Journal of the American Geographical Society of New York* 29, No. 3 (1897); Charles E. Russell, *Blaine of Maine, His Life and Times* (New York: Cosmopolitan Book Corporation, 1931), p. 389; Muzzey, *James G. Blaine*, pp. 249-251. Edward H. Strobel, who provided a strong critique in *Mr. Blaine and His Foreign Policy* (Boston: H. W. Hall, 1884), especially pp. 2-7, 29-69, was rewarded by President Grover Cleveland with an appointment as secretary of the U.S. Legation in Madrid. *New York Times*, June 24, 1885.

<sup>82</sup> See, for example, controversy over release of the confidential correspondence of former Minister to Peru Christiancy in *New York Times*, February 5, 1882; *Cincinnati Daily Gazette*, February 6, 1882; *New York Herald*, February 9, 1882; Davis to Fish, "Private," February 4, 1882, LCM, Fish Papers, Letters Received, Container 134. For a similar case involving Blaine's diplomacy with Mexico and Guatemala, see *Cincinnati Daily Gazette*, February 10, 1882.

The Blaine imbroglio demonstrated that politicians who violated the (largely implicit) “*FRUS* compact” did so at great risk. Blaine’s attempt to manipulate the timing and content of the 1881 volume backfired because members of both political parties, as well as the press, expected the series to remain above partisan infighting or personal interest. Foreign policy documents created by government officials were records “owned” by the public and not to be withheld, or even delayed, without very good reason. Knowledgeable observers recognized that exceptions might be necessary to protect the national interest, but the presumption remained that any communication was liable to become part of the public record as a consequence of the executive branch’s responsibility to inform the people’s representatives in Congress. Blaine, therefore, violated the compact on several counts. He delayed publication of the 1881 volume in order to redress his own deficiency in the formulation of policy. That the President’s appointed ministers exceeded or ignored their instructions only highlighted Blaine’s lack of supervision over the nation’s representatives abroad. Even the mere implication that the Department of State might engage in favoritism, or that high officials pursued personal gain instead of promoting the people’s business, constituted a potentially serious blow to the integrity of the government. Yet the rarity of such occurrences indicates that all parties respected the unofficial compact. Americans generally believed that transparency played a critical role in the proper operation of a republic, and *FRUS* represented an important manifestation of that principle.

### ***FRUS* at War: The 1898 Volume**

The 1898 *FRUS* was the first to encounter a significant publication interruption since the bureaucratic disorganization and executive-legislative animosity of 1868-1870.<sup>83</sup> Following tradition, the Department should have released the volume by early summer 1899, but it did not appear until two years later, in June 1901. Yet no discernible public controversy surrounded the delay; neither press nor Congress complained to any noticeable degree. Some sources have been read to suggest that the McKinley administration deliberately withheld sensitive information about U.S. actions surrounding the Spanish-American War.<sup>84</sup> If that were an accurate depiction

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<sup>83</sup> See [chapter 3](#).

<sup>84</sup> On page 96 of *Geschichte unter der Schere politischer Zensur: Amtliche Aktensammlungen im internationalen Vergleich (The Political Censorship of History: Official Documentary Collections in International Perspective)*, (Oldenburg: Verlag Munich, 2001), Sacha Zala extrapolates from Leopold, “The Foreign Relations Series, A Centennial Estimate,” and E. R. Perkins, “Foreign Relations of the United States: 91 Years of American Foreign Policy,” Department of State *Bulletin* (December 22, 1952), pp. 1002-1006, both of whom rely on Hunt, “The History of the State Department VIII,” and William H. Michael, *History of the Department of State of the United States* (Washington, D.C.: Government Printing Office, 1901), to claim that a political decision was made to delay the 1898 volume. The limitations of Hunt’s account are discussed in [note 13](#), above. In a single unsourced sentence on page 33, Michael states, “In any case, the objective of the collection cannot have been the complete reproduction of the documents since, shortly after the turn of the century, the ranking official in charge remarked candidly that the files ‘are given in part.’” This chapter demonstrates that high-ranking officials regularly participated in *FRUS* production, particularly the selection and redaction process. All parties understood that on occasion the executive branch would withhold

of the delay, it would represent an important milestone in the degradation of transparency expectations developed over the previous century: at the moment the United States arrived on the world stage as a Great Power by exerting force across two oceans and acquiring overseas territory, the executive branch withheld foreign policy documents from Congress and the public. Had that been the case, it could be argued that the 1898 volume established a precedent for expanding national security exceptions to the rapid release of information. A careful examination of the extant record, however, reveals that the established practices of responsible release continued to operate through the crisis of war and its aftermath. The President and the Department did share important information with the Senate in a timely manner. An unfortunate constellation of personnel changes, reassignments, and administrative reorganization caused the tardy appearance of the 1898 volume, which in turn delayed the 1899 and 1900 volumes. With the release of the 1901 volume, the series returned to the contemporaneous release practices established in 1861.

As [appendix C](#) demonstrates, the executive branch had regularly released documents about diplomatic tensions with Spain, primarily concerning Cuba, since the 1870s. In the two years before war erupted, the Department transmitted over 450 documents totaling more than 650 pages to Congress in Supplemental *FRUS* Submissions. Additionally, affairs with Spain figured prominently in *Foreign Relations* volumes; documentation on Spain, for example, comprised the largest chapter in the 1896 volume.<sup>85</sup> In the months prior to war, President McKinley and his officials did not share some communications of recent vintage, but such withholdings were not out of the ordinary. As had been the case for a century, a general understanding maintained between the executive and legislative branches that certain material should remain sequestered for as much as a year, by which time all but the most significant sensitivities had subsided.

After the cessation of hostilities in August 1898, a series of alterations in the responsibilities of key U.S. government personnel derailed *FRUS* production. In September William R. Day resigned his position as Secretary of State (which he held for only five months) to head the American peace negotiation delegation. McKinley named John Hay as his third Secretary of State during 1898, which affected organizational continuity; the 1897 *FRUS* volume had been prepared under Day's predecessor, John Sherman. Assistant Secretary of State John Bassett Moore also resigned to serve as the Peace Commission's secretary and legal adviser.

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information from the limited categories discussed in previous chapters, so Michael's remark about documents "given in part" represented a routine statement of well-known practice rather than a revelatory admission of conspiracy to defraud. This section also suggests that a principal reason for the delay of the 1898 *FRUS* was Michael's own failure to manage the volume's production. Tyler Dennett, "Office of the Historical Adviser," *American Foreign Service Journal* VI, no. 9 (September 1929): p. 295, does not discuss the tardy release of the 1898 volume but incorrectly states that John Bassett Moore became Assistant Secretary of State after his return from the peace conference. Dennett also incorrectly credits Moore with editing the 1898 *FRUS*, as do other accounts.

<sup>85</sup> *FRUS*, 1896, pp. 582-847.

When the negotiations concluded on December 10, 1899, Day did not return to the Department, and Moore did so only long enough to prepare the substantial documentation that accompanied the submission of the peace treaty to the Senate.<sup>86</sup>

Given that the formal cessation of hostilities did not occur until mid-December, the McKinley administration fulfilled traditional expectations about responsible transparency in a remarkably timely manner. Along with the peace treaty, Hay transmitted confidentially a Supplemental *FRUS* Submission of nearly 700 pages to the Senate on January 4, 1899.<sup>87</sup> Because leaks to the press occurred almost immediately, the Senate quickly made all this material public.<sup>88</sup> Within days, the Senate requested additional information, and, on January 30, the Department forwarded a second 300-page tranche of documents, which remained confidential until shortly before publication of the 1898 *FRUS* volume in 1901.<sup>89</sup> In contravention of usual Departmental efficiency practices that precluded duplicate publication of the same documents, the importance of many of the records from those two releases dictated that they also be republished in the 1898 volume.<sup>90</sup> Thus, before the end of January 1899, approximately 10 percent of what eventually became the 1898 *FRUS*, encompassing a large proportion of the most important material for that year, had already been given to the Senate, and the majority of that information had been made public. Most press accounts about the information revealed were favorable toward American policy, and none complained about premature release of sensitive information.<sup>91</sup>

Completion of the full 1898 *FRUS* volume then went awry, owing to a series of organizational and administrative anomalies that Department officials subsequently addressed. In 1898, the day-to-day responsibility for coordinating *FRUS* production shifted from its longstanding home in the Bureau of Indexes and Archives to the Chief Clerk's office. William H. Michael had served as Chief Clerk only since May

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<sup>86</sup> Moore to Day, December 26, 1900, LCM, Moore Papers, Box 214, Autobiography 1896-1900; Adee to Day, September 24, 1899, LCM Day Papers, Box 10, General Correspondence 1899, A-B.

<sup>87</sup> *Treaty of peace between the United States and Spain*, 55th Cong., 3rd Sess., S. Doc. 62, (Ser. 3732).

<sup>88</sup> "Senate and House," *Los Angeles Times*, January 6, 1899, p. 2; "The Treaty Correspondence," *New York Times*, January 6, 1899, p. 2; "Seen at Close Range: Our Consuls Describe Aguinaldo and His People," *Washington Post*, January 7, 1899, p. 3; "To Be Held As Colony: Aguinaldo Said To Have First Favored This Plan For The Philippines," *The Sun* (Baltimore), January 7, 1899, p. 2. On January 13 the Senate voted to remove the injunction of secrecy and on January 18 ordered 20,000 copies printed for distribution by members of the House and Senate. *Congressional Record*, 53rd Cong., 3rd Sess., Senate, Vol. 32, Pt. 1, January 13, 1899, pp. 636-637.

<sup>89</sup> *Papers relating to treaty with Spain*, 56th Cong., 2nd Sess., S. Doc. 148, (Ser. 4039); *Congressional Record*, 53rd Cong., 3rd Sess., Senate, Vol. 32, Pt. 1, January 6, 1899, p. 431. In part, the request occurred because three members of the Senate Foreign Relations Committee served on the Peace Commission, and other Senators believed they should be privy to the same information.

<sup>90</sup> These documents include all the records entered on pages 785-812 and 904-966 of the 1898 *FRUS*.

<sup>91</sup> "President McKinley Was Informed," *Chicago Daily Tribune*, March 12, 1899, p. 29; "Spain's Red Book," *Chicago Daily Tribune*, March 13, 1899, p. 6; *Los Angeles Times*, March 14, 1899, p. 8; "Spain's Red Book," *The Sun* (Baltimore), March 16, 1899, p. 6; Adee to Day, September 24, 1899, LCM, Day Papers, Box 10, General Correspondence 1899, A-B.

1897, and therefore had little experience of the *FRUS* process. Day assumed that Moore had worked on the volume's contents, but Moore left that task to Michael. Either owing to overwork or lack of interest, Michael apparently did little to direct the compilation process.<sup>92</sup> Secretary Hay became aware of the discrepancy in July 1900, and he quickly acted to address the backlog, which by then included the 1899 volume and a potential delay in preparing the 1900 volume as well. Hay hired additional personnel whose time was dedicated wholly to bringing the series up to date,<sup>93</sup> and he returned responsibility for *FRUS* production to the Bureau of Indexes and Archives. Hay's measures got the series back on track in less than two years; the series returned to its traditional timetable, featuring two 1901 volumes published during the early part of 1902.

The publication delay, however, also provided a unique opportunity to release more documents. The discussion that ensued among current and former high government officials illustrates the general commitment to openness typical of the Contemporaneous *FRUS* era and provides insights into the criteria used to make redaction decisions. Although no longer Department officers, Day and Moore advocated with Adee and McKinley to include more material than would have been releasable two years earlier. Because the common understanding of the era held that U.S. Government representatives engaging in diplomatic correspondence should be consulted when determining the disposition of the records they created, Day persuaded Adee to "clear" still-closed negotiation records with the members of the American peace delegation.<sup>94</sup> Day and Moore also argued successfully for the inclusion of additional documentation withheld from the Senate in 1899, primarily direct communications among McKinley, Day, and Minister to Madrid Stewart Woodford,<sup>95</sup> as well as messages from military commanders. Despite the fact that

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<sup>92</sup> For Michael's complaints about lack of proper Departmental organization for the preparation of *FRUS* volumes, see Michael to Hay, July 5, 1900, NARA, RG 59, Records of the Office of the Chief Clerk, Box 1, Letters sent by William H. Michael, February 20, 1900 to April 30, 1901. Although generally unfounded, given the press of events with the onset of war, the absence of important officials such as Day and Moore possessing direct experience of events in 1898, and the reorganization that shifted *FRUS* production from its traditional home in the Indexes and Archives Bureau, Michael's depiction may be justified for the short period of time since he joined the Department. Some delay in *FRUS* production may also have occurred because Adee suffered a fairly debilitating accident. See Adee to Hay, November 19, 1899, LCM, Hay Papers, Reel 6; Day to Adee, December 12, 1899, LCM, Day Papers, Box 1, Personal Letterbook Vol. 1, p. 72; Adee to Day, December 14, 1899, LCM, Day Papers, Box 10, General Correspondence 1899, A-B.

<sup>93</sup> NARA, RG 59, Applications and Recommendations for Appointment to the Diplomatic and Consular Services, 1901-1924, Box 90, Glavis file; Register of the Department of State for the years ending January 17, 1901 and January 18, 1902; Department of State *Bulletin*, November 14, 1949, p. 741 and December 25, 1952, pp. 1002-1003.

<sup>94</sup> Day to Reid, December 20, 1900, LCM, Day Papers, Box 1, Personal Letterbook Vol. 1, pp. 467-468; Adee to Cortelyou, January 16, 1901, LCM, McKinley Papers, Reel 14; Day to Lodge, January 24, 1901, LCM, Day Papers, Box 1, Personal Letterbook Vol. 2, 1900-1901; Adee to Day, January 26, 1901, Adee to Day February 2, 1901, Adee to Day, March 1, 1901, all in LCM, Day Papers, Box 14, General Correspondence, 1901, A-B-1. One member of the U.S. delegation had died in the interim.

<sup>95</sup> As noted in [chapter 1](#), these are exactly the type of communications eligible for NODIS captioning today.

much of this material had been marked “private” or “personal,” Day concluded, “I see no further occasion for keeping Mr. Woodford’s letters to Mr. Sherman—typewritten in the President’s correspondence—giving his views to the ambassadors of England, France, Germany, and Russia, from print.”<sup>96</sup> Day believed inclusion of this special category of documents was necessary to avoid important gaps in the record and to “render intelligible” the course of events. He also judged that sufficient time had passed; with the peace treaty approved by both governments, no major harm would come from printing the negotiation records.<sup>97</sup> Nevertheless, all agreed that certain categories of information must remain protected; for example, Day noted that “the parts referring to other governments and interviews with ministers of other countries, should, of course, be omitted.”<sup>98</sup> In addition to Adee, McKinley reviewed the volume before its release.<sup>99</sup>

The records concerning the 1898 *FRUS* convey a sense of how key government officials treated document handling, the factors weighed in “declassification” decisions, and the procedures for release of information. The lack of clear definition of what would now be designated “classified” documents, and the permeable border between personal records and those belonging to the government may seem curious to modern eyes. Yet few governments at that time had developed standardized, organized life-cycle policies for records retention, indexing, retrieval, retirement, and archival preservation—to say nothing of declassification and release. Within the U.S. Government, the senders and recipients of communications played the key roles in determining how to file for later use, and whether to disseminate, special correspondence in restricted communications categories such as “personal” or “confidential.”<sup>100</sup> In the 1898 case, and one may surmise in other instances as well, the principals adopted a pragmatic approach. This subjective

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<sup>96</sup> Day to Adee, December 29, 1900, LCM, Day Papers, Box 1, Personal Letterbook Vol. 1, 1900-1901, p. 5.

<sup>97</sup> Day to Moore, December 24, 1900, LCM, Day Papers, Box 1, Personal Letterbook Vol. 1, pp. 479-482; Moore noted that he “could not have foreseen that a delay in [the 1898 *FRUS*] publication would occur so great as to alter radically the question of what [the volume] might be made to include.” Moore to Day, December 26, 1900, LCM, Moore Papers, Box 214, Autobiography, 1896-1900. The context of Moore’s remark indicates he did not refer primarily to a large number of additional documents releasable two years later than normal, but rather to the type of document categories that could be divulged.

<sup>98</sup> Day to Adee, December 29, 1900, LCM, Day Papers, Box 1, Personal Letterbook Vol. 1, 1900-1901, pp. 4-9.

<sup>99</sup> Day to McKinley, December 29, 1900, LCM, Day Papers, Box 1, Personal Letterbook Vol. 1, 1900-1901, 1-3; Cortelyou to Day, January 2, 1901, LCM, McKinley Papers, Reel 53; Day to Adee, January 24, 1901, Day to Adee, January 28, 1901, and Day to Adee, February 1, 1901, all in Day Papers, Box 1, Personal Letterbook Vol. 2, 1900-1901; Adee to Day, January 26, 1901 and Adee to Day, February 2, 1901, LCM, Day Papers, Box 14, General Correspondence 1901, A—B-1; M. M. Hanna to Day, May 7, 1901, LCM, Day Papers, Box 15, General Correspondence 1901, M-O. See also Day to Lodge, January 24, 1901 and Day to Adee, January 24, 1901, both in LCM, Day Papers, Box 1, Personal Letterbook Vol. 2, 1900-1901. For press assessments of the released 1898 volume, see, for example, “American Red Book on Foreign Relations,” *Los Angeles Times*, June 20, 1901, p. 3 and “War Details in Red Book: Our Foreign Relations During the Critical Period,” *Washington Post*, June 20, 1901, p. 9.

<sup>100</sup> European governments followed the same practice during this period.

approach to whether to withhold a specific piece of information from a particular document nevertheless involved corporate decisionmaking; in addition to the compilers, Department officials at the Assistant Secretary and Secretary level, and sometimes the President, conferred about what material to release. When they did excise documents, compilers and reviewers took great care to identify the lacunae with ellipses, asterisks, dashes, or similar markings. The timeliness element also figured in release determinations; those responsible for *FRUS* clearly believed that additional, qualitatively different, sorts of information could, and should, be divulged two years after the original submissions to the Senate. An informal but nevertheless efficacious type of extra-Departmental clearance procedure existed; the peace commissioners all agreed to release the record of their endeavors, and the Senate only voted to remove injunctions of secrecy when overtaken by events.<sup>101</sup> In sum, the example of the 1898 volume indicates that while key decisionmakers applied limited exceptions to assure that information was not released irresponsibly, the default policy governing *FRUS* prescribed openness whenever feasible.

### **Indian Summer, 1902-1905**

The “return to normalcy” in 1902 initiated a brief, final expression of the immediacy that comprised the most important feature of the Contemporaneous *FRUS*. Three volumes covering 1902, as well as one each for 1903, 1904, and 1905, all came out on time. In 1901-1902 the Department also produced three supplemental *FRUS* volumes on topics involving relations with China, Russia, and Mexico. The most important foreign policy issue of the period, the trans-isthmian canal and relations with Colombia and Panama, received ample coverage in *Foreign Relations*. At 226 pages, the Colombia chapter comprised by far the largest of the 1903 volume, and the Panama chapter was the largest in the 1904 *FRUS*. Moreover, Supplemental *FRUS* Submissions during 1903-1904 on that topic totaled an additional 1,000 pages, the equivalent of a full *Foreign Relations* volume.<sup>102</sup> Often stimulated by Departmental pre-release of selected documents to journalists prior to formal publication, the press covered new volumes by highlighting various notable revelations.<sup>103</sup> Although the executive branch continued on occasion to exercise

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<sup>101</sup> In the case of the January 4, 1899 submission, selective leaks to the press mitigated in favor of making the whole record public immediately. The Senate only voted to publish the January 30, 1899 documents in February 1901, after it became general knowledge on Capitol Hill that the 1898 *FRUS* volume was soon forthcoming.

<sup>102</sup> The principal submissions included *Claims of citizens of U.S. against Colombia* (2 pts.), 57th Cong., 1st Sess., S. Doc. 264 (Ser. 4235); *Military occupation of Panama and Colon and region between them*, 58th Cong., Special Session, S. Doc. 10, (Ser. 4556); *Correspondence relating to revolution on Isthmus of Panama* (2 pts.), 58th Cong., 1st Sess., H. Doc. 8, (Ser. 4565); *Relations of United States with Colombia and Panama*, 58th Cong., 2nd Sess., S. Doc. 95, (Ser. 4588); *Use of military force in Colombia*, 58th Cong., 2nd Sess., S. Doc. 143, (Ser. 4589); *Correspondence relating to the Panama Canal*, 58th Cong., 2nd Sess., SED H (SED-58-2-8).

<sup>103</sup> “RIGHT TO PASSPORTS: Conditions Under Which American Citizenship May Be Lost,” *Washington Post*, April 9, 1903, p. 6; “Rejected by Roumania,” *Washington Post*, May 7, 1903, p. 6; “How We Impressed Turkey,” *New York Times*, July 21, 1904, p. 7; “Demand Upon Turkey,” *Washington Post*, July 21, 1904, p. 11; “Suggested by Kaiser” and “Complaint from Cassini,” *Washington Post*, April 6,

its prerogative to withhold certain information deemed “not compatible with the best public interests at this time,”<sup>104</sup> as long as the combination of *Foreign Relations* volumes and Supplemental *FRUS* Submissions remained current they played an important role in the deliberations and decisions of Congress.<sup>105</sup> [Chapter 5](#) details the demise of the Contemporary *FRUS*, which began a steady retreat from currency in 1906, forever altering the nature and purposes of the series.

For nearly a half-century, the *Foreign Relations* series and its Supplemental *FRUS* Submissions performed both practical and symbolic functions. The Department of State routinely produced diplomatic correspondence--of very recent vintage--on demand, and then bundled the remaining important papers into one or more volumes at years' end. Along with the Congress, executive branch principals, including Assistant Secretaries and Secretaries of State as well as the President, shared a common commitment to provide the American people as much of the record as they could responsibly release. Congress considered the correspondence vital to their oversight function. Newspapers that supported the current administration's efforts could cite praiseworthy evidence from the records, while detractors highlighted documents they believed illustrated defects in policy. Foreign observers mined the volumes for insight and information. *FRUS* facilitated routine Departmental business, enabled “messaging” aimed at domestic and international audiences, and presented enticing—if risky—opportunities for diplomatic or partisan maneuvering. Diplomats wrestled with the double-edged nature of seeing their missives in print soon after their transmission to Washington. On the one hand, public revelation of their assessments and activities could yield benefits to the nation as a whole, and perhaps for their individual careers as well. Conversely, untimely release could damage both current relations and their future prospects. The documents proved integral to the interchange between the executive and legislative branches, as well as to the wider public discourse about key foreign policy issues of the day. The *FRUS* process constituted a demonstrable expression of popular sovereignty for the nation and the world by serving as a mechanism

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1905, pp. SP1 and 6; “Japan Was in a Hurry,” *New York Times*, April 14, 1905, p. 2; Richard Weightman, “Some Queer Secrets of Diplomacy Revealed by new ‘Red Book,’” *Chicago Daily Tribune*, May 2, 1905, p. 8; “Lifting Congo’s Lid,” *Washington Post*, July 13, 1906, p. 4; “Near Actual War with Venezuela: Text of John Hay’s Famous Ultimatum to Castro Made Public for First Time,” *Chicago Daily Tribune*, July 16, 1906, p. 7; “Mr. Hay Threatened War on Venezuela,” *New York Times*, July 16, 1906, p. 4; “Mrs. Labaree Refused \$50,000 Indemnity,” *New York Times*, July 17, 1906, p. 7.

<sup>104</sup> Root to the House Committee on Foreign Affairs, *Congressional Record*, 60th Cong., 1st Sess., House, Vol. 42, Pt. 2, February 10, 1908, pp. 1792-1793.

<sup>105</sup> See, for example, *Hearings on Chinese Exclusion*, 57th Cong., 1st Sess., Senate, Committee on Immigration, January 21, 1902, pp. 460-462; *Congressional Record*, 57th Cong., 1st Sess., Senate, Vol. 35, Pt. 4, April 9, 1902, pp. 3875ff.; *Congressional Record*, 57th Cong., 2nd Sess., Vol. 36, Pt. 3 (Appendix), January 20, 1903, pp. 82-87; *Congressional Record*, 60th Cong., 2nd Sess., House, Vol. 43, Pt. 4, March 1, 1909, pp. 3505-3510; *Hearings on House Resolution No. 103 To Investigate the Expenditures in the State Department, etc.* (Part 2), 62nd Cong., 1st Sess., House, Committee on Expenditures in State, May 23, 1911, p. 39; *Hearings on House Resolution No. 103 To Investigate the Expenditures in the State Department, etc.* (Part 12), 62nd Cong., 1st Sess., House, Committee on Expenditures in State, October 31, 1911, pp. 288-290.

for accountability. As the publication of foreign policy records fell behind current events in subsequent decades, *FRUS* stakeholders struggled to reinterpret the values exemplified by the series as the United States faced unprecedented international challenges.

# Chapter 5: Transition to a New Era, 1905-1920s

William B. McAllister

The period between 1905 and the mid-1920s represents a crucial transitional period in the history of *FRUS* because significant publication delays became a fundamental issue facing the series. Beginning with the two 1906 volumes, which were not published until 1909, *Foreign Relations* never again appeared within a year of the events covered. [Appendices A](#) and [B](#) illustrate the “release deficit” that arose, especially after World War I erupted in 1914. The initial reason for this delay did not stem from a desire of U.S. officials to withhold information from the public, nor because foreign governments intervened to prevent their records from being published. *FRUS* fell behind its original standard of near-contemporaneous release because of inadequate funding; Congress did not supply the Department with appropriations sufficient to compile, edit, and publish the volumes in a timely manner. Although many hoped *FRUS* would return to its former next-year timeliness after the Great War ended, the delays proved irreversible, permanently altering the character and purposes of the series.

## **On the Precipice, 1906-1914**

In an ironic twist, beginning in 1906, changes in U.S. Government printing policy triggered the initial drift away from the next-year currency of the Contemporaneous *FRUS*. Other federal agencies prepared annual reports for the President and Congress, receiving in return a congressionally-prescribed number of copies without having to expend funds from their own appropriations.<sup>1</sup> The Department of State, however, produced no annual report; *FRUS* constituted the closest equivalent. The Department paid for its own copies, which explains why, over time, a common cost-saving measure involved purchasing fewer *Foreign Relations* volumes than the number allotted by Congress. By the early 1900s, the Department ordered only 500-600 copies of each volume, as little as one-quarter of the number purchased in the post-Civil War era and less than half the number allowed by the statute of 1895 (see [appendix B](#)). Shortages of older volumes had already become problematic; by 1905 the Department could not even provide full series sets for newly-appointed Secretaries of State because “several volumes are no longer procurable anywhere.”<sup>2</sup> Current volumes were in demand as well. The Superintendent of the Senate Document Room did not want his allotment of “only”

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<sup>1</sup> “The usual number” varied depending on the type of publication, and that number might change over time, but Congress usually provided agencies between 1,000 and 2,000 copies of their own annual reports. See also Tyler Dennett, “Office of the Historical Adviser,” p. 295.

<sup>2</sup> “Government Publications at the Disposal of the DEPARTMENT OF STATE, in limited numbers,” Bureau of Rolls and Library, October 23, 1905, NARA, RG 59, Reports of Clerks and Bureau Officers of the Department of State, 1790-1911, M800, Roll 8, pp. 713-714.

150 copies for 90 Senators and their committees reduced,<sup>3</sup> and Secretary of State Elihu Root requested that Congress supply 1,000 copies for Departmental use, but to no avail.<sup>4</sup>

Those appeals appeared in the context of the latest in a long progression of congressional attempts to control printing costs. In March 1905, Congress created a Printing Investigation Commission charged with reducing federal publishing to save money and reduce waste. Before the Commission had even issued its preliminary report a year later, publishing limitation had become a major issue for the executive branch. In January 1906, President Theodore Roosevelt directed agencies to reduce all unnecessary printing of government publications, including, “to prevent the printing of the maximum edition allowed by law, when a smaller edition will suffice.” Shortly thereafter Root created a Department committee that required all future requisitions for printing to be submitted to the Chief Clerk.<sup>5</sup> Yet as late as May 1906, Department officials testified to Congress under the assumption that *FRUS* would remain current.<sup>6</sup>

Crucially, Congress passed an act on June 30, 1906, stipulating that all printing incurred by executive departments could only be charged against their annual publishing allotment.<sup>7</sup> This requirement presented a particular problem for the Department of State, which remained responsible in the early 20th century for certain domestic duties, including publishing laws, joint resolutions, treaties, and certain other congressional documents. Printing obligations for Congress, not paid for by the legislative branch, cut deeply into the Departmental allotment. Moreover, the Department had often used contingency funds designated for the Diplomatic and Consular Services to defray the printing expenses of those bureaus, thereby augmenting the total printing budget. The 1906 law specifically disallowed that practice. Absent additional appropriations from Congress, the Department did not control enough money to meet all its publishing requirements. The relatively expensive *FRUS* took a back seat to mundane but immediate (and less costly) printing needs such as passport books, customs forms, and Departmental letterhead.<sup>8</sup> In both 1906 and 1907, Congress refused Root’s requests to double the

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<sup>3</sup> *Report of Congressional Printing Investigation Commission* (Washington, D.C.: GPO, 1906) 1, October 26, 1905, p. 103.

<sup>4</sup> *Report of Congressional Printing Investigation Commission* (Washington, D.C.: GPO, 1906) 2, Appendix and Preliminary Report, January 1, 1906, pp. 1-4.

<sup>5</sup> These orders are all included in *Rules and Regulations Governing the Department of State*, 59th Cong., 2nd Sess., S. Doc. 359 (Serial 5073), pp. 11-14.

<sup>6</sup> Bureau of Archives and Indexes Acting Chief T. J. Newton, May 5, 1906, House Committee on Appropriations, *House Sundry Civil Appropriation Bill for 1907*, April 10, 1906, p. 1240.

<sup>7</sup> 34 Stat. 697, June 30, 1906, 59th Cong., 1st Sess., Ch. 3914, p. 762. See also records concerning printing and payment issues for the 1906-1910 period in NARA, RG 59, Numerical and Minor Files of the Department of State, 1906-1910, M862, Roll 211, Case 2000, Files 2000/1 through 2000/23.

<sup>8</sup> In the first decade of the 20th century, printing and binding costs for 750-1,000 copies of a *FRUS* volume totaled \$3,500-4,000, which represented roughly 10 percent of the annual Departmental printing appropriation. See the GPO Ledger Books cited in [appendix B](#).

Department's printing appropriation.<sup>9</sup> He did secure urgent deficiency funding in July 1906, including \$3,000 to publish the 1906 *FRUS*, but that allocation did not include any increase in the regular annual printing budget.<sup>10</sup> In subsequent funding cycles, money to publish *FRUS* depended on year-to-year, extra-ordinary appropriations from Congress.<sup>11</sup> Given the heavy pressure to reduce printing costs, the lack of dedicated funding for *FRUS* constituted the principal cause of the series's retreat from its traditional timely publication.

At this precise juncture, *FRUS* production suffered another interruption that proved much more consequential than that of 1898-1901.<sup>12</sup> Compilation of the 1906 *FRUS* documentation proceeded normally until March 1907, when Third Assistant Secretary Huntington Wilson reviewed the manuscript. He wrote to Secretary Root lodging complaints—heard many times before from U.S. diplomats—that *FRUS* shared too much information, too soon, with too many.<sup>13</sup> His specific concern involved ongoing negotiations with the Japanese about intellectual property protection, but he also questioned more generally the value of publishing foreign policy documents so soon after events. Wilson did not oppose transparency in principle, but he wished to reduce significantly its scope and substantially delay revelations until no disadvantage could occur.<sup>14</sup> The Third Assistant Secretary's memorandum generated opposition from both his superiors and the compiling staff. Supporters of the Contemporaneous *FRUS* stressed the value of the series to the daily work of the Department and noted that other governments, especially Great Britain, also published recent foreign policy records. They rejected Wilson's proposals to curtail dramatically the timely release of diplomatic correspondence. To meet his immediate objections, they compromised to the extent of proposing a postponement in publication of the 1906 *FRUS* for a few months.<sup>15</sup> The few

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<sup>9</sup> The Departmental printing budget had recently totaled \$40,000. Root asked for \$100,000, but received \$42,000. Hearings, *Sundry Civil Appropriation Bill for 1908*, 59th Cong., 2nd Sess., House, Committee on Appropriations, January 05, 1907, pp. 839-845.

<sup>10</sup> *Rules and Regulations Governing the Department of State*, 59th Cong., 2nd Sess., S. Doc. 359 (Serial 5073), p. 18.

<sup>11</sup> In a cost-control measure, Congress did not actually disburse printing funds to the Department, but instead deposited an "allotment" into an account at GPO. In essence, the Department received an annual "line of credit" for publishing that could be neither exceeded nor augmented. Moreover, any unexpended credits remaining at the end of the fiscal year did not carry over; those funds automatically reverted to the treasury.

<sup>12</sup> Unless otherwise noted, for all documents cited between March 1907 and May 1909 see NARA, RG 59, Numerical and Minor Files of the Department of State, 1906-1910, M862, Roll 466, Case 5690.

<sup>13</sup> Wilson to Root, March, 11, 1907.

<sup>14</sup> In 1907 Wilson still represented a minority view about longstanding traditions of government openness. Nevertheless, when he ascended to Assistant Secretary between 1909 and 1913, his philosophy may have resulted in less emphasis on *FRUS* production in general and the series's timeliness in particular. There is no record between 1909 and 1913 of Wilson specifically requesting congressional appropriations to catch up on *FRUS* publishing.

<sup>15</sup> Hanna memorandum of April 3, 1907 and covering note to Adee, April 4, 1907; Adee to Bacon, April 4, 1907; Bacon to Adee, April 5, 1907.

surviving Departmental records for this period suggest that a verbal exchange took place on April 5 or 6, 1907, perhaps involving only Adee and Root, at which time Root accepted a delay until the fall of 1907.<sup>16</sup>

A significant miscommunication then occurred. Fourteen months passed until, on June 15, 1908, Root abruptly interrogated his staff: "Why is *Foreign Relations* for 1906 not out yet?"<sup>17</sup> Another personnel change, again involving the Chief Clerk's position, had resulted in confusion about Root's intentions. The distinctions between postponement, suspension, and discontinuation apparently became blurred; the partially compiled volume had never been completed.<sup>18</sup> Secretary Root informed his subordinates, "I never for a moment entertained the idea of the discontinuing of the publication of the volumes of *Foreign Relations*. The volume for 1906 ought to have been published last fall [1907] and I never had any idea of postponing it any further than that. It should be published immediately and the volume for 1907 should be finished as soon as practicable."<sup>19</sup>

This 1907-1908 episode yields several interesting insights. As might be expected in an intra-bureaucratic quarrel, the disputants concentrated on how *FRUS* either facilitated or degraded the conduct of Departmental business. They referred only tangentially to the value of *FRUS* to Congress, the public, and posterity. Root's reaction, however, indicates his awareness of those larger constituencies' interest in transparency.<sup>20</sup> Although none of the participants mentioned the restrictive publication regime imposed by Congress in 1906, perhaps that factor weighed on their minds when contemplating the timing of *FRUS* printing or even the existence of the series itself. We also encounter the first record of the voice of a *FRUS* complier, Margaret Hanna, who lodged the key arguments in favor of continuing the series in a timely manner. Her superiors echoed her comments, and the Secretary of State aligned himself with her position.<sup>21</sup> As subsequent chapters

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<sup>16</sup> Carr to Root, June 15, 1908.

<sup>17</sup> Root to Buck, June 15, 1908.

<sup>18</sup> Carr to Root, June 15, 1908.

<sup>19</sup> Root to Carr, June 15, 1908.

<sup>20</sup> Root felt at least some pressure from legislators; he received a request for the 1906 volume from Congressman Herbert Parsons (Republican, NY) the same week Root became aware of its delay, and in October 1908, Senate Foreign Relations Committee member Henry Cabot Lodge (Republican, MA) queried the status of the 1907 volume on behalf of a constituent. Sayer (for Parsons) to Department, Hanna to Carr, and Carr to Parsons, all on June 18, 1908, all in NARA, RG 59, Numerical and Minor Files of the Department of State, 1906-1910, M862, Reel 883, File 14272; Lodge to Bacon, October 13, 1908, Diplomatic Bureau to Adee, October 15, 1908, and Root to Lodge, October 16, 1908, all in NARA, RG 59, Numerical and Minor files of the Department of State, 1906-1910, M862, Reel 953, File 16134.

<sup>21</sup> For hints of Hanna's competence greater than that of an ordinary secretary or Clerk with regard to the technical aspects of documentary editing, see Hanna to Day, May 7, 1901, LCM, Day Papers, Box 15, General Correspondence 1901, M-O. Hanna's areas of competency included facility in several languages, expertise in international law, deep knowledge of Departmental history and past policies, and administrative-managerial talent. See "Woman Diplomat Holds Esteem Of State Department Officials," *Washington Post*, February 5, 1923, p. 10.

will demonstrate, compilers emerged in the 20th century as a constituency in their own right, intervening at several junctures when they perceived a threat to the integrity of the series.

### The Road Not Taken

Hay's example of quick remedial action in 1900-1901 (see [chapter 4](#)) suggests that a similar application of minimal resources might have returned *FRUS* to currency in relatively short order. The Department produced two volumes for both 1906 and 1907, which added somewhat to the workload. Nevertheless, assigning one or two additional compilers would have accelerated the production process sufficiently to return to near-contemporaneous publication within a year or two.<sup>22</sup> Even given the comparatively small budget of the federal government at the time, a few thousand dollars could have been spared for catching up the printing.<sup>23</sup> There is no evidence to suggest that a policy of withholding information from Congress or the public suddenly materialized in the executive branch. However, instead of returning to its traditional publication schedule by 1910 or 1911, *FRUS* fell further behind.

Printing stringency remained the principal cause of publication delays. The Department received \$42,000 per annum for printing from 1906 through 1909, but after appropriating \$42,000 for 1910, in midyear Congress imposed a 12 percent reduction to \$37,000. The printing appropriation remained at that lower level in 1911, then fell to \$35,000 for 1912 and 1913.<sup>24</sup> Congress moved in 1912-1913 to limit printing costs by reducing the number of depository libraries entitled to free distribution of government documents, and in 1914 cut off funds for annual reports not produced on time.<sup>25</sup> In February 1910, the Government Printing Office imposed

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<sup>22</sup> Knox's testimony suggests that additional personnel may have been assigned, at least part time, to augment the *FRUS* compiling staff as part of the 1909 Departmental reorganization that shifted *FRUS* production to the Division of Information. See *Hearings on expenditures in the State Department*, 61st Cong., 2nd Sess., House, Committee on Expenditures in the State Department, February 09, 1910, p. 2.

<sup>23</sup> By way of comparison, Congress routinely appropriated \$7,000 to publish the report of the American Historical Association, twice the amount necessary to produce a minimal *FRUS* volume print run. At a time when the Department of State publishing allotment never exceeded \$42,000, the annual printing allowances for other federal agencies such as Agriculture, Commerce, Interior, War, and even the Smithsonian Institution ranged from \$100,000 to as much as a half-million dollars. The total federal budget in the decade before the United States entered the Great War rose from \$570 million to in \$713 million. Government Printing Office website, <http://www.gpo.gov/fdsys/search/pagedetails.action?granuleId=&packageId=BUDGET-2011-TAB&fromBrowse=true>, Table 1.1–Summary of Receipts, Outlays, and Surpluses or Deficits (-): 1789-2015.

<sup>24</sup> 34 Stat. 697, Public Law 59-383, Ch. 3914, 59th Cong., 1st Sess., p. 760; 34 Stat. 1295, Public Law 59-253, Ch. 2918, 59th Cong., 2nd Sess., p. 1366; 35 Stat. 317, Public Law 60-141, Ch. 200, 60th Cong., 1st Sess., p. 383; 35 Stat. 945, Public Law 60-328, Ch. 299, 60th Cong., 2nd Sess., p. 1022; 36 Stat. 703, Public Law, 61-266, Ch. 384, 61st Cong., 2nd Sess., p. 768; 36 Stat. 1446, Public Law 61-525, Ch. 285, 61st Cong., 3rd Sess., 1446; 37 Stat. 417, Public Law 62-302, Ch. 355, 62nd Cong., 2nd Sess., p. 481; 38 Stat. 4, Public Law 63-3, Ch. 3, 63rd Cong., 1st Sess., p. 68.

<sup>25</sup> *Revision of Printing Laws*, 64th Cong., 1st Sess., S. Rpt. 183 (Serial 6897), pp. 83-84, 126-128ff.

upon the Department a change in printing charges that increased costs by a crippling 30 percent.<sup>26</sup> The Department continued to expend money on purchasing additional copies of necessary government documents to supplement the meager allocations paid for out of congressional printing funds.<sup>27</sup> After the 1910 midyear reduction, Secretary of State Frank Knox pleaded with the Senate Appropriations Committee to restore the funding, because otherwise the Department could not afford to publish *FRUS*. He described *Foreign Relations* as “a public need” and “not only of historical interest but of incalculable convenience as a book of reference, and one much sought for by the public libraries of this country.”<sup>28</sup> The \$2,000 reduction in 1912 forced the Department to impose “the most rigid economy,” banning any printing “not absolutely necessary.”<sup>29</sup> As a result, by 1914 the series was five years in arrears. In May, Department officials requested an additional \$10,000 to catch up. Although the 1909 volume had languished for some time at the GPO with the 1910 volume soon to follow, Congress did not provide any additional printing money.<sup>30</sup>

Nevertheless, even in 1914, it is entirely conceivable that the series could have returned to its traditional next-year currency in relatively short order. Interagency and foreign government clearances presented negligible problems, all key constituencies maintained that *FRUS* should be published soon after events, and a very small application of federal resources for staff and printing could have resolved the time lag fairly quickly. Most importantly, transparency remained the normative expectation of all parties, as had been the case for over a century. The executive and legislative branches together exercised a responsibility to inform the public about what the government did in the name of the people, with minimal delay and allowing very few exceptions to preserve national security.<sup>31</sup>

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<sup>26</sup> Public Printer to Secretary of State, February 18, 1910, NARA, RG 59, Department of State Central Decimal File (henceforth CDF followed by the appropriate chronological range) 1910-1929, 119.4 (Case 2000/24).

<sup>27</sup> Huntington Wilson to Smoot, March 8, 1910, NARA, RG 59, CDF 1910-1929, 119.4 (Case 2000/25).

<sup>28</sup> Knox to Eugene Hale, February 28, 1911, NARA, RG 59, CDF 1910-1929, 119.4/33A.

<sup>29</sup> William McNeir to all Bureau and Division heads, January 23, 1913, NARA, RG 59, CDF 1910-1929, 119.4/38.

<sup>30</sup> Hearings, *Sundry Civil Bill, 1915*, 63rd Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, February 28, 1914, pp. 1608-1609.

<sup>31</sup> After decades of careful attention to the timely transmittal of foreign policy documents, it is not clear why Congress appeared less interested in continuing that practice after the turn of the 20th century. House Members and Senators may have felt sufficiently informed by other means such as executive branch officials appearing more frequently before the increasing number of committees created by Congress, journalistic coverage of very recent events transmitted quickly via telegraphy and newspapers, and new inter-governmental efforts to disseminate information. For example, beginning in 1891, the International Union of American Republics created a Bureau of American Republics (a predecessor to the Organization of American States) that began publishing a variety of reports and bulletins on commercial affairs, social conditions, and legal matters throughout the western hemisphere. The Department of State played a major role in launching and supporting this initiative (See *International Union of American Republics* [Washington, D.C.: Bureau of American Republics, 1901]). It may also be the case that the Congress acquiesced in early 20th century presidents' accretion of more power to the executive branch, including message control.

## Casualty of War

In retrospect, it is clear that the guns of August 1914 announced the death knell for the original American transparency regime exemplified by rapid release of substantial foreign policy documentation. Long before formal American entry into the Great War in April 1917, pressing issues at every turn overwhelmed an under-resourced Department of State. Protecting American citizens, property, and interests in a world aflame, representing belligerent powers' interests in other belligerents' capitals, maneuvering to maintain American neutrality amidst multiple violations, promoting peace initiatives in faint hope of ending the bloodshed, intervening south of the border to quell instability in Mexico, managing the increasing difficulties of global creditor-nation status, and simply responding to the vastly increased correspondence accompanying a host of problematic international issues besieged the comparatively small, under-funded diplomatic service of the United States.<sup>32</sup>

Regardless of the external circumstances, inadequate printing appropriations remained a key factor retarding the series's progress. Department officials repeatedly appealed for more funding, specifically requesting money to publish *FRUS*, but they met with no success. Compilation continued amid all the war work, but when completed, manuscripts gathered dust at the press for want of allocations to print. In December 1916, the Senate Committee on Printing informed federal agencies that because the cost of paper had "enormously increased," it had become necessary to conserve remaining printing stock by temporarily suspending or permanently abolishing any nonessential publications. Secretary of State Robert Lansing replied that *FRUS* was the only "publication issued regularly," and that "Because of the greatly increased volume of the work of the Department compilation of *Foreign Relations* has been unavoidably delayed."<sup>33</sup> Lansing gave no hint that he considered

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<sup>32</sup> In 1910, even when including a one-time supplemental appropriation of \$100,000, the Department of State budget totaled \$377,000. That same year Great Britain spent \$424,000 and Germany \$607,000 on their respective foreign ministries. *Legislative, Executive, and Judicial Appropriation Bill for 1911*, 61st Cong., 2nd Sess., House, Committee on Appropriations, Subcommittee on Legislative, Executive, and Judicial Appropriations, January 17, 1910, pp. 65-82 (statistics from pp. 75-76). See also the 1906 comparisons of Austria-Hungary, France, Germany, Great Britain, Italy, and the United States in the table entitled "Comparative Statement of Cost of Foreign Offices" in the draft document "The Organization and Work of the Department of State: Origin and Evolution Down to 1909," NARA, RG 59, Reports of Clerks and Bureau Officers of the Department of State, 1790-1911, M800, Roll 8, Vol. 2, pp. 31ff. With the onset of war, Department officers stated that the workload increased 400 percent, and the staff increased by at least 150 new employees within a few weeks. For the increase in Departmental workload beginning in August 1914, see Elmer Plischke, *U.S. Department of State: A Reference History* (Westport, Ct.: Greenwood Press, 1991), pp. 287-290. See also "The State Department in War Time," address by Breckinridge Long to the Maryland Bar Association, June 28, 1918, NARA, RG 59, Records of the Foreign Permits Office, File XV-A: Addresses.

<sup>33</sup> Senate Committee on Printing Chair William E. Chilton to Lansing, December 22, 1916, and Lansing to Chilton, January 5, 1917, both in NARA, RG 59, CDF 1910-1929, 119.4/62. This problem did not abate at war's end, to the extent of attempts to impose limits on the use of footnotes in government publications. See Joint Committee on Printing Chair Senator Reed Smoot to Polk, February 16, 1920 and Polk to Smoot, March 3, 1920, both in NARA, RG 59, CDF 1910-1929, 119.4/82; Public Printer to Polk, March 8, 1920, Polk to Public Printer, March 15, 1920, both in NARA, RG 59,

*FRUS* nonessential, or that the series should even be suspended until conditions improved.<sup>34</sup> Congress approved no increase in the Department's printing budget, which held steady at \$40,000 from 1914 through 1919, despite a massive surge in overall federal spending.<sup>35</sup>

Department employees nevertheless remained committed to producing the series as they scrambled to address immediate issues and struggled with funding shortages. Although no documents that shed direct light on *FRUS* production during this period survive, it seems evident that Department managers deemphasized somewhat the timely compilation of *Foreign Relations*. Why devote precious staff time to compiling, as quickly as possible, volumes likely to languish for lack of publishing funds? Nevertheless, given the circumstances, the Department maintained a respectable effort. The 1909 volume was already at the printers in 1914 and the 1910 volume went to press in 1915. The 1911 *FRUS* was not delivered to GPO until 1917 or 1918 and the 1912 volume went to press in 1918 or 1919. The final prewar *FRUS* covering 1913 was delivered to the printers in 1920.<sup>36</sup> The very gradual increase in compilation time and even publication dates suggests a good-faith effort to honor—insofar as possible—traditional *FRUS* practices. Despite a world war, the

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CDF 1910-1929, 119.4/76; Smoot to Polk, June 15, 1920 and Acting Secretary Norman Davis to Smoot, June 25, 1920, both in NARA, RG 59, CDF 1910-1929, 119.4/80; Carr to Treasury Department Budget Bureau Director Charles Dawes, September 30, 1920, NARA, RG 59, CDF 1910-1929, 119.4/91.

<sup>34</sup> The Secretary appreciated the value of *Foreign Relations* from his substantial previous experience as an arbitrator of international disputes; he procured a full set of the series for the U.S. Government's specialized arbitration law library, even though some volumes were "hard to get." See statement of Marshall Morgan, *Diplomatic and Consular Appropriation Bill* (Part 3), 65th Cong., 2nd Sess., House, Committee on Foreign Affairs, January 21, 1918, p. 94 and Department of State, Office of the Historian website, <http://history.state.gov/departmenthistory/people/lansing-robert>.

<sup>35</sup> 38 Stat. 609, Public Law 63-161, Ch. 223, 63rd Cong. 2nd Sess., p. 672; 38 Stat. 822, Public Law 63-263, Ch. 75, 63rd Cong., 3rd Sess., p. 880; 39 Stat. 262, Public Law 64-132, Ch. 209, 64th Cong., 1st Sess., p. 330; 40 Stat. 105, Public Law 65-21, Ch. 27, 65th Cong., 1st Sess. p. 174; 40 Stat. 634, Public Law 65-181, Ch. 113, 65th Cong., 2nd Sess., p. 700; 41 Stat. 163, Public Law 66-21, Ch. 24, 66th Cong., 1st Sess., p. 228. Total federal outlays rose from \$725 million in 1914 to a peak of in \$6.65 billion in 1920. Government Printing Office website, <http://www.gpo.gov/fdsys/search/pagedetails.action?granuleId=&packageId=BUDGET-2011-TAB&fromBrowse=true>, Table 1.1—Summary of Receipts, Outlays, and Surpluses or Deficits (-): 1789-2015.

<sup>36</sup> *Sundry Civil Bill, 1915*, 63rd Cong., 2nd Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (February 28, 1914), Tonner statement of May 6, 1914, pp. 1608-1609; *Sundry Civil Bill, 1916*, 63rd Cong., 3rd Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (December 16, 1914), Tonner statement of January 26, 1915, pp. 897-898; *Sundry Civil Bill, 1917*, 64th Cong., 1st Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (February 2, 1916), Tonner statement of April 7, 1916, pp. 1311-1312; *Sundry Civil Bill, 1918*, 64th Cong., 2nd Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (January 5, 1917), Tonner statement of February 17, 1917, p. 1285. Apparently the press of events after U.S. entry into the war precluded any further *FRUS* appropriations requests until some time after the hostilities ceased. The next funding request specifically mentioning *FRUS* appears to be: *Sundry Civil Bill, 1921*, 66th Cong., 2nd Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (January 7, 1920), Tonner statement of March 30, 1920, p. 2258.

Department somehow marshaled sufficient personnel and money to keep the series only 7 or 8 years from currency in 1920.

Most importantly, congressional parsimony and wartime exigency generated indirect but nevertheless corrosive effects on the value ascribed to *FRUS* timeliness. Normative expectations about the optimal distance between events and *FRUS* release began to extend beyond the traditional next-year target. Even before World War I started, Department officials were engaging in a discourse that subtly surrendered to deadline extensions. In May 1914, Rolls and Library Division Chief John Tonner characterized the series as “usually about two years behind.” In arguing for more printing money he stated, “at times it gets several years behind.” With proper funding the Department “can get it up nearer than two years usually.” House Appropriations Subcommittee Chair John Fitzgerald (Democrat, NY) asked, “is it not the policy to have it a little behind?” to which Tonner replied, “yes, in order to determine what should go in and to get prints of some things we have to have.”<sup>37</sup> In 1915, when the series had fallen five years behind the traditional release schedule, the following revealing exchange took place:

The CHAIRMAN. How soon is the publication supposed to be out?

Mr. TONNER. They are always a couple of years behind. We can not very well bring them up to date on account of collating the material. A lot of the material could be printed in two years, but probably they would not want to print it just at the present time, and therefore we are always about two years behind. We aim to catch up next year.

Mr. MONDELL. Is their value not largely decreased by the fact that they are not printed until so long after the events occur?

Mr. TONNER. No; I think not. They are a matter of permanent record. They date back from the very beginning of the government.

Mr. MONDELL. Is there some policy in the matter of delay?

Mr. TONNER. It is the difficulty of collating the material, of course and there is some material that could go in 18 months after something transpired that they possibly would not want to put in just at the time.

Mr. MONDELL. That is what I had in mind. It is a matter of policy not to publish the book too soon?

Mr. TONNER. Yes; and we have never been what you might call up to date with it.<sup>38</sup>

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<sup>37</sup> *Sundry Civil Bill, 1915*, 63rd Cong., 2nd Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (February 28, 1914), Tonner statement of May 6, 1914, pp. 1609-1610.

<sup>38</sup> *Sundry Civil Bill, 1916*, 63rd Cong., 3rd Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (December 16, 1914), Tonner statement of

In 1916 Tonner retreated even further:

Mr. TONNER. ... We are always a few years behind on *Foreign Relations*.

Mr. MONDEL. Is it necessary to be that far behind in printing a document of this sort?

Mr. TONNER. I do not know that it is necessary; but you see there are many papers that can not be published until after a certain time.

Mr. MONDELL. It gets to be ancient history before it is printed?

Mr. TONNER. The trouble is there is some material that we do not want printed.

Mr. MONDELL. You want it to be ancient history before it is printed?

Mr. TONNER. Yes; in some respects, I suppose. Some of it for the time being is confidential, but does not remain confidential after a period of a few years.

The CHAIRMAN. And you do not publish these volumes until sufficient time has elapsed so that the information can be published?

Mr. TONNER. Yes. Of course, everything for that year is not published, and it only includes such material as can be published. You can not always determine within the year what is to be published.

Mr. BORLAND. Then it does not matter particularly if you are another year behind.

Mr. TONNER. No; it will not make much difference except to the people interested in the publication. The department tries to keep it up and we would have printed the 1911 volume if it had not been for the war. Some years ago we were up to within two years of the time.

Mr. BORLAND. There was nothing very critical in 1911 that you could not publish now?

Mr. TONNER. No; but the war has prevented the people who are engaged on the work putting their time on it.<sup>39</sup>

Those exchanges signaled, ever so subtly, that both the Department and Congress would contemplate retreat from the traditional Contemporaneous *FRUS* deadline that prescribed volumes should appear the year after the events covered.

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January 26, 1915, p. 898. Frank Wheeler Mondell (Republican, WY) was a member of the committee.

<sup>39</sup> Sundry Civil Bill, 1917, 64th Cong., 1st Sess., House, Committee on Appropriations, Subcommittee on Sundry Civil Appropriations (February 2, 1916), Tonner statement of April 7, 1916, p. 1312. William Patterson Borland (Democrat, MO) was a member of the committee.

## Paradigm Shift

Beginning in the 1920s, Department officials gradually conceded in open testimony that practical impossibilities precluded a return to traditional next-year *FRUS* timeliness. There were too many volumes to be compiled, requiring research encompassing a rapidly multiplying body of records, with increasing pressure to secure dispensation before publishing foreign government information. In 1922 Publications Chief Gaillard Hunt denounced the lag as “deplorable,” but admitted that the best he could hope for would be to reach a three-year line.<sup>40</sup> In 1926, the first professional historian hired by the Department to direct *FRUS* operations, Tyler Dennett, stated that even in the unlikely event he received sufficient resources to produce all of the 17 volumes then in arrears, such an achievement would still only bring the series up to a four-year line.<sup>41</sup> By the mid-1930s, a 15-year delay had become the normative expectation.<sup>42</sup> By the mid-1950s, the lag had increased to almost 20 years. In 1958, Assistant Secretary of State for Public Affairs Andrew Berding testified that the series would “never get up to date.” His congressional interlocutors did not protest. By then the slow retreat of timeliness expectations, coupled with the complications of producing a credible record of U.S. foreign policy, had lodged the series firmly in the past. Yet the value of government accountability and openness nevertheless remained universally accepted; however difficult to achieve and tardy in execution, both elected and appointed officials acknowledged they had a duty to “get these volumes published.”<sup>43</sup>

## Echoes of the Past

Despite the increasingly insurmountable obstacles to rapid publication that had become apparent by the 1920s, the appeal of the Contemporaneous *FRUS* lingered for a generation. Exchanges between Department officials and Members of Congress throughout the 1920s acknowledged that the series ought to “catch up.”<sup>44</sup>

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<sup>40</sup> Hearings, *Departments of State and Justice Appropriations Bill for 1923*, 67th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, February 25, 1922, pp. 94-104 (quote from p. 94).

<sup>41</sup> Hearings, *Appropriations for Department of State for 1927*, 69th Cong., 1st Sess., House, Subcommittee of House Committee on Appropriations, January 12, 1926, pp. 38-40.

<sup>42</sup> Hearings, *Departments of State, Justice, Commerce, and Labor Appropriations Bill for 1937*, 74th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, February 4, 1936, pp. 60-61.

<sup>43</sup> Hearings, *Departments of State and Justice, the Judiciary, and Related Agencies, Appropriations Bill for 1959*, 85th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, February 6, 1958, pp. 411-412.

<sup>44</sup> See, *inter alia*, Hearings, *Sundry Civil Appropriation Bill, 1921*, 66th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, March 30, 1920, pp. 2257-2259; Hearings, *Sundry Civil Appropriation Bill, 1922*, 66th Cong., 3rd Sess., House, Subcommittee of House Committee on Appropriations, December 18, 1920, pp. 1864-1866; Hearings, *State Department Appropriation Bill, 1928*, 69th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, December 13, 1926, pp. 16-25; *Second Deficiency Appropriation Bill, 1928*, 70th Cong., 1st Sess., Senate, Subcommittee of Senate Committee on Appropriations, May 21, 1928, pp. 53-54; Hearings, *State*

All recognized that the publication remained valuable for Departmental operations, and that informed public debate about world affairs required rapid dissemination of as much information as possible. Academic organizations began to lobby for faster release to facilitate teaching about important international issues. Continued delays risked the impression that the government was suppressing information, a clear threat to the credibility that underlay support for democratic institutions. Both executive branch officials and elected representatives noted that Congress would benefit from more timely volumes. As late as 1928, 20 years after *FRUS* fell away from currency, House member William Oliver (Democrat, AL) admitted his own body “may have been negligent” by allowing the series to fall so far in arrears, and that “it would be a mistake not to provide funds to correct the mistakes of the past.” He advocated allocating sufficient appropriations “to see that we will not have to correct such mistakes in the future—that is to say this information should be kept current.”<sup>45</sup>

The most insistent voice advocating a return to the openness regime of the series’s first half-century was John Bassett Moore, who, appropriately, held the title of Hamilton Fish Professor of International Law and Diplomacy at Columbia University. A highly-respected figure who remained active into his mid-eighties, Moore never surrendered to the inevitability of the 15-year lag that became the commonly-accepted standard during the interwar period. Until illness forced his retirement from the national stage in 1944, Moore harangued Department officials, lobbied colleagues, published about his concerns,<sup>46</sup> and hectoring Congress at crucial junctures to arrest further publication delays. Several excerpts from his pithy missives are reproduced here because they powerfully exemplify the worldview that undergirded the original conception of the role *FRUS* should play in the nation’s civic affairs. Moore’s words will serve as a summary testament, illustrating the *mentalite* that suffused the Contemporaneous *FRUS*.

I not only disbelieve the policy of secrecy, but I believe it to be unnecessary. This belief is based upon the fact that down to a comparative recent time we never permitted ourselves to be fettered in this respect. Prior to a recent time we published our diplomatic correspondence without asking anybody’s leave. We could do it again if we would only release ourselves from nervous apprehensions of what others might say or do, reinforced by apprehensions that we might be exposed in doing what we ought not do. Secrecy in diplomacy is an evil, and it is an unnecessary evil so far as I am concerned.<sup>47</sup>

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*Department Appropriation Bill: 1930*, 70th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, November 20-21, 1928, pp. 9-12, 58-67, 84, 203-221.

<sup>45</sup> Hearings, *State Department Appropriation Bill: 1930*, 70th Cong., 2nd Sess., House, Subcommittee of House Committee on Appropriations, November 20-21, 1928, p. 11.

<sup>46</sup> “The Dictatorial Drift,” *Virginia Law Review* 23, no. 8 (June 1937), pp. 863-879.

<sup>47</sup> Moore to Wynne, October 6, 1933, LCM, Moore Papers, Box 66, Wynne, Edward C, 1933.

I believe not only that peoples are entitled to know what their rulers do but also that there is no reason why they should not know.<sup>48</sup>

From the moment when a government begins to conceal what it is doing it becomes a slave to other governments and enslaves its own people.<sup>49</sup>

It is ridiculous to prate of democracy, and then to keep the people in the dark as to the things to which you are committing them.<sup>50</sup>

There may be doubts as to what a 'world power' is, but there can be no doubt that the capacity to make and keep secrets is a prime qualification. I have heretofore had the hardihood, which I deemed to be rather patriotic than otherwise, to maintain that we were, from the very beginning a world power. But I am obliged to confess that when I used that term, I was not thinking of the capacity to make and keep secrets as the price of qualification. I indulged in the idyllic impression that the people had the right to know what their government was doing.<sup>51</sup>

The falling behind of the publication of the Foreign Relations, whenever I think of it, always causes me to recall some of Hogarth's drawings, such as 'rake's progress,' which in turn recall the Latin proverb, Facilis descensus Averno.<sup>52</sup>

Nothing could more clearly exemplify our descent into the nether regions of dictatorial and irresponsible government than the progressive suppression in recent years of the publication of our diplomatic correspondence . . . . Evidently the task of making the world 'safe for democracy' entails a trust in the intelligence, good faith, and freedom from personal ambition of a nation's rulers similar to that which exists under an avowedly totalitarian form. Shakespeare said that 'a rose by any other name would smell as sweet.' The test thus laid down evidently is applicable to things other than roses, including politics, domestic and foreign, whether bitter or sweet."<sup>53</sup>

In the new and sublime era in which we have, since the end of the so-called World War and the Versailles Treaty, been living, there appears to

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<sup>48</sup> Moore to Wynne, October 10, 1933, LCM, Moore Papers, Box 66, Wynne, Edward C., 1933.

<sup>49</sup> Moore to Wynne, December 26, 1936, LCM, Moore Papers, Box 71, Wynne, Edward C., 1936.

<sup>50</sup> Moore to Wynne, January 15, 1937, LCM, Moore Papers, Box 74, Wynne, Cyril E., 1937.

<sup>51</sup> Moore to Spaulding, August 7, 1941, LCM, Moore Papers, Box 81, Spaulding Wilder E., 1941.

<sup>52</sup> Moore to Spaulding, April 10, 1942, LCM, Moore Papers, Box 164, State Department, General, 1896-1942.

<sup>53</sup> Moore to Senator John Danaher, May 19, 1942, LCM, Moore Papers, Box 164, State Department, General, 1896-1942.

have existed among the partners in the governmental Trust for Freedom and Democracy, Limited, an understanding that no partner should publish its correspondence with another without the general consent. The light having thus been put out, we are left to pray for the coming of a deliverer who will restore to the people their birthright.<sup>54</sup>

### **The End of the Ancien Regime**

Once slippage from the near-contemporaneous publication expectations of 19th and early 20th centuries became normative, the slide into accepting ever-longer delays in timeliness proved irreversible. The “deadline creep” that became a permanent feature of the *Foreign Relations* series by the 1920s created legacies that reverberate into the 21st century.

To justify continued funding, the Department had to moderate claims that the volumes *must* be published within a fixed time frame. If the principal value of the series depended on timely transmittal of information to Congress, a five- or ten-year lag called into question whether the volumes merited publication at all. As a practical matter, little documentation concerning U.S. diplomatic activity about the war could be published during the hostilities in any case. A minority of the diplomatic corps had never much liked the series anyway, and would have been glad to see the volumes deferred if not eliminated altogether. As a justification for delayed release, both security guardians and transparency advocates emphasized the value of comprehensive coverage. The advantage to less timely publication, at least in theory, resided in the inclusion of material deemed too sensitive to reveal at a remove of only six months or one year. The 19th century executive-legislative bargain that privileged near-contemporaneous release in order to facilitate accountability shifted by the 1920s in favor of more comprehensive coverage at the expense of timeliness. To some extent, this constituted an expedient maneuver; it appeared that, at least in the immediate postwar period, the volumes would continue to fall short of the traditional next-year schedule in any case. Yet accepting not only the fact of, but the *value of*, delayed publication presented a host of new issues.

However appealing the prospect of trading timeliness for comprehensive coverage might appear in the abstract, attempting to realize either objective presented wholly unprecedented challenges in the postwar era. First, by 1920, the series was already seven or eight years behind in production of the “regular” annual volumes. To close the gap would require a considerable infusion of human and capital resources. Moreover, the “regular” 1914-1918 volumes included little documentation about U.S. actions with regard to the war. Certain types of sensitive material had traditionally been excised from *FRUS*, but since the inception of the series, the only formal hostilities involving the United States had been the “splendid

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<sup>54</sup> Draft document entitled “Publication of Diplomatic Correspondence By The United States,” undated (written between 1940 and 1945), LCM, Moore Papers, Box 216, Autobiography, 1937-1945.

little war" of 1898. That contest spanned less than eight months from first shot to peace accord, but it nevertheless took the Department two extra years to digest that material and get the series back on schedule. The documentation detailing U.S. involvement in the war of 1914-1918, which had been withheld from immediate publication with little complaint from Congress or public, dwarfed by several orders of magnitude anything in the series's previous history. Many supplemental volumes would be required to chronicle that story, as well as the sprawling and controversial postwar negotiations of 1919. Even if the government committed very significant personnel assets and printing funds to such a project, the compiling and editing alone would require many years to complete. And finally, that multitude of war-era American documents necessarily included significant exchanges with foreign governments, often about highly-sensitive topics. Desirous of international and bilateral cooperation on multiple fronts in the postwar period, U.S. officials ascribed greater importance to other nations' reservations about what the Department of State published. The postwar production process for *FRUS* volumes took account of foreign equities in unprecedented measure, which both slowed the clearance process and limited the series's capacity to offer truly comprehensive coverage.

In the post-World War I era, the key dilemma facing both producers and consumers of *Foreign Relations* involved the very nature of the series: when is "the past" *safe* to reveal? That question highlighted several crucial definitional and decisional dilemmas. What criteria should be used to make release decisions? What is the appropriate amount of time that should elapse between events and the publication of documents? When can a particular issue be considered closed, and therefore suitable to divulge? Should some information *never* be revealed? Most importantly, who should decide these questions, and should there be any mechanism for appeal?

Ultimately, all those questions boiled down to the issue of deadlines. Although postwar complaints from many quarters decried the lateness of the series with rhetoric expressing the desire to "catch up," or the need to "get closer to the present," no consensus emerged about whether the appropriate time of release should be three years, or five, or ten. Soon the discussion extended normative expectations to twelve or fifteen years. Moore's remonstrations notwithstanding, over time fewer and fewer talked about the possibility or—importantly—the *desirability* of returning to a six month norm, which had remained the mainstream expectation (in principle if not in recent practice) until at least 1914.

A decade of publication delays reduced the immediacy of *FRUS*, causing the primary audience for *Foreign Relations* to begin a shift away from Congress and toward professional academics. *FRUS* never again served as a contemporaneous aid to congressional decision making because the volumes' publication dates quickly receded to ten, and then fifteen years behind currency. The press often paid less attention to the appearance of new volumes since they no longer produced timely revelations about foreign policy. Over time, historians, teachers of international law, political scientists, and a variety of other academic constituencies expressed

increasing interest in the continued publication of *Foreign Relations*, and they also lobbied for as timely production as feasible. Nevertheless, the rationale for the series's existence shifted from an immediate public accountability tool to a longer-term investment in presenting a comprehensive account of past actions.

Although a certain amount of counterfactual extrapolation is required, it is possible to envisage alternative paths that illustrate the profound repercussions of this retreat from currency. Had the series been up to date, the 1913 volume would have been released before the war started in August 1914. Owing to wartime exigencies and postwar complications, the series would likely still have retreated from the next-year standard, probably permanently. Postwar discussions about appropriate timeliness, however, might have focused on getting the series back to a reasonably contemporaneous three- or five-year line rather than the fifteen years that quickly became the norm. In succeeding decades it is likely that the series would have lagged more, but if the "baseline" for further recession had started at 5 or 10 rather than 15 years, transparency expectations today might dictate publication at a 20- or 25-year line rather than the current 30 years. Although one might assume that, regardless of other considerations, the security concerns of the Cold War era would have necessitated extension to a 30-year line, Presidents John F. Kennedy and Richard Nixon did not think so. Kennedy directed the series to be published at a 15-year line, and Nixon ordered a 20-year production schedule. Only in 1985, near the end of the Cold War (as it turned out) did President Reagan accede to a 30-year timetable. Moreover, the production of *Foreign Relations* volumes directly affected Department policy about when archival material would be made available to the public. The Department of State example affected overall expectations about when the U.S. government should open archival records. At an international level, the publication of *FRUS* and American archival openness practices had a significant impact on transparency norms. The U.S. retreat from near-currency enabled some governments to impose longer intervals before documents including non-U.S. equities could be printed in *FRUS*, which, in turn, affected policies governing when those nations should release their own foreign policy documentation. Some other democratic governments concluded, over time, that they must make their own records more available. Had *FRUS* been publishing on a schedule five or ten years closer to the present than was actually the case, those governments might have been inclined to implement more liberal policies as well. It is conceivable to posit that a more timely *Foreign Relations* series could have produced greater transparency expectations for governments and peoples outside the United States.<sup>55</sup>

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<sup>55</sup> Greg Donaghy, "Documenting the Diplomats: The Origins and Evolution of 'Documents on Canadian External Relations,'" *The Public Historian* 25, no. 1 (Winter 2003), pp. 9-29; Dale to Gleason, December 22, 1965 and Franklin to Dale, January 6, 1966, both in NARA, RG 59, Central Foreign Policy File 1964-1966 (henceforth CFPF followed by the appropriate chronological range), POL 15-4 ISR; U.S. Embassy Mexico to Department of State, June 13, 1966 and Franklin to U.S. Embassy Mexico, June 22, 1966, both in NARA, RG 59, CFPF 1964-1966, PR 10 Foreign Relations of the U.S.; C. P. Stacey, "Some Pros and Cons of the Access Problem," *International Journal*, Vol. 20, No. 1, Winter, 1964/1965, pp. 45-53; D.C. Watt, "Restrictions on Research: The Fifty-Year Rule and British Foreign

Since its inception in 1861, there had never been any hard-and-fast rules about *Foreign Relations*. Congress did not impose a deadline for the appearance of volumes, nor did the President ever promise to deliver by a date certain. A powerful expectation arose that (absent extraordinary circumstances) the volumes should be published within six months after the year chronicled, and both branches of government adhered to that norm without recourse to law, executive order, or Departmental edict. Nor were any explicit criteria for withholding promulgated, though a general consensus maintained about what material should not be released. William Hunter and Alvey Adee provided the Department's institutional knowledge for these norms and practices, spanning the entire era from William Seward to Calvin Coolidge. The Contemporaneous *FRUS* of 1861-1905 took little account of whether the volumes inconvenienced foreign governments, American diplomats, or U.S. Presidents. That original concept died at almost the same moment Alvey Adee collapsed in 1924, still on the active roster of Departmental officers. As if to symbolize the change, the position of Second Assistant Secretary of State expired with him. Within a year, Secretary of State Frank Kellogg promulgated formal principles devised by a professional historian for the editing of the *Foreign Relations* series. His 1925 charter for the 20th century *FRUS* series drew upon his forebears' tradition to steer a new course in a much-altered world.

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Policy," *International Affairs* (Royal Institute of International Affairs), Vol. 41, No. 1, January 1965, pp. 89-95; Herbert G. Nicholas, "The Public Records: The Historian, the National Interest and Official Policy," *Journal of the Society of Archivists*, Vol. 3, No. 1, 1965, pp. 1-6; "First World War British Archives Still Not Open," *The Times* (London), September 18, 1965; File L S 17/12 concerning complaints to the Prime Minister about the 50-year rule, May-September 1963, UKNA, FO 370/2724; Butler to The Librarian (of the Foreign Office) November 21, 1963, UKNA, FO 370/2725; Trend to Hardman, May 28, 1964; Hardman to Trend, June 4, 1964; Trend to Coldstream and accompanying documents, June 5, 1964; Garner to Trend, August 5, 1964; Heaton to Establishment Officer, October 19, 1964, all in UKNA, FO 370/2771; Butler, "Progress Report of the Historical Adviser," May 10, 1965 and accompanying minutes, UKNA, FCO 12/56; "The Timing and Method of Release of the Records of the 1939-1945 War," Cabinet Paper C(69) 102, July 25, 1969, UKNA, FCO 12/65; Child to Cheeseman, October 13, 1970; Harcombe minute of September 30, 1969; Palliser to Brimelow, December 23, 1969; Butler minutes of January 1 and 8, 1970; Wiggin minute of January 12, 1970, all in UKNA, FCO 12/78; Mellor to Dixon, September 18, 1971 and Butler minute October 20, 1971, both in UKNA, FCO 12/105; Cheeseman to Rose, October 13, 1971; Rose to Chief Clerk and enclosure, June 22, 1971; "Future Publication of Documents on British Foreign Policy," April 6, 1971, all in UKNA, FCO 12/115; "Publication of Official Documents on British Policy Overseas," Cabinet, Defence and Overseas Policy Committee, DOP (72) 17, April 17, 1972, UKNA, FCO 12/140.

## Part II: Negotiating Responsible Historical Transparency, 1920s to Early 2000s

### Chapter 6: “The Necessary Limitations Upon Open Diplomacy,” 1920-1945

Joshua Botts

Between 1920 and 1945, the *Foreign Relations* series left its 19th century roots behind as it experienced profound transformations in purpose, production, clearance procedures, and audiences. In 1925, within months of the Department of State’s recruitment of a professionally trained historian to take charge of its publications program, Secretary of State Frank B. Kellogg approved the first formal editorial guidelines for *FRUS*. Kellogg’s order mandated historical “objectivity,” as derived from emerging scholarly best practices, and served as the charter for the series (with minor revisions) until 1991. Despite this high-level endorsement for *Foreign Relations*, unprecedented clearance problems, both within the U.S. Government and with other countries, resulted in steadily mounting delays and, occasionally, significant excisions in published volumes. During the 1930s, political controversies over the outbreak and legacies of World War I heightened foreign government anxieties about releasing potentially sensitive historical information. World War II exacerbated those difficulties. Counterpoised against this impulse for secrecy, professional academic organizations lobbied for timelier publication and more comprehensive documentation. Although *FRUS* continued to garner occasional congressional and media attention, during the 1930s and 1940s, scholars established themselves as the primary direct consumers of the series. By the end of World War II, the *Foreign Relations* series had evolved to become an instrument of responsible historical transparency.

Before *FRUS* could evolve, it had to survive the loss of its 19th century utility. In the aftermath of the First World War, Department of State officials assessed the *Foreign Relations* series. Over the previous decade, the publication of *FRUS* had moved farther away from the events it documented. Resource limitations aggravated the mounting *FRUS* lag that began in the first decade of the 20th century.<sup>1</sup> Between 1909 and 1930, the line between coverage and publication grew from 3 years to 12 years. This gap between the creation and the release of documents became permanent; with only a few notable exceptions, no *FRUS* volumes produced after

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<sup>1</sup> H[arry] G D[wight] to [Edwin C.] Wilson and [J. Butler] Wright, June 4, 1924, NARA, RG 59, CDF 1910-1929, 111.324/44 and Charles E. Hughes to Samuel M. Ralston, December 12, 1924, NARA, RG 59, CDF 1910-1929, 111.324/17.

1933 included documentation less than 15 years old.<sup>2</sup> The growing publication lag meant that *FRUS* lost much of its value for Congress and other government officials who wanted to mobilize public support for (or opposition to) current policies. At the same time, the traditional scope of the series left new constituencies, primarily the academic community, unsatisfied with meager coverage of the decisionmaking process in Washington. At this critical juncture, when *FRUS* had grown too late to fulfill its 19th century function, the continuation of the series remained in doubt. As late as 1924, the Department officer responsible for the series reminded his superiors that he had “not yet been informed whether *Foreign Relations* ... is to be continued.”<sup>3</sup>

*FRUS* survived the 1920s because it evolved. To be sure, memory of its 19th century mission helped sustain the series during this transitional period. High-ranking officials noted that *FRUS* helped U.S. diplomats perform their operational duties. Assistant Secretary of State John V.A. MacMurray, for example, drew upon nearly two decades of service at diplomatic posts and stints in the Department’s geographic divisions to explain that “it would be as impossible for a consul to conduct the business of his office properly without a set of *Foreign Relations* as it would be for a carpenter to get along without a hammer and saw.”<sup>4</sup> Despite this endorsement within the Department of State, *FRUS* lacked a strong constituency outside the Department during much of the 1920s.

By the late 1920s, the academic community began championing the *Foreign Relations* series. In 1928, former Secretary of State Charles Evans Hughes “put just a little push behind” legal scholars’, historians’, and political scientists’ efforts to promote *FRUS* by arguing “the only difficulties that the Department of State ... really has occur when people do not know the actual truth.”<sup>5</sup> This activism was an early return on the Department’s decision to professionalize the production of the series in 1925. Scholars—including the historians hired by the Department to compile *FRUS* volumes—brought new expectations for thoroughness to the series. In helping to shape a new 20th century paradigm for responsible historical transparency, the academic community defined new standards for quality by criticizing past practices.<sup>6</sup> In 1930, Dr. Joseph Fuller, who headed the Research

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<sup>2</sup> See Richard Leopold, “The Foreign Relations Series,” especially p. 598 and “State Publications Delayed,” *Washington Post*, August 10, 1919, p. ES4.

<sup>3</sup> HGD[wight] to Wilson and Wright, June 4, 1924, NARA, RG 59, CDF, 1910-1929, 111.324/44.

<sup>4</sup> [John V.A.] MacM[urray] to Dennett, April 10, 1925, NARA, RG 59, CDF 1910-1929, 026 *Foreign Relations*/17 1/2.

<sup>5</sup> Charles Evans Hughes, April 28, 1928 reprinted in *Hearing Before the Subcommittee of the Committee on Appropriations United States Senate: Second Deficiency Appropriation Bill, 1928*, H.R. 13873, 70th Cong., 1st Sess. (Washington, D.C.: Government Printing Office, 1928), pp. 53-54.

<sup>6</sup> The interwar critique of 19th and early 20th century *FRUS* volumes presented here differs from our own assessment as described in previous chapters. No other account of the series has utilized the wide variety of sources consulted for this study. Detractors in the 1920s and 1930s applied their contemporary expectations for historical coverage to past volumes without appreciating that the series served a different, current, function between 1861 and 1906. They did not account for documentation included in Supplemental *FRUS* Submissions. They denigrated the proto-professional documentary editing capacities of compilers and reviewers rather than acknowledging that these

Section of the Division of Publications, derided the “perfunctory character” of the 19th century *FRUS*. He caricatured the contents of volumes published before 1924 as “innocuous material—exchanges of birthday greetings, records of ceremonial visits, formal documents, and emasculated correspondence on more serious topics.” Returning to this approach in response to clearance difficulties (described below) would, Fuller predicted, lead the series to “lose all credit in the eyes of scholars who would naturally depend on it for the material of their studies.”<sup>7</sup> In providing public support to the series—and in shaping professional norms that a new crop of professional historian *FRUS* compilers would bring with them to the Department—the academic community pushed *Foreign Relations* toward a new paradigm that traded timeliness for comprehensiveness in coverage.

### Enter the Historians: Implementing the Kellogg Order

The Department of State’s professionalization of *FRUS* production followed a series of decisions that seemed only tangentially related to the future of the series. In late 1918, the Department of State appointed its first official historian, Dr. Gaillard Hunt, to undertake a major project documenting the Department’s involvement in the Great War.<sup>8</sup> Hunt later served as the first head of the Division of Publications (DP), the office charged with responsibility for producing *Foreign Relations* volumes, after it was created in 1921. Although Hunt died before he could complete his “History of the World War,” the project raised multiple questions about the future of *FRUS*. Although Hunt had proposed a documentary history, he actually produced a hybrid that coupled an interpretive narrative with a documentary appendix. Indeed, his original title for the project made no reference to the *FRUS* series.<sup>9</sup> Even before Hunt’s death, Congress and the Government Printing Office balked at publishing the first volume of his larger project under existing appropriations for producing *Foreign Relations*, arguing that the “History of the World War” was something else entirely.<sup>10</sup>

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capacities were state-of-the-art for the time period. After Adees’s death in 1924, no direct institutional memory of 19th century practice remained in the Department. Disparagement of the “old” *FRUS* may have also proved advantageous in attempts to secure additional funding and more highly-qualified personnel to produce the series.

<sup>7</sup> J[oseph] V F[uller] to Dennett, April 30, 1930, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1930.

<sup>8</sup> Hunt had worked on citizenship issues within the Department from 1903 to 1909 and 1915 to 1918 and served as Chief of the Manuscripts Division at the Library of Congress from 1909 to 1917. He received several honorary degrees, including a Litt. D. degree from Washington and Lee University in 1912 and LL.D. degrees from the University of South Carolina and the College of William and Mary in 1912 and 1913. See *Register of the Department of State*, January 1, 1924 (Washington, D.C.: Government Printing Office, 1924), p. 144 and “Gaillard Hunt Dies Suddenly,” *Washington Post*, March 21, 1924, p. 2.

<sup>9</sup> Robert Lansing to Gaillard Hunt, October 1, 1918, NARA, RG 59, CDF 1910-1929, 026 History of the World War/2; Hunt to Lansing, August 25, 1919, NARA, RG 59, CDF 1910-1929, 026 History of the World War/3; and Hunt to Lansing, December 27, 1919, NARA, RG 59, CDF 1910-1929, 026 History of the World War/4.

<sup>10</sup> George Moses to Hughes, May 27, 1922, NARA, RG 59, CDF 1910-1929, 026 History of the World War/5E and F[red] K N[ielsen] to Hughes, June 22, 1922, NARA, RG 59, CDF 1910-1929, 026 History of the World War/5F.

The struggle to secure appropriations for Hunt's volume led the Department of State to reaffirm the documentary character of the *FRUS* series. Even though the Department ultimately found a way to incorporate Hunt's work into *Foreign Relations*, the drawn-out process of negotiating with Congress and the GPO—and Hunt's death—gave officials an opportunity to reconsider whether to continue Hunt's project. Hunt's successor as head of DP, Harry Dwight,<sup>11</sup> opined in May 1924 that "a Foreign Office can do great service by making diplomatic documents and other historical records available to the public, but I do not feel that it lies within the functions of a Foreign Office to compete with the narrative historian." Dwight also noted that the Department staff's lack of "any experience of serious historical research" militated against continuing with Hunt's project. In June, Wilbur Carr, Director of the Consular Service and long-time supporter of the series,<sup>12</sup> made the decision to maintain *FRUS* as a documentary history.<sup>13</sup>

The Department also recognized the need to augment the resources devoted to *Foreign Relations*. Throughout the 1920s, Department officials pleaded with Congress for appropriations sufficient to reduce the publication gap.<sup>14</sup> In June 1924, Dwight

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<sup>11</sup> Dwight led the Division of Publications between April 26 and December 22, 1924. Before joining the Department in 1920, Dwight had been a Deputy Consul and newspaper correspondent in Venice (1898-1902) and curator of the New York Authors Club (1903-1906). See *Register of the Department of State*, January 1, 1925 (Washington, D.C.: Government Printing Office, 1925), pp. 123.

<sup>12</sup> In 1924, Carr's assigned duties as the Director of the Consular Service included handling "the preparation of all estimates of appropriations for the Department ... and their presentation to Congress." Wright's duties as Third Assistant Secretary of State included "the preparation of the correspondence upon any question arising in the course of public business." The Division of Publications was assigned "preparation of volumes of *Foreign Relations of the United States* and the *History of the World War*." See *Register of the Department of State*, January 1, 1924 (Washington, D.C.: Government Printing Office, 1924), pp. 23-24 and 32.

<sup>13</sup> See, *passim*, NARA, RG 59, CDF 1910-1929, 026 History of the World War/14 through 026 History of the World War/34. See also *Hearing Before the Subcommittee of House Committee on Appropriations: Department of State Appropriation Bill, 1925, 68th Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1924), pp. 14-18 and *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1926, 68th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1925), pp. 11-12.

<sup>14</sup> See *Hearing Before the Subcommittee of House Committee on Appropriations: Sundry Civil Appropriation Bill, 1921, Pt. 2, H.R.-13870, 66th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1920), pp. 2257-2259; *Hearing Before the Subcommittee of House Committee on Appropriations: Sundry Civil Appropriation Bill, 1922, Pt. 2, H.R.-15422, 66th Cong., 3rd Sess.* (Washington, D.C.: Government Printing Office, 1920), pp. 1864-1866; *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1923, Pt. 1, 67th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1922), pp. 94-102; *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1924, Pt. 1, 67th Cong., 4th Sess.* (Washington, D.C.: Government Printing Office, 1922), pp. 10-11 and 18-20; *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1926, 68th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1925), pp. 11-12; *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1927, 69th Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1926), pp. 38-41; *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1928, 69th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1927), pp. 16-25; and *Hearing Before*

reported that “the work of the [Publications] Division has steadily been falling behind for the last 18 years” owing to a combination of increased expectations, diminished manpower, and inadequate equipment. These problems hit *FRUS* especially hard. At the time, three members of DP had the “theoretical” assignment of editing *FRUS*, but Dwight reported that “they are constantly called off to do other work” for the Department. He concluded that “any serious effort to bring *Foreign Relations*—including the war papers—up to date within a reasonable length of time” required both additional personnel and adequate office space.<sup>15</sup>

Although the Department elected not to “compete with narrative historians” in 1924, it enlisted professionally trained historians to assure that *FRUS* met emerging scholarly standards. In December 1924, just as Great Britain announced plans to publish its pre-Great War documents,<sup>16</sup> the Department hired Tyler Dennett, who earned a Ph.D. in history at Johns Hopkins University, to take charge of the Division of Publications.<sup>17</sup> Dennett quickly laid the foundations for a new *FRUS* by proposing

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*the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1929, 70th Cong., 1st Sess. (Washington, D.C.: Government Printing Office, 1927), p. 60.*

<sup>15</sup> HGD[wight] to Wilson and Wright, June 4, 1924, NARA, RG 59, CDF 1910-1929, 111.324/44.

<sup>16</sup> “Britain to Publish Pre-War Documents,” *New York Times*, December 3, 1924, p. 5. For analysis of the international context of diplomatic documentary publications in the 1920s, see Zala, *Geschichte unter der Schere politischer Zensur*.

<sup>17</sup> Dennett, a former Congregational minister and journalist, earned a Ph.D. in U.S. diplomatic history from Johns Hopkins University in 1924 and wrote two well-regarded books on U.S.-East Asian relations before beginning his tenure in the Department. After leaving the Department, he earned a Pulitzer Prize for his biography of former Secretary of State John Hay and subsequently became President of Williams College. See “Tyler Dennett to Head State Publications,” *Washington Post*, December 12, 1924, p. 11; “State Department Editor. Secretary Hughes’s Selection of Tyler Dennett is Commended,” *New York Times*, December 24, 1924, p. 14; and “Dr. Dennett Chosen to Head Williams,” *New York Times*, May 13, 1934, p. N1. Dr. Joseph Fuller joined the Research Branch of DP in June 1925 and became its chief (and de facto general editor of *FRUS*) in 1930. Fuller served as an assistant professor of history at the University of California in 1919-1920 before earning a Ph.D. from Harvard University in 1921 (his dissertation explored Bismarck’s diplomacy). From 1922 to 1925, he was assistant professor of history at the University of Wisconsin. See “Dr. J.V. Fuller, Historian, Is Dead,” *New York Times*, April 2, 1932, p. 23. With the exception of Hunter Miller between 1931 and 1933, every Department official immediately responsible for *FRUS* has held a Ph.D. in history or political science since 1924. When Miller, who held an LL.M., succeeded Dennett in 1931, he focused on preparing the *Treaties and Other International Acts of the United States of America* publication and delegated *FRUS*-related tasks to his deputy, Cyril Wynne (Ph.D., Harvard, 1927). In 1932, Fuller’s replacement Morrison Giffen (Ph.D., University of Chicago) recommended against making austerity cuts to the Research Section of the Office of the Historical Adviser: “Although it might be possible to continue *FRUS* with “men of lower grade and lower pay,” Giffen argued that the “increasingly exacting” task of selecting documents from the “growing volume” of Department records required “qualities of skill, experience, knowledge, and judgment which, while not precisely rare, are certainly not universal among even educated men.” Maintaining the new professional standards introduced in the mid-1920s required greater expenditures than giving the work to “raw boys just out of college.” Giffen warned “their product would have to be thoroughly overhauled to guard against omissions, errors, and faults of judgment” before it could be used by the Department—or released to the public. In 1933, the Department created a new Division of Research and Publications (which was responsible for *FRUS*) alongside the Office of the Historical Adviser (which retained responsibility for compiling the *Treaties and Other International Acts of the United States of America* volumes). As the first head of

formal editorial guidelines to define the purpose of the series and establish clear standards for omissions in published documents. Less than three months after taking office, Dennett submitted draft principles to Assistant Secretary MacMurray. In framing the new *FRUS* charter, Dennett echoed familiar statements of purpose for the series: “A well informed intelligent public opinion is of the utmost importance to the conduct of foreign relations” and therefore “as much of the [diplomatic] correspondence as is practicable ought to be made public.” *FRUS* provided “in a form economical, compact, and easily accessible, the documentary history of the foreign relations of the United States” and, as such, “must therefore be recognized as an important part of the duties of the Department of State.” Dennett proffered four admissible justifications for exclusions:

- to avoid “embarrassing current negotiations,”
- to “condense the record and avoid needless detail,”
- to “preserve the confidence reposed in the Department by other Governments and by individuals,”
- to “suppress personal opinions.”

MacMurray revised Dennett’s draft to add a fifth exemption category (which grew in importance in subsequent decades):

- to “avoid needless offense to other nationalities or individuals by excising invidious comments not relevant or essential to the subject.”<sup>18</sup>

Dennett encountered minimal resistance to establishing an official Departmental mandate for *FRUS* because the value of transparency had been regularly acknowledged for 135 years. In 1925, precedents established during the 18th and 19th centuries shaped the first formal guidelines for deciding what kinds of information the Department could release to the public responsibly and what kinds of information it had to keep secret to safeguard the public interest.

Later in March, MacMurray hosted a meeting where Dennett and other high-ranking Department officials held a “thorough discussion of the principles which ought to guide the editing of *Foreign Relations*.” Their conversation yielded a consensus that added two “innovations” to existing *FRUS* traditions. The first concerned including in *FRUS* “decisions of the Department on subjects of international law which are of peculiar interest to students.” The second entailed “publication of important documents concerning treaty negotiations” (which had typically been covered by Supplemental *FRUS* Submissions in the 19th century) that

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Research and Publications, Wynne took formal charge of *FRUS* production at that time. The Office of the Historical Adviser was renamed the Office of the Editor of the Treaties in 1938. See Morrison Giffen to Wynne, December 21, 1932, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1932 and “Office Heads and Organization Designations Since 1921” in [appendix D](#).

<sup>18</sup> Dennett to MacMurray, February 17, 1925 and Dennett to MacMurray and attached draft, February [stamped March], 2, 1925, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D606 OSS/PB-1.

would “increase the value of *Foreign Relations* as a source-book of American history.” Dennett informed Secretary of State Kellogg that “this proposed new material ought to contribute to the promotion of interest in questions of foreign policy and in turn assist in the maintenance of an intelligent public opinion.” The consensus was also important because it established “a uniform standard for ... the editing of diplomatic correspondence” for the entire Department. Moreover, Dennett believed that publicizing the new *FRUS* guidelines would help the Department “define some of the aspects of the necessary limitations upon ‘open diplomacy.’”<sup>19</sup>

With support from senior officials,<sup>20</sup> Dennett secured Secretary of State Kellogg’s approval for the far-reaching “Principles to Guide the Editing of *Foreign Relations*” as a Departmental Order on March 26, 1925.<sup>21</sup> The order called for *FRUS* to document “all major policies and decisions of the Department in the matter of foreign relations.” It mandated that, aside from “trivial and inconsequential details,” the volumes “be substantially complete as regards the files of the Department.” “Nothing,” the order specified, “should be omitted with a view to concealing or glossing over what might be regarded by some as a defect of policy.” This required a caveat to Dennett’s initial proposal to exclude “personal opinions” from published *FRUS* volumes: “in major decisions it is desirable, where possible, to show the choices presented to the Department when the decision was made.” Finally, the order instituted an important change from 19th century practice that conceded the altered circumstances of post-World War American diplomacy: a prohibition on publishing foreign government documents without first securing that government’s permission. This mandate was originally interpreted narrowly: only documents

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<sup>19</sup> Dennett to Frank Kellogg, March 26, 1925, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D606 OSS/PB-1. A later account of the background for this order explained that one of the purposes for formalizing and publishing the principles governing *FRUS* was to enable the Department to “‘head off’ the criticisms the Department was receiving because the *Foreign Relations* volumes were allegedly in arrears and allegedly incomplete. These criticisms came from academia, they came from Capitol Hill—and they came from a former Secretary of State, the Honorable Charles E. Hughes.” See Cyril Wynne, “Memorandum on the subject of Dr. D. C. Poole’s letter ...,” July 13, 1937, pp. 6-7, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1210.

<sup>20</sup> Key supporters included Undersecretary Joseph Grew, Assistant Secretary John V.A. MacMurray, Assistant Secretary Wilbur Carr, and Western European Affairs Division Chief William Castle. Grew’s support for releasing historical documents was not universal. In 1926, he overruled subordinates in the Department to block release of an 1865 instruction from Secretary of State William Seward to the U.S. Minister in France, John Bigelow, in response to a congressional request on behalf of a constituent researcher. The instruction included the statement that “the United States has at various times since its organization found necessity for expansion and that the like necessity may reasonably be expected to occur hereafter.” Grew objected to releasing this statement because “if published, even though sixty years old, [it] would inevitably cause undesirable discussion in Mexico and the other countries of Latin America as tending to substantiate their traditional charge that the United States is endeavoring and intends eventually to obtain political hegemony throughout the two continents.” See Grew to Margaret Hanna, April 30, 1926, NARA, RG 59, CDF 1910-1929, 116.3/1047.

<sup>21</sup> “Principles to Guide the Editing of ‘Foreign Relations,’” March 26, 1925, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D606 OSS/PB-1. This document is available online at <http://history.state.gov/historicaldocuments/frus-history/research/1925-order>. See also Wynne, “Memorandum on the subject of Dr. D. C. Poole’s letter ...,” pp. 4-22.

originating from a foreign government required such clearance. The Department retained the authority to decide whether to publish U.S. documents (i.e., authored by American diplomats) that contained foreign government information (FGI), such as memoranda of conversation with foreign officials.<sup>22</sup>

Even before final approval of the 1925 Order, Dennett began evaluating Department records in preparation for reviving *FRUS* production. He was “shocked” by what he found. In a letter to outgoing Secretary Charles Evans Hughes, Dennett described how “the distinction which has been made between public and private papers” had left the U.S. Government with “extremely defective” records of recent diplomacy. He cited his own research in Theodore Roosevelt’s papers for his work on U.S.-East Asian relations to explain “how much important diplomatic correspondence was not a matter of record in the Department of State”: “the Department records” by themselves were “so defective that the narrative of ... important events cannot be given from the official correspondence.” Dennett’s “casual ... survey” of Department records for the “war years” revealed them to be “extremely deficient,” and, when such “deficiencies are eventually revealed by the publication of the Department diplomatic correspondence,” he warned Hughes, “the Government is then placed in an awkward and embarrassing position.”<sup>23</sup>

Over the next several years, Dennett, Fuller, and the DP staff did the best they could to prepare “substantially complete” supplemental *FRUS* volumes covering the war years. This effort was necessary because the Department excluded war-related documentation from the regular annual volumes that it had already published for the years 1914 and 1915. In his testimony for the 1928 appropriations bill, Dennett also pointed out that “we are today about the only great Government which has not given to the public its diplomatic correspondence of the war period ... . It seems to me that that correspondence, following the practice of other governments, ought

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<sup>22</sup> For policy regarding FGI in the 1920s, see Dennett, “The Publication Policy of the Department of State,” *Foreign Affairs* (January 1930), p. 301; Arthur Kogan, “Department of State Publication of Foreign Government Documents,” June 1981, Department of State, Bureau of Public Affairs, Office of the Historian, Research Projects File, 1955-2011 (Lot File 13 D 289) (henceforth HO Research Projects Lot File 13 D 289), Box 7, R.P. No. 1261: Department of State Publication of Foreign Government Documents. See especially Documents 2-4 (Dennett to William Vallance, May 12, 1926; Hanna to Dennett, May 20, 1926; and Dennett to William Vallance and Hanna, May 25, 1926 in NARA, RG 59, CDF 1910-1929, 811.114/4517) and 7 (Wilder Spaulding to Breckinridge Long, March 1, 1940, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1456) attached to Kogan, “Department of State Publication of Foreign Government Documents.” The March 26, 1925 order was first published in the preface to *Papers Relating to the Foreign Relations of the United States, 1914 Supplement: The World War* (Washington, D.C.: Government Printing Office, 1928), pp. iii-iv. In the 19th century, the Department had ignored foreign government equities entirely. See Frederick Frelinghuysen to Philip Morgan, August 28, 1883, pp. 657-658, NARA, RG 59, Diplomatic Instructions—Mexico, M77, Reel 116.

<sup>23</sup> Dennett to Hughes, March 3, 1925, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 3, 1925.

to be published.”<sup>24</sup> In addition to eight supplemental “World War” volumes for the years 1914-1918 (published between 1928 and 1933), Dennett’s team prepared four special volumes documenting U.S. policy toward revolutionary Russia during 1918 and 1919 (published between 1931 and 1937). In addition to Department records, they used whatever material they could gather from former diplomats to help “get the papers which we have into their proper relation to one another.”<sup>25</sup> Efforts to augment *FRUS* coverage of the critical war years culminated in 1940, when the Department released two volumes comprised of documents collected from files taken by Robert Lansing after he was Secretary of State and later returned to the Department’s records.<sup>26</sup>

The Kellogg Order’s mandate for comprehensive coverage from Department files presumed that the Department of State controlled U.S. foreign policy. Virtually all the documents published in the volumes covering the 1920s (produced between the mid-1930s and the mid-1940s) came from the Department’s central files. When other U.S. Government agencies, like the Departments of Commerce and the Treasury, led the way in using U.S. financial and commercial power to pursue political objectives during the 1920s, these efforts remained outside the scope of *Foreign Relations*.<sup>27</sup>

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<sup>24</sup> *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1928, 69th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1927), p. 17.

<sup>25</sup> Dennett to Frank Polk, November 10, 1928, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 3, 1928-2 and Dennett to Polk, March 16, 1929, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 4, 1929-1. See also *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1928, 69th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1927), pp. 16-25 for Dennett’s explanation of the *FRUS* production process to Congress.

<sup>26</sup> While Duke University historian Paul Clyde in 1940 “concluded that the *Lansing Papers* enrich substantially our knowledge of the bases of American policy during the World War [I] years,” Wilder Spaulding (who was then responsible for *FRUS*) believed the Lansing supplements did not “contribute very much that is new to what is already known about American policy ... but ... show how many phases of that policy were arrived at.” Paul Clyde review of *Papers Relating to the Foreign Relations of the United States, The Lansing Papers, 1914-1920* in *Hispanic American Historical Review* (November 1940), pp. 614-616 (quote from p. 616) and Spaulding to John Bassett Moore, March 7, 1940, LCM, Moore Papers, Box 80, General Correspondence: Spaulding, E. Wilder 1940. Over 70 years later, David Langbart, an archivist at the National Archives and a leading expert on U.S. diplomatic records, echoed Clyde’s contention that the Lansing volumes “fill[ed] a gap in *FRUS*’s coverage of a critical period.” See David Langbart, “Special *FRUS* Volumes: Origins of the ‘Lansing Papers,’” November 30, 2011, Department of State, Office of the Historian website, <http://history.state.gov/historicaldocuments/frus-history/research/special-frus-volumes>.

<sup>27</sup> For the significance of actors outside the Department of State in U.S. foreign policy during the 1920s, see Michael Hogan, *Informal Entente: The Private Structure of Cooperation in Anglo-American Economic Diplomacy, 1918-1928* (Columbia, MO: University of Missouri Press, 1977); Melvyn Leffler, *The Elusive Quest: America’s Pursuit of European Stability and French Security, 1919-1933* (Chapel Hill: University of North Carolina Press, 1979); and Frank Costigliola, *Awkward Dominion: American Political, Economic, and Cultural Relations with Europe, 1919-1933* (Ithaca: Cornell University Press, 1984).

Despite the consensus to publish a “substantially complete” record in *FRUS* that Dennett secured in 1925, he and his staff encountered opposition from their colleagues in the Department as discussion shifted from general principles to publishing specific documents. In 1929 and 1930, concerns about the risks of releasing sensitive information jeopardized Dennett’s efforts to revive the series and close the widening publication gap. The 1916 supplement for the war was “held up” in 1929 by Secretary of State Henry Stimson and President Herbert Hoover pending the conclusion of naval arms limitation negotiations with Great Britain.<sup>28</sup> Boundary disputes in Central America also led to several excisions in the regular volume for 1918 at the behest of the Division of Latin American Affairs.<sup>29</sup>

Dennett’s most significant debate involved supplementary volumes on the Russian Revolution. On April 25, 1930, Dennett met with officials in the Division of Far Eastern Affairs (FE) to discuss their opposition to publishing U.S. reporting on conditions in Eastern Siberia and Manchuria in 1918. FE officials feared release of those documents would “constitute an indictment of Japanese activities, the appearance of which in an official series might give such an offense as to embarrass the present conduct of relations with Japan.” Roland Morris, the former U.S. Ambassador to Japan, supported Dennett’s arguments that his telegrams “formed an essential part of the record and should be included” if *FRUS* were to document the story of Japanese “military authorities’ breach of faith” and the “American Government’s moves to check” their expansionism. Nevertheless, he agreed with FE Chief Stanley Hornbeck, that “this story had better be left untold in our publication.”<sup>30</sup> The new Department regulations for *FRUS* notwithstanding, Morris and Hornbeck dismissed historical integrity when they feared it could endanger current diplomacy.

Dennett resisted FE’s restrictive impulse. He complained that excising the documents dealing with Japan’s role in Russia would “ruin three volumes” representing “a year’s work apiece by three members of our staff and the expenditure of over \$5,000 for printing.” To excise “the record of Japanese action and American reaction is to leave out an essential part” of the story “and to present a mangled and transparent farce which would be worse than the total omission.” Dennett also recruited support from the Division of Eastern European Affairs, which judged “the story of America’s relationship to the interventions in Russia ... one of the most creditable aspects of our Russian policy. Its omission ... would seem to result in a disturbance of the balance unfavorable to the credit of our Government.” By enlisting support from other Department officials, Dennett forced his colleagues to take a wider view of the choice confronting them. Whatever risks the 1918 Russia

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<sup>28</sup> Dennett to Fuller, August 1, 1929, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 4, 1929-1.

<sup>29</sup> Fuller to Dennett, April 30, 1930, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1930.

<sup>30</sup> Fuller, “Memorandum on the Publication of Correspondence Relating to Russia,” May 2, 1930, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 395.

supplement posed to U.S.-Japanese relations, the Department had to balance them against the possible benefits of clarifying the limits of American intervention in the Russian Revolution and meeting the Department's publicly announced commitment to responsible transparency.<sup>31</sup>

Dennett's arguments won the day, but he paid a price. The Department published the 1918 Russia supplement volume with the Japan material intact in 1932. Just as FE warned, the volume elicited "a good deal of comment and discussion in Tokyo" that the Japanese Ambassador brought to Secretary of State Stimson's attention. The Japanese Government, however, made no formal protest of the publication.<sup>32</sup> Unfortunately, Dennett was not around to assess these developments. He took a leave of absence from the Department in 1930 and resigned in 1931. A few years later, his successor Cyril Wynne recalled that Dennett "resigned from the Department ... [to] wide publicity [that] resulted in much unfavorable criticism ... partly because he believed the provisions of the [Kellogg] order were not being complied with."<sup>33</sup> Although his desire to complete his biography of John Hay (which would win the Pulitzer Prize in 1933) certainly figured into his decision to leave the Department, Dennett's resignation revealed the potential costs of advocating transparency.

Some of these costs were borne by the *FRUS* volumes themselves. Even with a growing publication lag, early 20th century *FRUS* compilers had to make tough decisions when the Department's or another government's reluctance to release significant documents stalled the publication of other important material. Amidst the debate over the 1918 Russia supplement volumes, Fuller suggested jettisoning the "annual volume" model in favor of more topical volumes "relating to single or small groups of countries or subjects over convenient periods of years." Not only would such compilations allow for streamlined clearances within the Department, but "volumes on certain subjects could be held back without delaying others and without impairing the integrity of the publications issued." Fuller anticipated that delayed publication of volumes covering especially sensitive regions or topics would "be less obvious than when brought repeatedly to public notice by glaring omissions in one annual volume after another." Fuller's scheme would "break up *Foreign Relations* into handier, more logical units" that could be produced, cleared, and published more rapidly than the existing annual volumes. It also offered a more finely-textured way to reconcile the Department's general commitment

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<sup>31</sup> Fuller to Dennett, April 30, 1930, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1930 and Fuller, "Memorandum on the Publication of Correspondence Relating to Russia," May 2, 1930, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* /395.

<sup>32</sup> Memorandum of conversation between Stimson and Debuchi, August 10, 1932, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* /593.

<sup>33</sup> Wynne, "Memorandum on the subject of Dr. D. C. Poole's letter ...," July 13, 1937, pp. 5-6 and 13-17, NARA, RG 59, CDF 1930-1939, 026 / *Foreign Relations* 1210 and "Historian for U.S. Government Resigns Office," *Chicago Daily Tribune*, April 30, 1931.

to transparency with specific diplomatic and security sensitivities.<sup>34</sup> Fuller's prescriptions were not adopted during the interwar period. Although additional supplemental *FRUS* volumes covering Robert Lansing's papers and the 1919 Paris Peace Conference were later incorporated into the series, the Department continued to produce and release *FRUS* as a single compilation for each year until after World War II.<sup>35</sup>

During the 1930s, U.S. diplomats criticized *FRUS* for releasing documents that risked jeopardizing current relations, deterring candid reporting, and curtailing frank discussions. In 1936, Cornelius Engert, Minister and Consul General in Addis Ababa, cabled Near Eastern Affairs Division Chief Wallace Murray to warn that a 15-year gap for publishing documents invited all of those consequences. He suggested either editing documents to "exclude any passages that might cause embarrassment or offense" or waiting 25 to 30 years to publish previously confidential information.<sup>36</sup> In 1937, retired diplomat D.C. Poole criticized *FRUS* for disclosing confidential communications with British intelligence officers in revolutionary Russia. Although Poole's concern about disclosing intelligence sources and methods anticipated later efforts to accord intelligence information special protections against disclosure, his complaint employed the same "old diplomacy" discourse as Engert's telegram. In 1919 Poole had served as U.S. liaison with anti-Bolshevik Russian groups and as the *de facto* chief of U.S. intelligence-gathering efforts in European Russia. Nearly two decades later, he wrote Secretary Hull to protest the inclusion of one of his confidential despatches in the 1919 Russia volume. Poole saw no reason why "a little considerate effort" was not made to "conserve a suitable regard for the conventions of gentlemanly intercourse" and edit the cable in question to obscure the source of his reporting, a British army officer. He predicted that the disclosure would injure relations between U.S. diplomats and the British and "tend to destroy that complete confidence which the public interest requires to exist between American Foreign Service Officers and the Department of State." Poole suggested that the Department adopt a "more careful editorial policy" for *FRUS*.<sup>37</sup>

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<sup>34</sup> Fuller to Dennett, September 20, 1930 and Dennett to Quincy Wright, October 31, 1930 in NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1930.

<sup>35</sup> When an annual compilation was too large to print in one volume, it was divided—arbitrarily—into multiple parts.

<sup>36</sup> Cornelius Engert to Wallace Murray, November 6, 1936, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1099.

<sup>37</sup> D[eWitt] C[linton] Poole to Hull, June 21, 1937, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1187. Poole could also be considered the first member of the nascent U.S. intelligence community to criticize *FRUS* for endangering intelligence sources and methods. For Poole's role as U.S. liaison with anti-Bolshevik Russians and later as the acting Consul General (and *de facto* chief of U.S. intelligence-gathering in European Russia), see David Langbart, "'Spare No Expense': The Department of State and the Search for Information About Bolshevik Russia, November 1917-September 1918," *Intelligence and National Security* (April 1989), pp. 316-334. In July 1939, Poole published a more temperate review of the two 1923 *FRUS* volumes in *Public Opinion Quarterly*, pp. 528-529.

Cyril Wynne responded vigorously to these assaults on *FRUS*. Indeed, to address Poole's letter, he wrote a 45-page memorandum<sup>38</sup> that left his superiors bewildered and apprehensive about his judgment.<sup>39</sup> Wynne deprecated criticism of the series by describing the careful review and clearance process that preceded publication to ensure that *FRUS* volumes conformed to the 1925 order. He warned that retreating from a 15-year line would result in thunderous criticism from the academic community. The Department historian also belittled both Engert and Poole, suggesting that they "take [themselves] perhaps a little too seriously." Although he acknowledged the "special authority" of "career diplomats," Wynne preferred the friendly attitudes of "such men as Mr. Joseph Grew and Mr. Howland Shaw, both of whom," he claimed, "have forgotten more about the Near East than Mr. Engert will ever know in his life." Wynne placed special emphasis on Grew's support for a 15-year line, since he served in Japan, "the most difficult post in our entire Foreign Service."<sup>40</sup>

Despite Wynne's spirited rejoinder, Poole's intervention altered *FRUS* clearance procedures for a brief period. In producing the 1924 and 1925 annual volumes in the late 1930s, the Division of Research and Publication (RP) submitted "a large number" of American memoranda of conversation to foreign governments for clearance. Although "higher officials in the Department" did not formally alter clearance procedures to require these expanded clearance procedures for foreign government equities during the interwar period, RP's brief and voluntary accommodation to foreign government anxieties foreshadowed how later efforts to document closer U.S. coordination with other governments would complicate clearances for the series.<sup>41</sup>

During the 1930s, the Japanese government generated the most significant foreign clearance problems for the series. In the mid-1930s, Japan objected to *FRUS*'s *de facto* 15-year publication line and U.S. policy regarding FGI. By the end of 1935, RP identified Tokyo as the "usual" source of delays in foreign government clearances. When the documents compiled for the 1922 *FRUS* volumes included information about the 1917 Lansing-Ishii Agreement's secret protocol (pledging restraint in China during World War I) that had already entered the public domain via the former Secretary of State's memoirs and a widely-read work of diplomatic history, Wynne anticipated that Tokyo would object to their publication. Through Ambassador Grew, he warned that the Japanese Government would be blamed for

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<sup>38</sup> Wynne, "Memorandum on the subject of Dr. D. C. Poole's letter ...," July 13, 1937, NARA, RG 59, CDF 1910-1929, 026 *Foreign Relations* / 1210.

<sup>39</sup> George Messersmith to Sumner Welles, August 9, 1937, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1224 1 / 2.

<sup>40</sup> Wynne to Acting Secretary, November 12, 1936, pp. 2-3, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1099. See also Wynne to Moore, January 13, 1937, LCM, Moore Papers, Box 74, General Correspondence: Wynne, Cyril E. 1937.

<sup>41</sup> See Ernest R[alph] Perkins to Spaulding, February 24, 1940, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-2 and Spaulding to Breckinridge Long, March 1, 1940, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1456.

any omissions of this material to “prevent the Department from being criticized” by “those who are a bit critical of what is described as the ‘Hush! Hush!’ policy in publishing *Foreign Relations*.” The Japanese Foreign Ministry granted permission to print the documents in *FRUS* but requested that, in the future, even retired American officials should secure Tokyo’s permission before publishing confidential information relating to Japan.<sup>42</sup>

Another source of clearance problems, Iran, reflected intra-departmental disputes over *Foreign Relations*. Iran clearances evoked fears in 1936 that U.S. transparency would alienate the Shah, who was already offended by the dissemination of critical American periodicals in Iran. As a result, the 1922 *Foreign Relations* volume lacked any documentation on U.S. relations with Iran. In 1937, though, transparency skeptics proved capable of persuading Tehran to cooperate with *FRUS* after senior Department officials backed RP. Wallace Murray, who warned that even mentioning the U.S. Government’s interest in publishing documents in 1936 could prove disastrous, instructed Cornelius Engert, who had criticized *FRUS* the previous year and was now stationed in Tehran, to suggest to Iranian officials that “their present position with regard to publication of material concerning them in *Foreign Relations* is hardly in line with Iranian aspirations to be up-to-date and ‘Western’ in the conduct of their affairs.” Engert secured permission to print the requested documents from the Iranian Foreign Minister, and Iran returned to the pages of *FRUS*.<sup>43</sup>

In these and other clearance debates during the 1930s, *FRUS* historians received support from openness advocates both inside and outside the government. For many officials responsible for conducting the nation’s foreign affairs, the series remained a valuable resource. For example, when the transition to the Franklin D. Roosevelt administration threatened austerity measures that would endanger funding for *FRUS*, Morrison Giffen, a University of Chicago Ph.D. who replaced Fuller as Chief of the Research Section, explained that *Foreign Relations*—“the most laborious” and “the best known”<sup>44</sup> of the Section’s products—proved useful to the

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<sup>42</sup> Quotes from Wynne to [FE], May 19, 1936, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1032. For consultations with the Japanese Government on *FRUS* clearances, see *passim*, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 677 through 026 *Foreign Relations* / 1136 and Wynne to John Bassett Moore (with attached Wynne to Walton Moore), January 18, 1937, LCM, Moore Papers, Box 74, General Correspondence: Wynne, Cyril E. 1937.

<sup>43</sup> Quote from Murray to Wynne, August 25, 1937, p. 3, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1225. For debate on clearances for the Iran material, see *passim*, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1118 through 026 *Foreign Relations* / 1267.

<sup>44</sup> The release of the World War I and Russian Revolution supplemental *FRUS* volumes was covered in major newspapers. See “Secrecy of War Lifts,” *Los Angeles Times*, October 20, 1930, p. 1; “Details Our Fight on Role in Siberia,” *New York Times*, July 30, 1932, p. 13; “Tells of Our Stand in Russian Revolt,” *New York Times*, November 20, 1932, p. 23; “Dire Need of Allies in 1917 is Revealed,” *New York Times*, November 21, 1932, p. 4; “War Papers Bare Peace Pleas to US,” *New York Times*, June 28, 1933, p. 14; and “Book Shows Rift Over Soviet in 1919,” *New York Times*, June 13, 1937, p. 27. Regular annual volumes also received press attention. See, for example, “Our 1919 Diplomacy Revealed in Book,” *New York Times*, December 29, 1934, p. 13; “Diplomatic Papers to 1920 Published,”

Department since “to be without these collections of ordered and carefully selected documents is to lack easy and instantaneous access to the data upon which to form judgments.” Without *FRUS*, Giffen warned, “the Department’s officers would often be compelled to take action after the most hasty and necessarily superficial researches of their own.”<sup>45</sup>

The professionalization of *FRUS* production also helped mobilize an entirely new base of academic support for the series as a vehicle for responsible historical transparency in the late 1920s and 1930s. Dennett welcomed this development; indeed, he cultivated it with a careful publicity effort for the Department’s publication program.<sup>46</sup> Professors of international law took a leading role in supporting *FRUS* during the interwar years. In 1928, the Teachers of International Law Conference formed a committee to lobby the Department to accelerate *FRUS* production. In 1930, when clearance problems sparked fears that the Department might abandon the standards of the 1925 Kellogg Order, the committee insisted that, “from the standpoint of teachers of international relations, ... the discontinuance of [*Foreign Relations*] would be a disaster.” In the mid-1930s, the American Society of International Law formed a Committee on Publications of the Department of State that issued reports lauding the quality of recent *FRUS* volumes. Although not as prominently involved during this period, the American Historical Association and the American Political Science Association also lobbied for the *Foreign Relations* series—especially for a special subseries documenting the 1919 peace negotiations that led to the Treaty of Versailles.<sup>47</sup>

Individual scholars also praised the improved quality of post-1925 *FRUS* volumes.<sup>48</sup> In 1934, Yale University historian Charles Seymour praised the World

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*New York Times*, May 3, 1936, p. E6; and “U.S.-Japan Accord Had Secret Clause,” *New York Times*, June 10, 1938, p. 10.

<sup>45</sup> Giffen to Wynne, December 21, 1932, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1932.

<sup>46</sup> See Dennett, “Office of the Historical Adviser,” *American Foreign Service Journal*, September 1929, pp. 293-296 and Dennett, “The Publication Policy of the Department of State,” *Foreign Affairs*, January 1930, pp. 301-305.

<sup>47</sup> Quote from Quincy Wright to Dennett with enclosures, October 3, 1930, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 5, 1930. For academic support for *FRUS* volumes produced under the Kellogg guidelines, see *passim*, NARA, RG 59, CDF 1910-1929, 111.324; NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 674 through 026 *Foreign Relations* / 1400; George Finch, “Enlargement of the Publications of the Department of State,” *American Journal of International Law*, July 1928, pp. 629-632; Kenneth Colegrove, “Expansion of the Publications of the Department of State,” *American Political Science Review*, February 1929, pp. 69-77; *passim*, LCM, American Historical Associations Papers (henceforth AHA Papers), Box 93, American Historical Association, US Government, Foreign Relations, 1939-1941; and Alan Ginsberg, “The Historian as Lobbyist: J. Franklin Jameson and the Historical Activities of the Federal Government” (Ph.D. dissertation, Louisiana State University, 1973), pp. 101-130.

<sup>48</sup> See, for example, Howard Beale to Hull, December 9, 1936, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1126 and Wynne to Acting Secretary, December 19, 1936, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1127; Conyers Read to St. George Sioussat (with attached draft

War I and Russian Revolution supplementary volumes for their “comprehensive ... range of documents ... form[ing] the essential stuff of the material which the students of American diplomacy in the war period will use.”<sup>49</sup> In a 1939 review of the 1921 and 1922 volumes, Institute for Advanced Study historian Edward Meade Earle judged that 15 or 16 years was “a long time to wait for official papers, but it is a relatively short time in view of the comparative completeness of the dispatches and documents now made available” in *FRUS*.<sup>50</sup> This support from the academic community proved essential in persuading Congress to appropriate the funds necessary to revive *Foreign Relations* after 1925 and to hold the line against those Department officials, diplomats, and foreign governments who wanted to restrict historical transparency in pursuit of contemporary security.<sup>51</sup>

Despite those victories, by the late 1930s, the Kellogg Order’s requirement to accommodate foreign government clearances raised significant obstacles to the Department’s efforts to satisfy academic requests to improve the timeliness of the *FRUS* series.<sup>52</sup> Academic demands to accelerate *FRUS* clashed with opposition from abroad to publishing more recent diplomatic documents. In 1937 and 1938, U.S. media coverage of foreign government clearance difficulties generated calls for increased openness.<sup>53</sup> The Department responded by asking selected foreign governments to agree, in principle, to publishing documents less than 15 years old. Nine capitals concurred, but also insisted that Washington continue submitting

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resolutions by Howard Beale), December 3, 1937 and Sioussat to Read, December 21, 1937 in LCM, AHA Papers, Box 93, American Historical Association, US Government, Foreign Relations, 1939-1941.

<sup>49</sup> Charles Seymour review of *Papers Relating to the Foreign Relations of the United States, 1918 Supplements* in *American Historical Review* (April 1934), pp. 549-551. Quotes from pp. 550-551.

<sup>50</sup> Edward Meade Earle review of *Papers Relating to the Foreign Relations of the United States, 1921 and 1922* in *American Historical Review* (April 1939), pp. 665-666. Quote from p. 665.

<sup>51</sup> See *Hearing Before the Subcommittee of House Committee on Appropriations: Appropriations, Department of State, 1928, 69th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1927), pp. 16-25; *Hearing Before the Subcommittee of House Committee on Appropriations: State Department Appropriation Bill: 1930, 70th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1928), pp. 9-12, 58-59, 62-67, and 206-221; Carr to Herbert Lord (with attached memo, October 9, 1928), October 9, 1928, NARA, RG 59, CDF 1910-1929, 119.4/152a; and *Hearing Before the Subcommittee of House Committee on Appropriations, Department of State Appropriation Bill for 1937, 74th Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1936), pp. 46-62.

<sup>52</sup> For a list of British, Japanese, and French clearance denials for volumes covering 1919-1924, see “Refusals by Foreign Governments of Permission to Print Documents in *Foreign Relations* Volumes: Great Britain,” [1942?]; “Refusals by Foreign Governments of Permission to Print Documents in *Foreign Relations* Volumes: Japan,” [1942?]; and “Refusals by Foreign Governments of Permission to Print Documents in *Foreign Relations* Volumes: France,” [1942?] in NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-4.

<sup>53</sup> See, *passim*, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1262 through 026 *Foreign Relations* / 1400 and NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1534 through 026 *Foreign Relations* / 1546. The Department’s consultation with foreign governments also received media coverage. See “U.S. Agrees to Withhold Diplomatic Secrets; Foreign Nations Oppose Early Publication,” *New York Times*, March 29, 1937, p. 1; “Keeping Diplomacy Under Cover,” *Chicago Tribune*, March 31, 1937, p. 10.

documents for clearance.<sup>54</sup> The French Government opposed accelerating *Foreign Relations*,<sup>55</sup> and Department officials agreed that even broaching the idea with Tokyo would “result in the Japanese Foreign Office making use of the occasion to insist on widening the present gap rather than shortening it.”<sup>56</sup> *FRUS* historians faced a quandary: if foreign governments were reluctant to let the United States divulge their secrets, how could they improve the timeliness of *FRUS* without sacrificing its higher—and publicly announced—standard for thoroughness? And, as World War II approached, foreign government concerns about revisiting the negotiation and implementation of the controversial Treaty of Versailles mounted, intensifying the dilemma between timeliness and comprehensiveness facing *FRUS* stakeholders.

### “A Cramping Effect”: *FRUS* at War

The first potentially series-paralyzing clearance battle stemming from conflict between the Kellogg Order’s requirements for comprehensiveness and its recognition of foreign government equities unfolded as the Treaty of Versailles collapsed in the summer and fall of 1938. In March 1938, the Department sought permission from the Governments of France, Great Britain, and Italy to publish documents from the 1919 Peace Conference. As the Department noted in its instruction to posts in Paris, London, and Rome, memoirs and other published accounts from virtually all sides of the negotiations had already disclosed, in general terms, the discussions that culminated with the Treaty of Versailles. The jointly “owned” formal minutes of conference proceedings, however, remained unpublished.<sup>57</sup>

The nature of these documents posed unique challenges. Since any of the countries with equities in the documents could veto their release, all participants had to agree to publish or nothing could be done. Unlike previous annual or supplemental volumes, Department historians could not simply omit portions of the conference record that raised intractable clearance issues. The volumes also required systematic research in private papers that exceeded the Kellogg Order’s

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<sup>54</sup> See *Foreign Relations of the United States: Diplomatic Papers, 1938, Volume I: General* (Washington, D.C.: Government Printing Office, 1955), pp. 976-987; Wynne to Ellis Briggs, Murray, Maxwell Hamilton, Jay Moffat, Charles Hosmer, and George Messersmith, February 20, 1939, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1402.

<sup>55</sup> Edwin Wilson to Secretary of State, September 9, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1388.

<sup>56</sup> Grew to Secretary of State, March 31, 1938, p. 2, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1357, Wynne used this despatch to explain the difficulties of reducing the 15-year line to interlocutors in the academic community. See Wynne to Messersmith, April 21, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* / 1357; Wynne address to Conference of Teachers of International Law, April 27, 1938, p. 4-5, LCM, Moore Papers, Box 75, General Correspondence: Wynne, Cyril E. 1938; and Ernest Perkins to Dexter Perkins, December 9, 1938, LCM, AHA Papers, Box 93, American Historical Association, US Government, Foreign Relations, 1939-1941.

<sup>57</sup> Messersmith to Wilson, Messersmith to Phillips, and Messersmith to Joseph Kennedy, March 8, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/1 through 026 *Foreign Relations* (P.C. 1919)/1B.

mandate that *FRUS* volumes “be substantially complete as regards the files of the Department.” Casting this broader net required the Department to invest additional resources and time for travel and copying documents.<sup>58</sup>

Although the Italian and British Governments gave the desired preliminary approvals in the summer of 1938, the French Government proved much more hostile to the project.<sup>59</sup> The French Foreign Ministry recoiled at the proposal to publish such politically sensitive records in the midst of international tensions directly related to the Versailles settlement. When Director of Political Affairs at the French Foreign Ministry René Massigli met with Edwin Wilson, Counselor of the U.S. Embassy in Paris, he argued that “Europe was today in a highly dangerous situation, perilously near war, and every effort was being made by those in responsible positions to prevent war, to save civilization, and with that end in view to appease conflicts and remove so far as possible every pretext for misunderstanding.” Wilson reported that Massigli “was frankly terrified at the thought of how publication of the secret documents of the Peace Conference could be seized upon by people who want to promote trouble and misunderstanding. As between the embarrassment ... by being put in the position of objecting to the publication of these documents, and the danger of adding fuel to the flames of international controversies, he much preferred the former.” Even delayed publication, Massigli worried, “might merely prejudice the work of appeasement which might have been done in the meanwhile.” Massigli concluded the conversation by pointing out that, “if during the next month things take a turn for the worse, our thoughts may look forward to the next peace conference rather than to the question of publishing the documents of the last one.”<sup>60</sup> After the fall of the Popular Front government produced a “sweep” of Massigli and others from the French Foreign Ministry, Wilson correctly anticipated that the Daladier government would be more amenable to the project.<sup>61</sup> French officials agreed to the Peace Conference project in late December, allowing Cyril Wynne to announce it at the American Political Science Association’s annual meeting on December 29, 1938.<sup>62</sup> France’s initial opposition and subsequent acquiescence to the Department’s proposal to publish the records of the postwar peace treaty

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<sup>58</sup> Wilder Spaulding to Breckinridge Long, March 15, 1940, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1456 1/2 and Long to Spaulding, March 16, 1940, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1458 1/4.

<sup>59</sup> Note verbale, June 24, 1938 enclosed in Edward Reed to Secretary of State, June 27, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/8 and Stephen Gaselee to Herschel Johnson, September 23, 1938 enclosed in Johnson to Secretary of State, September 30, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/16.

<sup>60</sup> Memorandum of conversation between Edwin Wilson and M. [René] Massigli, August 26, 1938 enclosed in Wilson to Secretary of State, August 27, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/13. See also William Bullitt to Secretary of State, July 2, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/7.

<sup>61</sup> Wilson to Pierrepont Moffat, November 30, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/18 1/2.

<sup>62</sup> Wilson to Secretary of State, December 27, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/19; Alexis Leger to Bullitt, December 24, 1938 and Wynne address to APSA meeting, December 29, 1938, NARA, RG 59, CDF 1930-1939, 026 *Foreign Relations* (P.C. 1919)/20.

negotiations illustrated how the Kellogg Order surrendered a measure of U.S. sovereignty over disclosing secrets in pursuit of preserving international comity.

The outbreak of the war created new difficulties for the Paris Peace Conference volumes and, after the United States entered the war, British and American leaders vetoed releasing especially sensitive records out of fear that doing so could undermine their own summit diplomacy. Even after the Department secured agreement in principle to the project, it still had to obtain clearances for specific documents proposed for publication. The first Peace Conference volumes appeared in 1942, in part because the fall of France and hostilities with Italy nullified two foreign equities that might otherwise impede publication. Great Britain, the lone remaining foreign equity-holder, reluctantly agreed to release the majority of Peace Conference records in 1942.<sup>63</sup>

The most crucial documents, the minutes of the discussions of the Council of Four, remained a concern because British officials feared that releasing the records of past summits could undermine the confidentiality required for successful high-level diplomacy during and after the current war.<sup>64</sup> In 1943, Prime Minister Winston Churchill and Foreign Minister Anthony Eden balked when the United States asked for permission to publish the Council records. Eden explained that “the publication in particular of the minutes of the Council of Four would have a cramping effect upon any similar confidential discussions which it may be necessary to hold after the present war.” He also worried that printing the minutes might “provide hostile propagandists with welcome material.” Finally, Eden objected to the publication of “rough workings kept for the convenience of the statesmen concerned” while one of those statesmen—David Lloyd George—was still alive.<sup>65</sup>

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<sup>63</sup> See NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1562A through 026 *Foreign Relations* / 1568; Freeman Matthews to Secretary of State, June 16, 1942, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919) / 66; and Winant to Secretary of State, December 30, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919) / 98.

<sup>64</sup> See Spaulding to [Ray?] Atherton, November 25, 1941 and [Samuel Reber?] to RP, November 26, 1941, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1567.

<sup>65</sup> Winant to Secretary of State, July 12, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919) / 87 and Anthony Eden to Winant, July 9, 1943 enclosed in Waldemar Gallman to Secretary of State, July 12, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919) / 88. For the U.S. request for British permission to print the Council of Four minutes, which asked for supplementary documents from British records, see Ernest R[alph] Perkins to Spaulding, March 31, 1943 and Shaw to Winant, April 10, 1943 in NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919) / 77a. British skittishness about these particular records should not have been a surprise. The British expressly limited their previous clearances to a narrow portion of the overall record of the Paris Peace Conference records and objected when the preface for the first two published volumes pledged that the Department would release the rest of the Paris Conference documentation in future volumes. See Stephen Gaselee to Gallman, March 25, 1943 enclosed in Gallman to Secretary of State, April 2, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919) / 77.

After the Department appealed the British decision,<sup>66</sup> President Franklin Roosevelt intervened to quash the Council of Four volumes. In preparation for a September 1943 Hyde Park summit meeting with Churchill, Roosevelt asked Secretary Hull why the U.S. Government intended to publish the Council minutes. The President expressed “distinct hesitation,” believing that “notes of these conversations ought not to have been taken down anyway.”<sup>67</sup> Roosevelt’s “hesitation” evoked bitter resentment within RP. Staffer Philip Burnett surmised that the “real reason” for the President’s attitude was the “wretchedly shortsighted” impulse to avoid releasing any information that could potentially be used to criticize a future peace settlement.<sup>68</sup> Hull’s response to Roosevelt echoed the Department’s arguments to the British Government, emphasizing the pressure from academics and Congress for publishing the full record of the Paris Peace Conference, as well as the information about the Council of Four discussions that was already in the public domain.<sup>69</sup>

Roosevelt remained unconvinced. He told Hull that publication “would probably result in wholly unwarranted sensational articles” from “hostile sources.” He also explained that “no notes should have been kept. Four people cannot be conversationally frank with each other if someone is taking down notes for future publication.” Roosevelt “felt very strongly about this” and, during his meeting with Churchill at Hyde Park, they vetoed publication of the Council of Four minutes for the duration of the war.<sup>70</sup> Only in November 1945, after Lloyd George and Roosevelt had died and Churchill and Eden were out of office, did the Department renew its

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<sup>66</sup> Hull to Winant, August 6, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919)/87.

<sup>67</sup> F[ranklin] R[oosevelt] to Hull, September 7, 1943, *Foreign Relations of the United States: The Conferences at Washington and Quebec*, 1943 (Washington, D.C.: Government Printing Office, 1970), p. 1334.

<sup>68</sup> Philip Burnett to Perkins, September 9, 1943 attached to M. F. Axton to Perkins, August 27, 1945, NARA, RG 59, CDF 1945-1949, 026 *Foreign Relations* (P.C. 1919)/8-2745.

<sup>69</sup> Hull to [Roosevelt], September 9, 1943, *Foreign Relations of the United States: The Conferences at Washington and Quebec*, 1943, pp. 1334-1335. See also Spaulding to Secretary of State (with attached draft Secretary of State to President), September 9, 1943 attached to Axton to Perkins, August 27, 1945, NARA, RG 59, CDF 1945-1949, 026 *Foreign Relations* (P.C. 1919)/8-2745.

<sup>70</sup> See footnoted annotation to W[inston] C[hurchill] to Eden, September 13, 1943, *Foreign Relations of the United States: The Conferences at Washington and Quebec*, 1943, p. 1338. See also Spaulding to John Hickerson, Shaw, Blanche Halla, and Hull, September 20, 1943, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 13, 1943-Sept. and Hull to U.S. Embassy London, September 20, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* (P.C. 1919)/87. After Roosevelt vetoed publication of the Council of Four minutes, the Division of European Affairs objected to publishing the minutes of the Supreme Economic Council, chiefly because of essential material touching upon “the very delicate subject ... of the western frontiers of the USSR.” This volume was not published until 1947. See *passim*, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-8 and “Reasons for Publishing *Foreign Relations*, Paris Peace Conference, Volume X,” February 23, 1944, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-10. The minutes were printed in *Papers Relating to the Foreign Relations of the United States*, The Paris Peace Conference, 1919, Vol. X (Washington, D.C.: Government Printing Office, 1947).

efforts to secure British permission to publish the minutes.<sup>71</sup> The volumes appeared the next year<sup>72</sup> and Roosevelt's intervention in the series' publication schedule was itself included in the *FRUS* volume covering the 1943 Quebec summit, released in 1970.

Roosevelt's reservations about publishing diplomatic documents during World War II did not apply to material intended to mobilize public support for the war effort. On June 17, 1942, Hull proposed to Roosevelt publication of "papers pertaining to relations between Japan and the United States dating from the Japanese occupation of Manchuria in 1931 to the outbreak of war." The compilation, which "would be of a character similar to the *Foreign Relations of the United States*," "would cover American-Japanese relations in general and also deal with the conversations of 1941 in regard to means of solving problems underlying relations between the two countries." While Hull "realized that there are possible disadvantages to publication at this time," he believed that "on balance it would be desirable to publish these papers" since they demonstrated "that this Government could not sit still and watch Japan carry out a program of unlimited aggression to the menace of our national security." Since the envisioned compilation included many records of Roosevelt's personal involvement in prewar diplomacy with Japan, Hull wanted explicit permission from the President to proceed with the project. On June 20, Roosevelt responded: "OK. Cover it all."<sup>73</sup> Although two *FRUS* volumes purporting to "cover it all" in U.S.-Japanese relations between 1931 and 1941 appeared in 1943, some journalists justifiably "criticized [the volumes] rather sharply as being only a partial picture."<sup>74</sup> In 1943 and 1944, the Department proposed an analogous project

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<sup>71</sup> E.R. Perkins to Spaulding, November 6, 1945, NARA, RG 59, CDF 1945-1949, 026 *Foreign Relations* (P.C. 1919)/ 11-645.

<sup>72</sup> *Papers Relating to the Foreign Relations of the United States*, The Paris Peace Conference, 1919, Vol. V and *Papers Relating to the Foreign Relations of the United States*, The Paris Peace Conference, 1919, Vol. VI (Washington, D.C.: Government Printing Office, 1946).

<sup>73</sup> Hull to Roosevelt, June 17, 1942, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-5. The research and compilation process for these volumes proceeded extremely quickly. See Spaulding to Maxwell Hamilton, January 16, 1942, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1580 1/2, and Perkins to Spaulding, July 25, 1942, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-5. This project echoed a proposal made by Alger Hiss in 1940 to publish the record of relations with Japan since 1937, which apparently succumbed to high printing costs. See *passim*, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-2.

<sup>74</sup> Spaulding to Matthews, Shaw, Edward Stettinius, and Hull, October 18, 1943, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1685a. Newspaper coverage characterized the volumes as a "white paper," not part of the *Foreign Relations* series. The *New York Times* printed the introductory narrative for the "Peace and War" compilation. See Joseph Cloud, "U.S. Warned of Jap Attack Year Before They Struck," *Washington Post*, January 3, 1943, p. 1; "Hull's Text on American White Paper," *Washington Post*, January 3, 1943, p. 5; "Peace and War—United States Foreign Policy, 1931-1941," *New York Times*, January 6, 1943, pp. A1-A10; "Hail Publication of 'Peace and War': Hull and Many Other Officials Say Printing of Text Adds to Knowledge of Issues," *New York Times*, January 7, 1943, p. 7. The "Peace and War" volumes indeed lacked important documentation of U.S. policy toward Japan. Comprehensive documentation of the subject required publication of additional records in regular annual volumes focused upon East Asia published between 1946 and 1962. The first to appear was

documenting U.S. policy toward the European Axis powers before the outbreak of war. While Roosevelt was “all in favor of the objective,” he believed that “the mechanics” would be “difficult” because of the foreign equities involved in telling the story of U.S. opposition to Hitler’s Germany.<sup>75</sup>

Rather than privileging historical integrity or openness in government, public diplomacy considerations guided Roosevelt’s decisions regarding *FRUS* during World War II. Publishing the record of Wilson’s negotiations at Versailles promoted no identifiable public diplomacy objective. Moreover, it seemed likely to invite criticism of summit diplomacy at a time when Roosevelt relied on personal meetings with Allied leaders to shape a strategy to defeat the Axis powers and sustain cooperation after victory.<sup>76</sup> The “Peace and War” volumes and the proposed compilation of prewar counter-Hitler diplomacy, in contrast, did offer value at a time when the U.S. Government was mobilizing public opinion with “white propaganda” in support of the war effort.<sup>77</sup> In the few exceptional cases when *FRUS* garnered Presidential attention during the war, Roosevelt deprecated responsible historical transparency in favor of the nationalistic and politicized approach employed by European governments debating war guilt during the 1920s and 1930s.

The *FRUS* production staff remained committed to the new paradigm and persevered through other obstacles related to the war. Their biggest shock came in September 1939, when Cyril Wynne, who “had been in ill health for several months,” committed suicide.<sup>78</sup> Wynne’s deputy, Wilder Spaulding, a 1930 Harvard Ph.D., took charge after his death. In 1940, Assistant Secretary of State Breckinridge Long chided RP for failing to adhere to upgraded security procedures.<sup>79</sup> In 1942,

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*Papers Relating to the Foreign Relations of the United States, 1931, Vol. III, The Far East* (Washington, D.C.: Government Printing Office, 1946) and the last was *Foreign Relations of the United States: Diplomatic Papers, 1941, Vol. V, The Far East* (Washington, D.C.: Government Printing Office, 1962).

<sup>75</sup> Spaulding to James Dunn, September 22, 1943; [Robert?] Stewart to Dunn, September 30, 1943; Spaulding to Matthews, Shaw, Stettinius, and Hull, October 18, 1943; and Spaulding to John Dickey, April 15, 1944 in NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1685a and Hull to Roosevelt, April 25, 1944; Roosevelt to Hull, April 26, 1944; and Hull to Roosevelt, June 22, 1944 in NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1694.

<sup>76</sup> See Frank Costigliola, *Roosevelt’s Lost Alliances: How Personal Politics Helped Start the Cold War* (Princeton: Princeton University Press, 2011).

<sup>77</sup> See Justin Hart, *Empire of Ideas: The Origins of Public Diplomacy and the Transformation of U.S. Foreign Policy* (Oxford: Oxford University Press, 2013), pp. 71-106. Archibald MacLeish, one of the architects of “white propaganda” in the Office of War Information, became the first Assistant Secretary of State for Public Affairs. From this post, he oversaw the Division of Research and Publication as World War II ended. His ideas about “white propaganda” influenced *FRUS* in the early cold war. See [chapter 7](#).

<sup>78</sup> See “E.C. Wynne, State Department Official, Found Fatally Shot,” *Washington Post*, September 26, 1939, p. 1 and “Dr. Cyril Wynne, Hull Aide, Suicide,” *New York Times*, September 27, 1939, p. 24.

<sup>79</sup> Long to Spaulding, October 7, 1940; Spaulding to RP Section Chiefs, October 9, 1940; Long to Spaulding, December 18, 1940; and Spaulding to Barron, Gerber, Perkins, Ball, Drew, Boggs, Leach, Perkins, Gates, Slocum, and Zilch, December 19, 1940 in NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-3.

most of RP was moved to temporary quarters on Constitution Avenue, which made it “less convenient ... for officers and employees of divisions in the main building to confer with” RP staff.<sup>80</sup> Despite these disruptions, the *FRUS* production process proceeded relatively smoothly when clearance difficulties did not interfere.<sup>81</sup> The biggest threat to publishing the cleared volumes during the war was a congressional proposal to reduce appropriations for Department of State printing by 40 percent. The still-influential octogenarian John Bassett Moore and other members of the scholarly community successfully lobbied to reduce the cut to a more manageable 10 percent.<sup>82</sup>

Scholarly engagement with the *Foreign Relations* series during the war extended beyond lobbying Congress for additional resources to addressing key questions about editorial methodology and assuring the integrity of the series. In 1942, Duke University history professor Paul Clyde inquired about material withheld from the 1927 volumes. In response, Spaulding explained that the selection criteria employed by *FRUS* historians to keep compilations from growing “impracticabl[y] ... bulky” necessarily led to the omission of most political reporting, routine correspondence, and other “background materials.”<sup>83</sup> When Samuel Flagg Bemis cited gaps in a critical review of the 1928 *FRUS* volumes in the *American Historical Review*, Ralph Perkins<sup>84</sup> suggested that the Department invite the AHA to “appoint a committee to investigate our problems and make a report” to the academic community. Such a committee would “give some time to the study and [have] full access to the records. They should be allowed to see the ... files themselves. They should also see what omissions we have made because of objections in the Department or from foreign governments.”<sup>85</sup>

Following Perkins’s proposal, the Department invited scholars to a conference on the *Foreign Relations* series in October 1944. The agenda focused on editorial

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<sup>80</sup> William Gerber, “Rough Draft,” April 20, 1942, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-4.

<sup>81</sup> See progress reports from Axton and Perkins in NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-4.

<sup>82</sup> See memorandum of conversation between Shaw and Herbert Wright, March 10, 1942, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1602; Spaulding to Shaw, March 13, 1942, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1603; and *passim*, LCM, Box 164, State Department General 1896-1942.

<sup>83</sup> Paul Clyde to Spaulding, August 27, 1942; E.R. Perkins to Spaulding, August 31, 1942; and Spaulding to Clyde, September 12, 1942 in NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 1604.

<sup>84</sup> Ernest Ralph Perkins, who was among the initial cohort of professional historians who joined the Department to implement Dennett’s modernization program, was the longest-serving General Editor-equivalent in *FRUS*’s history. After completing his Ph.D. at Clark University in 1930, Perkins joined the Office of the Historical Adviser as a research assistant. By 1938, Perkins had risen to become head of the research section of RP, a position retitled “Editor of *Foreign Relations of the United States*” in 1944. Perkins retained this position (through several more office name and position title changes) until 1963.

<sup>85</sup> E.R. P[erkins] to Spaulding, February 11, 1944, NARA, RG 59, Miscellaneous Office Files, 1910-1944, Box 35, 55D-606-OSS/PB-5.

matters like the format, timeliness, scope, and annotations in the volumes. One attendee, Harvard law professor Manley O. Hudson, suggested that—for some academic purposes—the “series ‘presents too little too late.’” Hudson evaluated the utility of the series from a variety of academic disciplinary perspectives. To improve *FRUS* for historians, he urged the Department to streamline and accelerate the volumes. “For people interested in our current international relations,” Hudson concluded, “the excellent material in the volumes is wasted. It only appears after the occasion for its use has passed.”<sup>86</sup> Although there is no evidence that the 1944 *FRUS* conference resulted in significant changes in editorial practice or afforded scholars an opportunity to compare published volumes with the unpublished record, it did foreshadow increasingly close collaboration regarding the series between the academic community and Department historians.<sup>87</sup>

Between 1920 and 1945, the Department of State released 56 *FRUS* volumes covering the years between 1913 and 1930. The average lag in publication doubled during the period. In the tense international atmosphere of the late 1930s and the war years, releasing sensitive documents that drew attention to the post-World War I settlement seemed unnecessarily risky to many in Europe and East Asia, but essential to democratic accountability in the United States. Balancing transparency and national security grew increasingly difficult during the 1930s and produced additional kinds of tension during the Second World War. In February 1945, as the prospect of victory over Germany came into view, Wilder Spaulding reported to Assistant Secretary of State Archibald MacLeish that “our first objective in publishing [*FRUS*] volumes is to produce a ‘substantially’ complete and honest definitive record which should, so far as possible, be above criticism by experts who are inevitably suspecting the Department of suppression of the record.” In balancing demands for timeliness and concerns for security, Spaulding predicted that “the nearest approach we can make to the ideal time lag would be ten years.”<sup>88</sup> Despite John Bassett Moore’s persistent calls to restore *FRUS* to its 19th century standard of currency,<sup>89</sup> even the series’s most ardent supporters no longer believed a one-year line possible. Nor did they consider it advisable. The events of the two

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<sup>86</sup> See Manley Hudson to Spaulding (with attached “U.S. *Foreign Relations* Volumes”), October 9, 1944 and meeting agenda, [no date—October 21, 1944] in NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 17, 1944 Oct. No additional information about this conference has been located.

<sup>87</sup> It is possible that the conference persuaded RP to adopt Fuller’s ideas to prepare separate topical volumes for each year’s documentation. The 1932 annual volumes, released in 1947 and 1948, adopted this approach. Compilation for these volumes “was underway” in June 1944. See “Division of Research and Publication Progress Report, May 15-May 31, 1944,” June 1, 1944, NARA, RG 59, Unindexed Records (Central Files), 1910-1944, Box 15, 1944 June.

<sup>88</sup> Spaulding to MacLeish, February 3, 1945, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations* / 2-345. Spaulding’s memorandum concluded with a plea to augment the Department’s historical research capacities to allow for a policy-supportive “research program and ... special research studies,” to avoid “causing delay in the *Foreign Relations* program” by “borrowing” *FRUS* historians for such functions.

<sup>89</sup> See [chapter 5](#).

decades after the 1925 Kellogg Order caused openness advocates to support a new transparency paradigm centered on historical accountability that arose after World War I. Nevertheless, the clearance battles of 1930-1945 paled in comparison to the controversies that buffeted *FRUS* as the United States waged the Cold War.

# Chapter 7: “Out of the Frying Pan Into the Fire,” 1945-1957

Joshua Botts

During the 12 years following World War II, the Department of State published 56 *FRUS* volumes, nearly doubling the pace established during the previous quarter century. The average publication lag crept upward from 16 years to 18 years. That relatively minor increase in the publication lag masked significant challenges to producing the series after World War II. The Cold War added another dimension to *FRUS* clearance difficulties because new entities such as the Central Intelligence Agency, the Department of Defense, and the National Security Council played substantial roles in foreign affairs. During the interwar period, interagency coordination for research and declassification of *Foreign Relations* compilations had been largely unnecessary. Since practically all of the documentation for most volumes came from Department of State files, little reason existed to consult other agencies for clearance. Although the Paris Peace Conference volumes required an unprecedented amount of research beyond Department files, most of that work involved private papers at the Library of Congress.<sup>1</sup> *FRUS* historians first confronted the documentary consequences of the rise of the national security state in the 1950s, when the U.S. Senate demanded that the Department of State publish the “Yalta Papers.”

## “The Historical Voice of America”?: *FRUS* and Cold War Public Diplomacy

In July 1949, the distinguished historian of U.S. diplomacy Samuel Flagg Bemis reviewed the five *Foreign Relations of the United States* volumes for 1932 in the *American Historical Review*. His otherwise favorable comments concluded with a warning: “the present rate of back drift” could jeopardize the usefulness of the series unless Congress provided the resources for Department historians to keep up with the steady expansion of records generated by the U.S. Government in the new era of American global engagement. “If the editorial labors of the learned scholars in the Department of State are to be really useful in more than a remote academic sense,” Bemis argued, “Congress had better get a move on” and support “the historical Voice of America.”<sup>2</sup>

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<sup>1</sup> *Papers Relating to the Foreign Relations of the United States, 1919, The Paris Peace Conference, Vol. I* (Washington, D.C.: Government Printing Office, 1942), p. IV. See also Wilder Spaulding to Breckinridge Long, March 15, 1940, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1456 1/2 and Long to Spaulding, March 16, 1940, NARA, RG 59, CDF 1940-1944, 026 *Foreign Relations*/1458 1/4.

<sup>2</sup> Samuel Flagg Bemis review of *Foreign Relations of the United States: Diplomatic Papers, 1932* in the *American Historical Review* (July 1949), pp. 856-858. Quote on p. 857. The *Washington Post*, like Bemis, called upon Congress to increase funding for *FRUS* at the end of 1948. See Ferdinand Kuhn, “17-Year Lag: State Dept. Holds Secret Papers Tight,” *Washington Post*, December 26, 1948. The article, which blamed resource limitations for the lagging pace of publication, resonated with an anonymous

Bemis's characterization of *FRUS* reflected ambiguities concerning the intended purposes and actual functions of the series in the postwar era. After all, Voice of America radio broadcasts, which the Department of State began managing in 1946, were not intended to present an objective viewpoint or conform to scholarly standards. Instead, the program operated as an instrument of public diplomacy and psychological warfare directed toward foreign audiences on both sides of the Iron Curtain. The interwar years had been a critical period in the evolution of the *Foreign Relations* series and, by the eve of World War II, *FRUS* had established an impressive scholarly reputation. During the war, Roosevelt preferred to employ the series—along with other government information programs—to mobilize public opinion. Even though Roosevelt delayed the Paris Peace Conference volumes, whose contents clashed with his propaganda requirements, his intervention did not alter the character of the series.

Within days of Germany's surrender in May 1945, however, Wilder Spaulding advised Assistant Secretary of State Archibald MacLeish to approve a publication program designed to pre-empt historical revisionism concerning the origins of World War II. This project would release "full, frank, and convincing" documentation that was "much more complete than what was printed in [the 1943 volumes on prewar Pacific diplomacy] but ... confined to the main line of events which lead [sic] directly to the war." If the Department had difficulty gaining access to essential documents in Roosevelt's papers that made it impossible to compile a coherent narrowly-focused collection of documents, it should "at least" accelerate *FRUS* to ensure that the available record reached the public "within the next four or five years." Spaulding wanted the Department to employ *FRUS* to shape public and scholarly discourse about recent history in ways that served U.S. interests.<sup>3</sup>

This abortive project illustrated the possibility that policymakers would abandon the maturing 20th-century historical transparency paradigm in favor of a politicized alternative as they entered the postwar era. By 1947, historian Justin Hart argues, "the increasing relevance of public participation to U.S. foreign relations sent a clear message to U.S. officials" that "building public support for ... strategic priorities at home as well as abroad" was essential. One way of securing support

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"Historian" in Washington. See Letter to the Editor from Historian, January 6, 1949, *Washington Post*, p. 10.

<sup>3</sup> Spaulding paper, May 15, 1945 attached to Spaulding to Archibald MacLeish, May 16, 1945, NARA, RG 59, CDF 1944-1949, 811.00/5-1645. Between 1945 and 1947, the Roosevelt estate intended to treat his Presidential papers as private property. In 1947, a court ruling held Roosevelt's White House papers to be government property and transferred control to the National Archives. Although archival processing remained a significant obstacle to systematic research, the Department of State faced few administrative or procedural obstacles in accessing the Roosevelt records for *FRUS* in the late 1940s or 1950s. See *passim*, NARA, RG 59, CDF 1945-1949, 811.414; *passim*, NARA, RG 59, Entry A1-5066: Bureau of Public Affairs, Office of the Historian, Records Relating to the Compilation of the World War II Conferences Volumes of the Publication *Foreign Relations of the United States* (83 D 222) (henceforth WTC Lot File 83 D 222); and Herman Kahn, "World War II and Its Background: Research Material at the Franklin D. Roosevelt Library and Policies Concerning Their Use," *The American Archivist* (April 1954), pp. 149-162.

was “propaganda to get people speaking their language ... of the Cold War.”<sup>4</sup> Was Bemis more right than he knew when described the series as “the historical Voice of America” in 1949?

To be sure, U.S. officials believed that “objective” history could also promote U.S. interests during the Cold War. Between 1948 and 1952, the Department of State and the Truman administration published historical documents to support their diplomatic objectives. In January 1948, as American and British scholars collaborated to publish captured German documents, the United States “caught [the Soviets] flat-footed in what was the first effective blow ... in a clear-cut propaganda war” when it unilaterally published the inflammatory Molotov-Ribbentrop Pact (among other embarrassing records) in *Nazi-Soviet Relations, 1939-1941*.<sup>5</sup> In August 1949, the Department of State published a thousand-page dossier of documents on U.S. relations with China to defend the Truman administration from Republican charges that he had “lost” the mainland to Soviet-allied Communist revolutionaries.<sup>6</sup> Despite the White Paper’s failure to deflect criticism of his China policy, President Harry Truman remained convinced that history could serve as a weapon in the Cold War. In a December 1950 letter to American Historical Association President Samuel Eliot Morison, Truman declared that “Communist imperialism has made falsehood a dangerous weapon; but truth can be a far more potent weapon. American historians can contribute to the cause of the free nations by helping the Government to record and interpret the policies our Nation is following to secure peace and freedom in the world.”<sup>7</sup>

In some ways, Cold War *FRUS* volumes also fell within Truman’s proposal that the United States deploy history as a “potent weapon.” For example, the Historical Division (HD) accelerated coverage of 1930s U.S.-Soviet relations in *FRUS* during the early 1950s in coordination with a planned (but never published) “White Book

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<sup>4</sup> Justin Hart, *Empire of Ideas: The Origins of Public Diplomacy and the Transformation of U.S. Foreign Policy* (Oxford: Oxford University Press, 2013), p. 120.

<sup>5</sup> Richard Humphrey to Francis Russell, quoted in Astrid Eckert, *The Struggle for the Files: The Western Allies and the Return of German Archives after the Second World War* (Cambridge: Cambridge University Press, 2012; original German language publication 2004), p. 94. Eckert describes the U.S. decision to release *Nazi-Soviet Relations, 1939-1941: Documents from the Archives of the German Foreign Office* (Washington, D.C.: Government Printing Office, 1948) as unilateral rather than as part of the joint Anglo-American German Documents Project on pp. 92-94.

<sup>6</sup> The most controversial element of the White Paper was the introductory interpretive letter of transmittal, which blamed the Chinese Nationalists for the success of their Communist opponents (*United States Relations With China With Special Reference to the Period 1944-1949* (Washington, D.C.: Department of State, 1949), pp. III-XVII). See Nancy Bernkopf Tucker, *Patterns in the Dust: Chinese-American Relations and the Recognition Controversy, 1949-1950* (New York: Columbia University Press, 1983), pp. 173-207 and Justin Hart, *Empire of Ideas*, pp. 142-144. For documentation concerning the China White Paper, see *Foreign Relations of the United States, 1949*, Vol. IX, The Far East; China (Washington, D.C.: Government Printing Office, 1974), pp. 1365-1409 and *passim*, in NARA, RG 59, CDF 1945-1949, 026 China and NARA, RG 59, CDF 1950-1954, 023.1 China.

<sup>7</sup> Harry Truman to Samuel Eliot Morison, December 22, 1950, LCM, AHA Papers, Box 170, Committee on Historians and the Federal Government 1950-1951.

on ... relations with the Soviets." To differentiate the volume from propaganda, the preface specified that the published documents had been compiled according to *FRUS* principles. Clearance debates within the Department focused on information concerning the Soviet-Finnish War that could conceivably compromise Finnish officials who maintained a "very close connection" with Washington in 1939. The Department released the volume in 1952; *FRUS* had joined the Cold War.<sup>8</sup>

The Department correctly anticipated that the *Foreign Relations* series would help shape both American and international views about international politics. *FRUS* provided a vital resource for historians and political scientists whose goal was to educate the American public about the risks and opportunities of global leadership. Some volumes received media coverage. Foreign audiences paid attention to the documents printed in *Foreign Relations* because revelations about past U.S. policies contributed to foreign perceptions about America's role in the world. Many in the Department of State and other agencies responsible for national security and foreign policy, therefore, believed the *Foreign Relations* series could shape international discourse—for good or ill. Across the U.S. Government, officials insisted that *FRUS* conform to their Cold War objectives.

To a limited extent, those officials got their wish. Instead of casting the 1925 Kellogg Order aside in favor of a propaganda mission for the series, the Department reinterpreted the 20th century transparency paradigm for a less secure world. From the 1950s to the 1980s, Cold War imperatives affected the timeliness of the series as well as decisionmaking about the declassification of U.S. Government records. When the Cold War began, *FRUS* averaged a 15-year publication line; by the 1980s, that lag had doubled to around 30 years. Volumes also received greater scrutiny within the U.S. Government before they were released. In part, this was a consequence of the widened bureaucratic scope of the compilations. As *FRUS* included more documents from government agencies beyond the Department of State, those agencies gained more authority to review the records chosen for publication. With additional veto-points for clearing records, the declassification process grew increasingly contentious and lengthy.

A qualitative shift also heightened the perceived risks of releasing historical information. As Mary Dudziak explains, "once war has begun, time is thought to proceed on a different plane," requiring belligerents to embrace "extraordinary action" even as they "belie[ve] that [the wartime] moment will end decisively ... . In wartime thinking, the future is a place beyond war, a time when exceptional

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<sup>8</sup> See *Foreign Relations of the United States: Diplomatic Papers, The Soviet Union, 1933-1939* (Washington, D.C.: Government Printing Office, 1952), pp. III-IV. For background on the decision to release documentation on U.S.-Soviet relations during the 1930s as a *FRUS* volume rather than a White Paper, see Bernard Noble to George Reinhardt, December 14, 1950; Perkins to Noble, March 23, 1951; and Noble to Reinhardt (unsent), March 29, 1951 in NARA, RG 59, CDF 1950-1954, 023.1/3-2351.

measures can be put to rest, and regular life resumed.”<sup>9</sup> For officials in the U.S. Government, the Cold War required just such a shift in temporality. They prioritized containing Communist influence and Soviet power above maintaining traditional levels of transparency in government. American officials wanted to cultivate partners abroad and feared releasing historical documents might provide fodder for adversaries’ propaganda or alienate current and potential allies. When foreign governments protested the inclusion of material in *FRUS* or when U.S. diplomats warned that records scheduled to be published in an upcoming volume could harm national interests—both of which occurred repeatedly throughout the Cold War – U.S. Government officials had to determine how to balance operational goals with the core values of democracy, accountability, and legitimacy. As they did so, *FRUS* evolved. The Cold War spawned key changes in the series: broadening its bureaucratic scope, limiting its size relative to the total archival record, and lengthening the gap between events and their documentation in *FRUS*.

The key catalyst for *FRUS*’s “modernization” came from an unexpected source: a partisan political maneuver in the early 1950s that resulted in the “Yalta Papers” controversy. The Yalta documentation project began in late 1947 as a classified analysis of wartime conference records requested by Department officials for internal use. The resultant policy study formed the basis of a *FRUS* project that commenced in the summer of 1953, after leading Republican Senators requested that the Department publish the records of Franklin Roosevelt’s controversial wartime diplomacy and accelerate the *Foreign Relations* series (which had fallen to an unprecedented 18 years behind currency). The *FRUS* acceleration initiative echoed 19th century congressional requests that generated Supplemental *FRUS* Submissions, but in the midst of the Cold War and an expanded national security state, the Senate’s initiative led to unintended and profound consequences.

The public controversies surrounding the volume caused the *New York Times* to declare the March 16, 1955 publication of the Yalta Papers among the “fifty important dates” of the year.<sup>10</sup> The compiler of the volume, Bryton Barron, leaked information about its contents and debates over its publication to the press in 1954 and 1955. Release of the Yalta Papers generated headline news across the United States on March 17 and throughout the rest of the world the next day. Churchill commented on the documents in Parliament on March 17, President Dwight D. Eisenhower addressed the release at a press conference on the 23rd, and Secretary of State John Foster Dulles faced an executive session of the Senate Foreign Relations Committee on April 19 to explain the whole affair. After Barron was fired for insubordination, he launched a public campaign lambasting the Department of State and its Historical Division that led to further investigations.

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<sup>9</sup> Mary Dudziak, *War-time: An Idea, Its History, Its Consequences* (Oxford: Oxford University Press, 2012), p. 22.

<sup>10</sup> “Fifty Important Dates of 1955,” *New York Times*, January 1, 1956, p. E8.

The most significant effects of the Yalta Papers episode, however, only became apparent over time. Creating the volume forced *FRUS* historians to adopt key methodological changes. Expanded research and compilation expectations required Department historians, led by Bernard Noble, to mine an unprecedented array of governmental and non-governmental archives. To declassify and release these records only 10 years after the Yalta summit, even under insistent congressional pressure, Noble confronted intense opposition from officials in the Department of State and the Pentagon. The production of the Yalta volume established interagency precedents that shaped all subsequent *FRUS* volumes. Finally, the controversies surrounding creation of the volume spurred the Department to institutionalize academic community oversight for the series by creating the Historical Advisory Committee (HAC).

Most importantly, the Yalta Papers imbroglio confirmed *FRUS*'s shift from its original 19th century function to embrace a 20th century paradigm that traded timeliness for comprehensiveness. The volumes no longer manifested constitutional checks and balances, or a contemporary accounting of diplomatic activities. Instead, *FRUS* emerged as the leading vehicle for responsible historical transparency. *FRUS* readers gained richer historical documentation about U.S. foreign policy drawn from a wider variety of sources, but they paid a steadily mounting price as the publication lag for the series grew.

### **“These Publications Would Be of Tremendous Value”: The Politics of the Yalta Papers**

Columbia University Ph.D. (1935) and former Reed College political science professor Bernard Noble took charge of a reorganized Historical Policy Research Division (RE) in 1946. This reorganization placed the editing and publication functions—including *FRUS*-related technical editing and printing responsibilities—into a revived Division of Publications (PB) headed by Wilder Spaulding. Noble's staff researched and coordinated declassification of *FRUS*, participated in the Anglo-American *Documents on German Foreign Policy* project,<sup>11</sup> administered the Department's library, and performed policy-supportive historical research studies for Department officials. As initially organized, RE devoted more personnel to *FRUS* production than any other function; the *Foreign Relations* Branch had a staff of 15 while the Library Branch totaled 13 members and the Foreign Policy Studies Branch numbered 12.<sup>12</sup> For most—but not all—of the years that followed, *FRUS* shared an organizational home with professional historians assigned to policy-supportive research projects.

In the midst of mounting Cold War tensions, policymakers needed a clear understanding of wartime diplomacy to build a stable postwar order. In November 1947, the Bureau of Far Eastern Affairs (FE) requested that RE compile information

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<sup>11</sup> See Astrid Eckert, *The Struggle for the Files*.

<sup>12</sup> *Register of the Department of State, December 1, 1946* (Washington, D.C.: Government Printing Office, 1947), pp. 55-57 and 356.

about international conference discussions and decisions relating to East Asia dating back to 1943. Franklin Roosevelt had marginalized the Department of State as he conducted high-level diplomacy from the White House. Department officials, therefore, lacked important information about critical negotiations and agreements. With records of the major summit meetings scattered in various office and personal file collections across the Department—as well as throughout the rest of the government—seemingly straightforward questions like “What did Roosevelt discuss with Chiang at the First Cairo Conference?” proved nearly impossible to answer.<sup>13</sup>

The Department’s records proved inadequate to the task of producing a comprehensible account of the Yalta Conference. To the extent that the Department had an institutional memory of the wartime conferences, it was maintained by Charles Bohlen, Counselor of the Department. His office files included the informal minutes he kept as Franklin Roosevelt’s interpreter in meetings with Josef Stalin. In 1948 and 1949, RE began collecting additional relevant records in other Department offices and bureaus as well as non-Departmental sources, including the Pentagon, the White House, and the Franklin Roosevelt Presidential Library at Hyde Park, NY. Even for a classified, official policy study, securing access to records outside of the Department of State, especially those of the Joint Chiefs of Staff (JCS), proved difficult for RE researchers. After Bohlen transferred certain records to the Department’s recordkeeping system in the summer of 1949, RE took over full responsibility for systematically compiling the records of all the wartime conferences.<sup>14</sup>

These compilations proved unexpectedly challenging for researchers accustomed to mining the Department of State’s central files to produce comprehensive documentary collections. Roosevelt himself created one daunting obstacle—he disliked keeping detailed records of decisionmaking. As Ralph Perkins, the Chief of the *Foreign Relations* Branch of RE, noted, “it appears that President Roosevelt was not in the habit of making memoranda of his conversation.”<sup>15</sup> The most meticulous records for many of the wartime conferences were those kept by the Joint Chiefs of Staff, who often served as Roosevelt’s primary advisers at summit

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<sup>13</sup> James Penfield and Charles Stelle to Noble, November 20, 1947, NARA, RG 59, WTC Lot File 83 D 222, Box 5, 1947-1948 and “Development of the Malta-Yalta Documentation Project,” p. 1 in “Briefing Papers prepared for the Secretary’s discussion with the Senate Foreign Relations Committee on April [19],” [April 14, 1955?], NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955. Interest within the Department for the wartime conference compilations remained high throughout the Truman administration. See memorandum of conversation between William Franklin and Michael Gannett, March 21, 1952, NARA, RG 59, WTC Lot File 83 D 222, Box 5, 1951-1952.

<sup>14</sup> See *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, 1947-1948; 1949-1950; and 1951-1952.

<sup>15</sup> Perkins to Franklin, June 21, 1948, NARA, RG 59, WTC Lot File 83 D 222, Box 5, 1947-1948.

meetings where military strategy and operational planning dominated the agenda.<sup>16</sup> Department of Defense officials, however, were reluctant to share their records with historians from the Department of State. In 1952, a Pentagon request for Department of State records of the Tehran Conference gave RE the opportunity to propose more expansive cooperation and records sharing. The resulting access allowed RE to make progress on classified compilations for official use within the Department.<sup>17</sup>

As RE accumulated the records of Roosevelt's summits, partisan debate focused public attention on wartime diplomacy.<sup>18</sup> By 1950, escalating conservative demands to divulge the secrets of Yalta and other wartime conferences led Noble to inform Secretary of State Dean Acheson that the existing public record was "substantially complete" from the memoir literature and that publishing the Yalta documents posed several risks. Some statements in the minutes of summit meetings, he advised, could prove embarrassing to the United States and Great Britain. The lack of agreed minutes might allow the Soviet Union to release an "alternate" version of the conference to mobilize world opinion against the West.<sup>19</sup> Finally, Noble warned that the Department's poor wartime recordkeeping left it incapable of satisfying the inevitable public demand for releasing the records of the other conferences. "With respect to the First Cairo Conference of 1943," he admitted, "the real reason we cannot publish the minutes of the political discussions is that we have none ... and that fact cannot be disclosed without giving the Chinese a completely free hand in telling us and the world just what commitments President Roosevelt made or may be alleged to have made at Cairo."<sup>20</sup> Choosing security over transparency, the Department kept the Yalta records secret.

After Dwight D. Eisenhower's election in 1952, the new conservative congressional majority dictated a different choice. On April 22, 1953, Senate Majority Leader William Knowland (Republican, CA) sent Secretary of State John Foster Dulles a letter that quoted from an unattributed memorandum claiming that RE was sitting on "a rich mine of historical materials of immediate political significance." Knowland's source explained that, "before the American people can know in detail the bungling of diplomacy by the Roosevelt-Truman Administrations this material must be published." Unfortunately, "old-line administrators" and "Roosevelt-Acheson supporters" in the Department of State had "stalled publications of any

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<sup>16</sup> See Mark Stoler, *Allies and Adversaries: The Joint Chiefs of Staff, the Grand Alliance, and U.S. Strategy in World War II* (Chapel Hill: University of North Carolina Press, 2000), pp. x and 146.

<sup>17</sup> See *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, 1947-1948; 1949-1950; and 1951-1952.

<sup>18</sup> Athan G. Theoharis, *The Yalta Myths: An Issue in U.S. Politics, 1945-1955* (Columbia: University of Missouri Press, 1970).

<sup>19</sup> The Soviet Union did, eventually, publish its own minutes of the Tehran, Yalta, and Potsdam summits between 1961 and 1965 in the journal *International Affairs* (by which time the corresponding *FRUS* volumes had all been published). See *The Tehran, Yalta, and Potsdam Conferences: Documents* (Moscow: Progress Publishers, 1969).

<sup>20</sup> Robert Barnes to Noble, March 1, 1950 and Noble to Dean Acheson, March 3, 1950 in NARA, RG 59, WTC Lot File 83 D 222, Box 5, 1949-1950.

political importance for the Republicans,” especially *FRUS* volumes for the World War II years. Publishing these records could “give in detail the mishandling of Japanese relations, the failures to estimate the Russian role in the Far East, and the omissions of previous State Department publications on Japanese-American relations” and also “demolish the claims of the *China White Paper* and confirm the charges of Democratic misjudgment on the Far East.” Knowland’s correspondent predicted that “if Democratic holdovers in the Division of Historical Policy Research are prevented from excluding key documents these publications would be of tremendous value.” In addition to accelerating production of *FRUS* volumes covering U.S. policy toward China in the 1940s, Knowland requested Dulles to publish a special series on the secret wartime conferences held between Allied leaders during World War II.<sup>21</sup> Bernard Noble did not wait for the newly ascendant Republicans to make these demands. He proposed publishing the Yalta records in advance of the regular *FRUS* volumes on March 6.<sup>22</sup>

Knowland’s request led to an investigation of the Historical Research Division and a crash program to accelerate *FRUS*. The investigation exonerated the leadership of the renamed Historical Division (HD) of partisan shenanigans, but failed to satisfy critics like staff historian Bryton Barron, who continued to accuse HD management of manipulating history for partisan purposes even as he bungled his assignment to complete compilation of the Yalta volume in 1954 and 1955. The *FRUS* acceleration plan assigned the China series to the *Foreign Relations* Branch, while the Policy Studies Branch focused on the wartime conference volumes. As a result of this attempt to speed up production, the historians working on the conference volumes were not necessarily familiar with—or constrained by—existing *FRUS* methodologies.<sup>23</sup>

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<sup>21</sup> William Knowland to [John] Foster [Dulles], April 22, 1953, NARA, RG 59, WTC Lot File 83 D 222, Box 5, January-October 1953. Although unattributed—and not found in Barron’s private papers—the memorandum quoted by Knowland probably originated with RE staff historian Bryton Barron. See also Anna Nelson, “John Foster Dulles and the Bipartisan Congress,” *Political Science Quarterly* (Spring 1987), pp. 43-64 for background on Dulles’s efforts to cultivate Congress, and “Official Papers,” *Washington Post*, March 7, 1953, p. 8 for an explanation for the “‘long delay’ in the publication of State Department papers.”

<sup>22</sup> Noble to Joseph Phillips, March 6, 1953, NARA, RG 59, WTC Lot File 83 D 222, Box 5, January-October 1953.

<sup>23</sup> See *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, January-October 1953; November-December 1953; and January 1954; Carl McCardle to Knowland, May 22, 1953, Reed College, G. Bernard Noble Papers (henceforth Noble Papers), Box 16, 6; Lyndon Johnson to Secretary of State, June 30, 1953 and Dulles to Johnson, July 8, 1953, NARA, RG 59, CDF 1950-1954, 023.1/6-3053; Robinson McIlvaine to Arthur Watkins, August 25, 1953, NARA, RG 59, CDF 1950-1954, 023.1/8-1253; Franklin and Noble, “Special *Foreign Relations* Project: Memorandum for the White House,” November 18, 1953, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences—Congressional—Senate Foreign Relations Committee; Dane Orwick and Harris Huston to McCardle and Robinson McIlvaine, November 25, 1953 and *passim*, Reed College, Noble Papers, Box 16, 11; and *Supplemental Hearings on Departments of State, Justice, and Commerce Appropriations for 1954, Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, 83rd Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1953), pp. 24-29.

The continued sensitivity of many of the issues discussed at the wartime conferences and the partisan aura of the accelerated production of *FRUS* alarmed other government agencies and former officials. Already-obtained documents had to undergo declassification review and those who controlled access to as-yet untapped sources were wary of the widely-reported partisan dimension of the project. It took years for HD to gain access to Truman's papers for the Potsdam volumes, and the widow of Edward Stettinius (the Secretary of State who attended the Yalta Conference with Roosevelt) refused to allow the Department to examine her husband's papers held at the University of Virginia.<sup>24</sup> Even some agencies that had cooperated with the original policy study resisted additional requests for access or declassification. The most consequential bureaucratic opposition to releasing the Yalta volume came from the Pentagon.

Interagency rancor bedeviled the Yalta Papers. Without established procedures for interagency researcher access or declassification review, the Departments of State and Defense had to build a collaborative *FRUS* process from scratch. Facing tight deadlines and congressional scrutiny, both sides pursued their conflicting institutional priorities in a messy process of trial, error, and recrimination. Despite the Secretary of Defense's pledge of cooperation, his chief historian, Rudolph Winnacker, repeatedly recoiled at Noble's efforts to examine military records.<sup>25</sup> An April 1954 White House meeting between Noble and Winnacker to clarify the Pentagon's role and responsibilities for *FRUS* reduced bureaucratic friction, but failed to harmonize thinking between State and Defense. Although Winnacker agreed that the wartime conference volumes had to include "high-level" papers containing "official [military] positions and advice," he and the JCS insisted that this "agreed scope" be defined as narrowly as possible.<sup>26</sup> For their part, State historians were all too aware that incorporating non-Department of State records into *FRUS* was likely to be "the big problem from 1941 on"—and that they

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<sup>24</sup> For HD apprehensions about access and clearance problems, see Franklin to John French, July 17, 1953, NARA, RG 59, WTC Lot File 83 D 222, Box 5, January-October 1953. For the failed efforts to gain access to the Stettinius Papers, see Virginia Dudley to McIlvaine, February 17, 1954, NARA, RG 59, CDF 1950-1954, 023.1/2-1754 and *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, January-October 1953; November-December 1953; and February 1954. While the National Archives owned Truman's Presidential papers, the former President retained control over their use. For HD's efforts to examine records at the Truman Library, see *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, November-December 1953 and January 1954 and NARA, RG 59, WTC Lot File 83 D 222, Box 6, January 1955 and January-February 1956.

<sup>25</sup> See *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, January-October 1953; November-December 1953; January 1954; February 1954; and March-April 1954 and Noble to Thruston Morton, April 5, 1954, NARA, RG 59, CDF 1950-1954, 023.1/4-554.

<sup>26</sup> "Clearance with the Department of Defense" in "Briefing Papers prepared for the Secretary's discussion with the Senate Foreign Relations Committee on April [19]," [April 14, 1955?], NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955. See also *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, March-April 1954; June 1954; and July 1954 and *passim*, NARA, RG 59, CDF 1950-1954, 023.1/3-2654 through 023.1/8-3054.

were “now coming up to it face to face.”<sup>27</sup> Both HD and the Pentagon realized that they were negotiating precedents for the future in an atmosphere charged with partisanship. At one point in the summer of 1954, Winnacker exploded in frustration, characterizing the way that Department of State historians handled Pentagon equities as “outrageous and indefensible.” He accused Noble of “telling the Department of Defense to go to hell.”<sup>28</sup> These bureaucratic tensions over *FRUS* continued to plague the Yalta project, disrupting congressionally-mandated deadlines and, briefly, jeopardizing the future of the series.

Powerful opponents of publishing the Yalta Papers tried to scuttle the project in 1954. In Congress, the conservative *FRUS* acceleration agenda championed by Knowland and other Republican Senators clashed with the House Appropriations Committee’s austerity agenda. In its FY 1955 report, the House Committee eliminated funds for compiling and printing the *Foreign Relations* series. While the Senate Appropriations Committee restored funding after its hearings in the spring of 1954, the political maneuvering over *FRUS* remained at a fever pitch as Democrats and Republicans alike perceived the series as a potential weapon for partisan purposes.<sup>29</sup>

Doubts about publishing the Yalta Papers also crystallized in the executive branch. In an August 1954 review of the first galley proofs of the volume, Winnacker conceded that “the responsibility for decision” to proceed with publishing the Yalta *Foreign Relations* volume “is not mine nor that of the Department of Defense, but that of the Department of State.” He nonetheless tried to convince his counterparts across the Potomac that “this publication at the present time under U.S. Government auspices is not in the national interest.” Despite his familiarity with the wealth of material already a part of the public record, Winnacker reported “a sense of shock when reading in the present EDC [European Defense Community] atmosphere the actual 1945 plans for the postwar treatment of Germany, its dismemberment, reparations, and standard of living.” He predicted that “the cavalier disposal of smaller countries or the attitude toward France is also not likely to facilitate our foreign relations.” He also suggested that the compilation would be subjected to withering criticism for the absence of documents from the papers of Secretary of

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<sup>27</sup> Franklin to Noble, February 11, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955.

<sup>28</sup> Memorandum of conversation between Noble and Winnacker, August 26, 1954, NARA, RG 59, CDF 1950-1954, 023.1/8-2654.

<sup>29</sup> *Departments of State, Justice, and Commerce Appropriations for 1955: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, 83rd Cong., 2nd Sess.* (Washington, D.C.: Government Printing Office, 1954), pp. 144-147 and 150-153; *Departments of State, Justice, and Commerce and the United States Information Agency Appropriations, 1955: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, 83rd Cong., 2nd Sess., Part 1* (Washington, D.C.: Government Printing Office, 1954), pp. 752 and 806-812; and *Departments of State, Justice, and Commerce and the United States Information Agency Appropriations, 1955: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, 83rd Cong., 2nd Sess., Part 2* (Washington, D.C.: Government Printing Office, 1954), pp. 2128, 2130, and 2140-2143.

State Edward Stettinius and an “indefensible,” “arbitrary, incomplete, and, at times, silly” selection of pre-conference records. “With such shenanigans,” he predicted, “it is doubtful, to say the least, that this publication will enjoy a reputation for reliability.” Winnacker concluded his review by recommending the project either be forgotten, be published in a revised form (along with “an understanding that mutual assistance funds are to be increased to undo the damage”), or be published in a revised form subject to controls that would “prohibit export or republication in foreign languages.” The one alternative that Winnacker could not accept was to “publish it as a Government publication and ‘In God we Trust.’”<sup>30</sup>

Within the Department of State itself, the Bureau of European Affairs (EUR) also advised that the Yalta volume was too sensitive to release. Livingston Merchant, the Assistant Secretary of State for European Affairs, argued that “publication at this time would give a great deal of ammunition to the Soviets, as well as to the displaced or subjugated peoples in Central and Eastern Europe, the Chinese, Koreans, and Japanese, which could be used against the U.S. Government on questions which are still controversial and far from settled (e.g. territorial changes).” Merchant urged Dulles to order the deletion of pre-conference background materials that revealed “the permanent workings of the Department, inter-agency conflicts, statements of long-term interests[,] and reports on our allies,” all of which would be of tremendous “intelligence value to other foreign offices.” He feared that “one lesson other foreign offices might draw from such disclosures would be to be more careful about giving us information in the future.” Another danger was that publication would “undermine the relationship of future Secretaries of State and their professional advisors,” which required an “uninhibited willingness ... to express their views freely ... on controversial issues.”<sup>31</sup>

Coburn Kidd, head of the Office of German Political Affairs, went further. He worried that “the cure that is apt to suggest itself to a great many people will be ‘no more secrecy,’ whereas what may be needed is ‘a good deal more diplomacy.’” Although he recognized that the Yalta compilation “contains some material which could be used ... to illustrate the shortcomings of the preceding Administration,” Kidd cautioned that “it contains a great deal more which could be used by foreign countries against the U.S. Government and which could be used by the legislative branch against the Executive.” He warned that “if the conclusion were to be drawn from this one conference and agreement that all international conferences and agreements were too full of risk ... or if the publication of this story ten years after

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<sup>30</sup> Winnacker memorandum (with attached commentary on galley proofs), August 9, 1954, NARA, RG 59, CDF 1950-1954, 023.1/8-1454. Winnacker’s review was forwarded to Under Secretary of State Walter Bedell Smith on August 14, 1954.

<sup>31</sup> Livingston Merchant to Dulles, August 27, 1954, NARA, RG 59, Entry UD-WW-9: Bureau of Public Affairs, Office of the Historian, Arthur Kogan Files, 1945-1980 (83 D 230) (henceforth Kogan Papers Lot File 83 D 230), Box 2, Clearances—Malta & Yalta.

the event sets a precedent for the next administration to publish state papers five years after the event, we should be out of the frying pan into the fire.”<sup>32</sup>

In the summer and fall of 1954, EUR did all it could to block release of the Yalta Papers. Bureau officials recommended eliminating the briefing papers in the pre-conference section and discussions of the German-Polish border question. They also dismissed the relevance of previous memoir disclosures in emphasizing the potential repercussions of officially acknowledging sensitive documents by publishing them in *FRUS*. In essence, EUR urged Secretary Dulles to cut out the heart of the Yalta volume.<sup>33</sup> In September 1954, Dulles rejected EUR’s views, but delayed publication until after the imminent midterm election “so as not to,” as the Assistant Secretary for Public Affairs Carl McCardle put it, “damn the entire operation as political.”<sup>34</sup>

The Yalta volume still faced another significant obstacle: the British Government had to approve the release of Anglo-American Combined Chiefs of Staff papers that were included in the compilation. As early as November 1953, Richardson Dougall (head of the Policy Studies Branch with responsibility for the wartime conference volumes) had suggested reaching out to Whitehall informally to gauge HMG’s thinking about publishing the records of the wartime summit meetings. In February 1954, Noble heard from James Passant, at the Foreign Office Library, that consultations with the Cabinet Office had begun but that he did “not think it at all likely that permission will be given for the publication in extenso of any of these records which have not yet been published.” Noble replied the

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<sup>32</sup> Coburn Kidd to Burke Elbrick and Merchant, August 23, 1954, NARA, RG 59, CDF 1950-1954, 023.1/9-154.

<sup>33</sup> “Clearance in the Department of State” in “Briefing Papers prepared for the Secretary’s discussion with the Senate Foreign Relations Committee on April [19],” [April 14, 1955?], NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955 and Noble to Merchant, September 1, 1954; Kidd to Merchant, September 3, 1954; and Douglas MacArthur II to Merchant, November 12, 1954 in NARA, RG 59, CDF 1950-1954, 023.1/9-154. See also *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 6, October 1954. At some point in 1954, Under Secretary of State Water Bedell Smith (formerly Ambassador to the Soviet Union and Director of Central Intelligence) ordered two excisions of embarrassing material on the grounds that “it is not pertinent history”: a footnote “possibly” attributing a memorandum of conversation with Soviet military commanders to George Marshall and Roosevelt’s flippant response to a question from Stalin about whether the President “intended to make any concessions to Ibn Saud” at his post-Yalta summit at Alexandria. Roosevelt replied that “there was only one concession he thought he might offer and that was to give him the six million Jews in the United States.” See W[alter] B[edell] S[mith] annotations to Yalta galleys, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Special File.

<sup>34</sup> U.S. Embassy Tokyo to Secretary of State (McCardle for McIlvaine), September 10, 1954, NARA, RG 59, WTC Lot File 83 D 222, Box 5, September 1954. This was a response to Walter Bedell Smith to U.S. Embassy Tokyo (McIlvaine for McCardle), September 8, 1954, NARA, RG 59, WTC Lot File 83 D 222, Box 5, September 1954. No record of Dulles’s clearance decision has been located. See memorandum of conversation among Noble, McIlvaine, and John Hanes, November 19, 1954, NARA, RG 59, CDF 1950-1954, 023.1/11-1954; “Clearance in the Department of State” in “Briefing Papers prepared for the Secretary’s discussion with the Senate Foreign Relations Committee on April [19],” [April 14, 1955?], NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955; and *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Clearances—Malta & Yalta.

following month to suggest that “there is not much secrecy left to the official records of the conference proceedings” after the flood of memoirs during the past nine years. He also assured the British that “none of your documents would be published by us without your consent.” Passant remained skeptical of the project and, in April, urged Noble to lobby the Department to make an official approach to London “on the question of principle involved before any unilateral publication of classified records of conferences” was undertaken.<sup>35</sup> This was not done. Under existing Department of State procedures for handling FGI, the British had no right to decide whether to release U.S.-origin documents—even those containing substantial and potentially-sensitive British information (such as the Bohlen and Matthews notes of negotiating sessions that formed the heart of the Yalta compilation).<sup>36</sup> Unlike the Department’s documentary diplomacy for the Paris Peace Conference subseries in 1938, the U.S. Government never consulted with any foreign government on the basic decision to publish the Yalta records.

Instead, the Department began the formal clearance process for British- and jointly-originated documents with London in July 1954. The British proved reticent. From London, where Winston Churchill<sup>37</sup> and Anthony Eden had resumed their wartime positions as Prime Minister and Foreign Minister, it appeared that the U.S. Government was relying on a narrow technicality to prevent the British Government from protecting its own legitimate interests. Although the Foreign Office assented to publication of most British documents, Eden asked to review the entire compilation before publication. The Department sent proofs of the complete Yalta volume to London—for “information only,” not for clearance—in early December. In early January 1955, after several weeks of waiting for British approval for a few remaining British-origin documents and after consulting with Eisenhower about the volume, Dulles informed Eden that the Department would proceed with publication “unless you have some personal observations that you would want me to consider.”<sup>38</sup> Eden

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<sup>35</sup> Richardson Dougall to Noble, November 12, 1953, NARA, RG 59, WTC Lot File 83 D 222, Box 5, November-December 1953; James Passant to Noble, February 9, 1954 and Dougall to Noble, February 18, 1954 in NARA, RG 59, WTC Lot File 83 D 222, Box 5, February 1954; Noble to Passant, March 9, 1954 and Passant to Noble, April 1, 1954 in NARA, RG 59, WTC Lot File 83 D 222, Box 5, March-April 1954; Noble to Passant, April 8, 1954, NARA, RG 59, CDF 1950-1954, 023/4-154.

<sup>36</sup> In 1946, the British Government requested U.S. agreement to publish British records of 1931 meetings with U.S. officials. To preserve U.S. autonomy regarding FGI in U.S. documents, Wilder Spaulding urged the Department to “express [its] appreciation of being consulted,” but make no indication that it had “any rights in the matter.” See Spaulding to Linebaugh, July 2, 1946, NARA, RG 59, CDF 1945-1949, 741.00/6-2646 and *passim*, NARA, RG 59, CDF 1945-1959, 741.00/3-746 through 741.00/6-2646.

<sup>37</sup> For Churchill’s efforts to shape historical memory of his leadership during World War II, see David Reynolds, *In Command of History: Churchill Fighting and Writing the Second World War* (New York: Basic Books, 2005).

<sup>38</sup> Quote from Dulles to U.S. Embassy London, January 10, 1955, NARA, RG 59, CDF 1955-1959, 023.1/1-1055. See also “Clearance with the British Government” in “Briefing Papers prepared for the Secretary’s discussion with the Senate Foreign Relations Committee on April [19],” [April 14, 1955?], NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955 and memorandum of conversation between Dulles and Dwight Eisenhower, January 10, 1955, Dwight Eisenhower

did. On January 13, the Foreign Minister explained his “very real concern over the publication of all these documents so soon after the event.” He argued that “publication now of such detailed records may cause misunderstanding or create controversy without significantly increasing public knowledge of the events” and warned that British “anxieties about this project and our fear that the publication of such detailed records in the political lifetime of so many of the participants may make it difficult for us to be as frank as we should wish in future conferences.”<sup>39</sup>

Eden’s message put Dulles and the Department in a difficult position. Senate conservatives had already complained bitterly after the Yalta volume was delayed before the 1954 midterm elections;<sup>40</sup> leaks to the press were stoking public interest,<sup>41</sup> and now London introduced another roadblock to publishing the volume. Dulles suggested removing *all* references to Churchill and Eden from the compilation until Noble explained that such deletions would render the summit meetings incomprehensible and the volume worthless. Dulles grew increasingly frustrated, and when, in late January, McCardle worried that the intense interest in the Yalta volume made leaks inevitable, the Secretary confessed that he “wouldn’t mind that.” In the same conversation, Dulles pointed out that Senator Knowland and his conservative colleagues had pushed the Department of State to expedite *FRUS* because “they thought there was a lot of stuff which would be useful. Actually there is nothing.” After several weeks of debate, Dulles accepted Noble’s suggestion to limit access to the galleys (and responsibility for leaks) to Congress.<sup>42</sup>

With Democrats back in the majority on Capitol Hill in January 1955, however, that strategy backfired. After gaining control of the congressional committees that

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Presidential Library (henceforth Eisenhower Library), John Foster Dulles Papers (henceforth Dulles Papers), White House Memoranda Series, Box 3, Meetings with the President 1955 (7).

<sup>39</sup> U.S. Embassy London to Secretary of State, January 13, 1955, NARA, RG 59, CDF 1955-1959, 023.1/1-1355.

<sup>40</sup> Eisenhower discussed the publication of the Yalta papers with Republican congressional leaders at a December 13, 1954 meeting focused on the defense budget. See *Foreign Relations of the United States, 1952-1954, Vol. 2, Part 1, National Security Affairs, Document 138*, <http://history.state.gov/historicaldocuments/frus1952-54v02p1/d138>.

<sup>41</sup> The most significant articles about the Yalta Papers that appeared before March 1955 were “Turmoil Inside the State Department,” *U.S. News and World Report*, December 18, 1953 and “The Behind-Scenes Struggle Over Yalta Papers,” *Newsweek*, November 1, 1954. See the subsequent congressional investigation report in *Departments of State and Justice, the Judiciary, and Related Agencies Appropriations for 1958: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, 85th Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1957), pp. 953 and 957-959.

<sup>42</sup> Quotes from memorandum of conversation between Dulles and McCardle, January 25, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955. See also *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955; Dulles to U.S. Embassy London, March 10, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-1055; and Thruston Morton to Walter George, et al., March 14, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences – Congressional—Foreign Relations Committee. Noble’s suggestion to transmit the Yalta Papers to Congress under an injunction of secrecy echoed the Supplemental *FRUS* Submissions of the 19th century.

had originally demanded the wartime conference volumes, Democratic leaders refused to accept delivery of the Yalta records, disclaiming responsibility for the classified documents and demanding to know why the Department didn't publish the volume itself. Aware that blaming Great Britain could damage relations with London, Department spokesman Henry Suydam hedged, saying the Yalta Papers contained information potentially damaging to "national security and our relations with other powers."<sup>43</sup> Technically, the compilation had been declassified when Dulles approved the volume's publication in November, but, by justifying continued secrecy on security grounds, the Department worsened its already compromised position.

As rumors swirled about the contents of the Yalta Papers and the reason why they could not be released, *New York Times* reporter James Reston approached Assistant Secretary McCardle and offered to publish the Yalta records in full to prevent protracted damage from their piecemeal release. On March 15, 1955, McCardle gave Reston a copy of the Yalta galleys. The *Chicago Tribune* quickly caught wind of the scoop and enlisted Senator Everett Dirksen (Republican, IL) to demand that Dulles release the volume to everyone.<sup>44</sup> Backed into a corner, Dulles cabled London to explain that he had no choice but to officially release the leaked volume. Eden realized that further resistance was futile—and potentially toxic for Great Britain's image in the United States—and accepted the fait accompli.<sup>45</sup>

The release of the Yalta Papers on the evening of March 16 sparked headlines across the United States and the rest of the world.<sup>46</sup> At home, coverage emphasized Roosevelt's discussions about the future of Poland and the Far East and Alger Hiss's role at the summit. Columnists, including Walter Lippmann, debated the propriety of publishing unofficial records of informal conversations and the wisdom of pursuing summit diplomacy in the future.<sup>47</sup> To many, the partisan agenda behind

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<sup>43</sup> Press conference transcript, March 14, 1955 and press conference transcript, March 15, 1955 in NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences—Congressional—Foreign Relations Committee; Richard Russell to Morton, March 15, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-1555; and Chalmers Roberts, "Yalta Secrets March Up to Hill, George Marches 'Em Down Again," *Washington Post*, March 15, 1955, p. 1.

<sup>44</sup> Dulles testimony, April 19, 1955 in *Executive Sessions of the Senate Foreign Relations Committee, Volume 7: 84th Congress, 1st Session* (Washington, D.C.: Government Printing Office, 1978), pp. 426-427, 436-437, 441-447, 451-453, 461-464, 474-478, and 482-485; "Newspaper Mark Set By Yalta Text," *New York Times*, March 18, 1955, p. 5; and "Tribune Lauded For Job It Did On Yalta Text," *Chicago Tribune*, March 27, 1955, p. 11.

<sup>45</sup> Dulles to U.S. Embassy London, March 15, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-1555 and U.S. Embassy London to Secretary of State, March 16, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-1655. See also "Clearance with the British Government" in "Briefing Papers prepared for the Secretary's discussion with the Senate Foreign Relations Committee on April [19]," [April 14, 1955?], NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955.

<sup>46</sup> James Reston, "Secret Yalta Record is Published; Shows Anglo-U.S. Doubts on Soviet and Refusal to Grant All It Asked," *New York Times*, March 17, 1955, p. 1.

<sup>47</sup> Walter Lippmann, "Today and Tomorrow: The Yalta Papers: I," *Washington Post*, March 31, 1955, p. 15; Lippmann, "Today and Tomorrow: The Yalta Papers: II," *Washington Post*, April 5, 1955, p. 23; and Lippmann, "Today and Tomorrow: The Yalta Papers: III," *Washington Post*, April 7, 1955, p. 15.

the Yalta Papers seemed more newsworthy than the release of any additional, official evidence for conservative attacks on Roosevelt.<sup>48</sup> Instead of damaging Democrats with new, sensational disclosures, the Yalta Papers showed that the public already knew what happened at Yalta.<sup>49</sup> Scholars voraciously consumed the released documents to enrich their assessments of both recent history and current events.<sup>50</sup> When Dulles testified about their release before the Senate Foreign Relations Committee in April, Democratic Congressmen pummeled the Secretary with questions about security breaches and the mishandling of classified information.<sup>51</sup>

In the short term, U.S. policymakers worried about the international reaction to the Yalta Papers. One area of obvious concern was Anglo-American relations, already strained by disputes over China and U.S. skepticism of Churchill's hopes for Cold War summit diplomacy. Many foreign observers saw the Yalta release as a Department of State gambit to undermine Churchill's hopes for further "parleys" between world leaders.<sup>52</sup> In public, British leaders took pains to distance themselves from the Yalta Papers and downplay their significance. Speaking in Parliament on March 17, Churchill explained that British records reflected a different story than the American documents—although he declined requests from members of the House of Commons to publish any British records to show how.<sup>53</sup> Behind the scenes, Eden reminded Dulles on March 21 that HMG remained opposed to the publication of recent diplomatic records, especially the Potsdam *FRUS* volumes that

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<sup>48</sup> See, for example, Chalmers Roberts, "Documents Released on Pressure of Republicans," *Washington Post*, March 17, 1955, p. 1; Robert Hartman, "Torrents of Talk Over Yalta Flood Washington," *Los Angeles Times*, March 18, 1955, p. 10; Henry Hayward and Neal Stanford, "'U.S. 'Y-Bomb' Jars Alliance; Washington Studies 'Whys'" and "Political Use for Yalta Papers?," *Christian Science Monitor*, March 18, 1955, pp. 1 and 6; Roberts, "Political Concerns Overshadow Effect on U.S. Relations With Other Nations," *Washington Post*, March 18, 1955, p. 1; and John E. Grady, "Schlesinger Attacks Dulles for Yalta Papers Release," *The Harvard Crimson*, March 21, 1955, <http://www.thecrimson.com/article/1955/3/21/schlesinger-attacks-dulles-for-yalta-papers/>.

<sup>49</sup> Dulles emphasized the lack of new information in the released documents during his meeting with Canadian Secretary of State for External Affairs Lester Pearson on March 17, 1955. See *Documents on Canadian External Relations*, Vol. 21, 1955, Document 300, <http://www.international.gc.ca/departement/history-histoire/dcer/details-en.asp?intRefId=1355>.

<sup>50</sup> See Raymond Sontag, "Reflections on the Yalta Papers," *Foreign Affairs*, July 1955, pp. 615-623 and John Snell, ed., *The Meaning of Yalta: Big Three Diplomacy and the New Balance of Power* (Baton Rouge: Louisiana State University Press, 1956).

<sup>51</sup> Dulles testimony, April 19, 1955 in *Executive Sessions of the Senate Foreign Relations Committee*, pp. 423-486. See also *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences—Congressional—Foreign Relations Committee and Malta and Yalta Conferences 1955.

<sup>52</sup> For British press coverage, see *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences Publicity—Venezuelan Newspaper [sic] and Walter McClelland to Department of State (with enclosures), April 1, 1955, NARA, RG 59, CDF 1955-1959, 023.1/4-155. For Churchill's cold war agenda, see Klaus Larres, *Churchill's Cold War: The Politics of Personal Diplomacy* (New Haven: Yale University Press, 2002).

<sup>53</sup> *Hansard*, House of Commons Debates, March 17, 1955, Vol. 538, 1449-1451; U.S. Embassy London to Secretary of State, March 18, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-1855. See also U.S. Embassy London to Secretary of State, February 1, 1955 and Noble to McCardle, February 2, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 6, February 1955.

were rumored to be nearing release later in the spring.<sup>54</sup> At a press conference on March 23, President Eisenhower acknowledged that there had been “some difference of opinion” between the United States and Great Britain while denying that the United States had acted in bad faith in releasing the Yalta Papers. In a letter to Churchill, Eisenhower admitted that “both Foster and I have been unhappy about the affair,” but that “future political battles will create ... irresistible demands for the publication of particular papers.”<sup>55</sup>

Both U.S. and British officials were concerned that the Yalta Papers could jeopardize NATO’s expansion to include West Germany. The Yalta Papers appeared on the eve of votes in France and Germany to complete ratification of the London and Paris Agreements and to usher a rearmed Federal Republic into the Western alliance. In both countries, however, the Yalta Papers had little effect on policy. Some French politicians used them to illustrate the danger of French isolation and “the empty chair” (the French were not invited to Yalta) while others blamed Anglo-American chauvinism for dividing the continent.<sup>56</sup> Western-leaning Germans explained that the anti-German sentiment exhibited by Roosevelt and Churchill was an inevitable consequence of Nazi aggression and an argument for continuing liberal reforms and contributing to Western security. Neutralist opponents of alignment with the West used the papers to question Western commitment to German unity.<sup>57</sup> For Western European leaders, the Yalta Papers served as additional ammunition for debates that were already underway rather than as a catalyst for rethinking Cold War policies.

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<sup>54</sup> U.S. Embassy London to Secretary of State, March 21, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 6, March 1955; Dulles to Eden, March 23, 1955 and Eden to Dulles, March 30, 1955, Eisenhower Library, Dulles Papers, Subject Series, Box 8, Yalta-Malta Papers, etc. 1955.

<sup>55</sup> Dwight D. Eisenhower, “The President’s News Conference,” March 23, 1955, *The American Presidency Project*, eds. Gerhard Peters and John T. Woolley, <http://www.presidency.ucsb.edu/ws/?pid=10437>; “Transcript of the Presidential Press Conference on Foreign and Domestic Affairs,” *New York Times*, March 24, 1955, p. 18 and Eisenhower to Winston Churchill, March 22, 1955 in Peter Boyle, ed., *The Churchill-Eisenhower Correspondence, 1953-1955* (Chapel Hill, North Carolina: University of North Carolina Press, 1990), pp. 201-203. See also Churchill to Eisenhower, March 18, 1955 in Boyle, *The Churchill-Eisenhower Correspondence*, p. 200; Dulles to Eisenhower, March 22, 1955, Eisenhower Library, Dulles Papers, Telephone Conversations Series, Box 10, Telephone Conversations—White House, March 7, 1955-August 29, 1955 (3); and memorandum of conversation between Eisenhower and Dulles, March 24, 1955, Eisenhower Library, Dulles Papers, White House Memoranda Series, Box 3, Meetings with the President 1955 (6).

<sup>56</sup> William Gibson to [Department of State] (with enclosures), April 15, 1955, NARA, RG 84, Classified General Records of the Embassy in Paris, 1944-1963, 350—Political Reporting and Dulles to Merchant, April 16, 1955, Eisenhower Library, Dulles Papers, Telephone Conversations Series, Box 3, Telephone Conversations—General March 7, 1955-April 29, 1955 (1). In Dulles to Douglas Dillon, April 6, 1955 and Dulles to Dillon, April 15, 1955 in Eisenhower Library, Dulles Papers, Subject Series, Box 8, Yalta-Malta Papers, etc., 1955, Dulles solicited information about the use of the Yalta Papers in French debates over the ratification of the London and Paris Agreements that Dillon supplied in an April 12 letter (not located). Dulles discussed the contents of this letter in the telephone call with Livingston Merchant cited above.

<sup>57</sup> Joseph Phillips to Department of State, March 24, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-2455.

In the rest of the world, the Yalta Papers were a temporary irritant in relations with the United States. The most common reaction in the foreign press was criticism that the release of the Yalta Papers had been driven by partisan politics. For those predisposed to criticize Dulles, the release offered powerful evidence of his “utter incompetence to handle affairs of nations with necessary tact and discretion.”<sup>58</sup> Smaller countries found in the documents affirmation of the superpowers’ indifference to their fates. According to an intelligence report prepared in the Department of State, Taiwanese officials privately celebrated to U.S. diplomats that the Yalta Papers helped prove that the U.S. had “lost” China and therefore had a moral obligation to help liberate the mainland. From Moscow, U.S. Ambassador Charles Bohlen reported that Soviet propaganda cited the publication of the “so-called” Yalta Papers as evidence that the United States had abandoned wartime cooperation, undermined the United Nations, and eschewed future summit diplomacy. Later, after the Yalta *FRUS* volume was printed and published in December, *Pravda* characterized it (along with the March release) as a “falsification of history in service of [the] Cold War.” As irritating as the release of the Yalta documents proved for America’s foreign relations, short-term embarrassment did not fester into lasting damage to U.S. interests abroad.<sup>59</sup>

The Yalta Papers imbroglio proved most consequential within the U.S. Government. Within days of their release on March 16, Winnacker, backed by the JCS, urged the Secretary of Defense to insist on “additional terms of reference ... to prevent a repetition of the Yalta experience.” He complained that “the entire compilation process during the past months has been accompanied by security violations in the form of leaks of still-classified information to the press, culminating in the clandestine transmittal of a copy of the entire Yalta volume to the New York Times.” He also resented that his advice, which predicted that publishing the Yalta volume would be “prejudicial to the defense interests of the United States,” had been “ignored” despite the “intent of the National Security Act of 1947 ... to give Defense a voice in decisions on international problems.” Winnacker suggested that “the current State Department concept for its *Foreign Relations* series,” which “provides for the detailed publication of how policy decisions were reached within this Government, ... is no longer appropriate for the U.S. now that we are the major world power.” Unless new terms of reference for Defense cooperation could be reached, Winnacker decided, “no more classified military documents will be made available to State for this project.”<sup>60</sup>

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<sup>58</sup> The quote appeared in the *Times of India*. See Donald Kennedy to Secretary of State, March 23, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-2355.

<sup>59</sup> For reporting on local reactions to the Yalta Papers from overseas posts, see, *passim*, NARA, RG 59, CDF 1955-1959, 023.1/3-1855 through 023.1/4-2055. For the intelligence report, see “Foreign Reactions to the Publication of the Yalta Papers,” April 21, 1955, NARA, RG 59, CDF 1955-1959, 023.1/5-455. For Bohlen’s reporting, see NARA, RG 84, Embassy Moscow Classified General Records, 1941-1963, Box 202, 310 Yalta and Bohlen to Secretary of State, January 20, 1956, NARA, RG 59, CDF 1955-1959, 023.1/1-2056.

<sup>60</sup> Winnacker to Secretary of Defense, March 18, 1955, Office of the Secretary of Defense Historical Office, Subject Files, Box 1283a, Yalta Papers. Winnacker’s memorandum was forwarded to

Negotiations between the Departments of State and Defense over terms of reference for future collaboration on *FRUS* began in June 1955 and continued until October. When Noble received a copy of Winnacker's memorandum in May, he pushed back against Winnacker's expansive claims for Defense Department authority and his objections to *FRUS*. Noble argued "it is difficult to see why the fact that the United States is now a major world power should change [the *FRUS*] concept. Indeed, the growing complexity of our foreign relations would seem to make it even more important to provide our citizens with the facts of our policy."<sup>61</sup> For Department of State historians, the key issues to resolve were the scope of the military documentation to be included in future volumes, security handling of records not yet declassified, and administrative procedures for decisionmaking about the declassification and release of specific documents. In the Pentagon, the JCS acted to preserve military institutional prerogatives and force the Department of State to pay greater heed to military advice about declassification issues. Negotiations were fraught with bitterness on both sides. In HD, Franklin fumed that "over-classification, combined with a highly bureaucratic reluctance to declassify documents even ten or more years old, has been a very real part of our basic difficulty with Defense." In October, State and Defense finally agreed on terms of reference for future World War II-era *FRUS* volumes that affirmed continued inclusion of high-level military documents and preserved State authority over "political" decisions regarding national interests and declassification.<sup>62</sup>

As State historians soon discovered, however, opposition to *FRUS* proved tenacious for the remainder of the decade. Within weeks, they found that the new Terms of Reference gave the Pentagon additional tools to withhold essential documents. The Department of Defense rejected precedents set with the Yalta and Potsdam compilations and interpreted the new agreement more narrowly to exclude the minutes of JCS meetings from the Cairo-Tehran volume. Defense officials also continued to weigh in on questions of political interest, which had been assigned to the Department of State's exclusive purview, such as whether to publish Potsdam conference discussions of the Dardanelles.<sup>63</sup> Inside the Department of State, officials

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the Department of State in late April 1955 (see Robert Anderson to Herbert Hoover, Jr., April 29, 1955, NARA, RG 59, CDF 1955-1959, 023.1/4-2955 and Noble to Robert Murphy, May 19, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-755). See also *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 6, March 1955 and April-May 1955.

<sup>61</sup> Noble to Robert Murphy, May 19, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-755. Quote from p. 3.

<sup>62</sup> Quote from Franklin to Noble, August 10, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 4, World War II Conference—Defense Department. See Karl Honaman to McIlvaine (with agreed terms of reference, October 19, 1955), October 25, 1955 and *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 4, World War II Conference—Defense Department; memorandum of conversation between Franklin and Winnacker, June 13, 1955, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955; and Murphy to Charles Wilson, June 17, 1955, NARA, RG 59, CDF 1955-1959, 023.1/3-755.

<sup>63</sup> See *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 4, World War II Conferences—Defense Department; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 6, November-December 1955; January-February 1956; March-April 1956; May-June 1956; July-August 1956; and September-October

in various geographic bureaus described the Yalta release as an experience to avoid in the future, and their objections ultimately delayed release of the China and Potsdam volumes until the time of the Kennedy administration.<sup>64</sup>

Multiple demarches from abroad<sup>65</sup> spurred a debate about how (friendly) FGI incorporated into U.S. documents should be cleared for future *FRUS* compilations. HD argued that only foreign government-originated documents should be submitted for foreign government clearance and that decisions on U.S. documents—regardless of the kind of information that they might contain—should be made exclusively within the U.S. Government. Other Department officials argued that friendly foreign governments should agree before the U.S. Government published information affecting them. The Department ultimately affirmed the existing distinction between foreign government-originated documents and U.S. documents with FGI, but the Cairo-Tehran and Potsdam compilations—like the Yalta Papers before them—were both sent to London for the British Government’s “information only.”<sup>66</sup> In 1961, officials in the Bureau of American Republic Affairs proposed that

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1956; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 7, September-October 1957 and January-February 1958; Noble to Winnacker, March 6, 1956, NARA, RG 59, CDF 1955-1959, 023.1/3-656; and Dulles to Wilson, May 11, 1956, NARA, RG 59, CDF 1955-1959, 023.1/5-1156.

<sup>64</sup> See *passim*, NARA, RG 59, CDF 1955-1959, 023.1/2-255 through 023.1/11-1259; *passim*, NARA, RG 59, CDF 1960-1963, 023.1/3-2960 through 023.1/9-462; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 6, April-May 1955; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 7, July-August 1957; January-February 1958; July-August 1958; September-October 1958; and November-December 1958; and *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 8, October-December 1959. For the China volumes, see [chapter 8](#).

<sup>65</sup> Specifically, British reaction to the Yalta volume, objections from allied governments in Asia to the planned China volumes, and complaints from Brazilian and Mexican diplomats about the unilateral publication of U.S. memoranda of conversation. See Eric Wendelin to Department of State, April 9, 1957 and Dulles to U.S. Embassy Rio de Janeiro, October 23, 1957 in NARA, RG 59, CDF 1955-1959, 023.1/4-957; Robert Hill to Department of State, August 15, 1957 and Dulles to U.S. Embassy Mexico D.F., October 8, 1957 in NARA, RG 59, CDF 1955-1959, 023.1/8-1557; Dulles to U.S. Embassy Rio de Janeiro, January 10, 1958, NARA, RG 59, CDF 1955-1959, 023.1/1-1058; William Briggs to Secretary of State, February 16, 1958, NARA, RG 59, CDF 1955-1959, 023.1/2-1658; Briggs to Secretary of State, April 29, 1958, NARA, RG 59, CDF 1955-1959, 023.1/4-2958; Robert Shields to Department of State, May 20, 1958 and Dulles to U.S. Embassy Rio de Janeiro, June 11, 1958 in NARA, RG 59, CDF 1955-1959, 023.1/5-2058; Wendelin to Department of State, September 29, 1958, NARA, RG 59, CDF 1955-1959, 023.1/9-2958; Briggs to Secretary of State, January 20, 1959, NARA, RG 59, CDF 1955-1959, 023.1/1-2059; Dillon to U.S. Embassy Rio de Janeiro, February 4, 1959, NARA, RG 59, CDF 1955-1959, 023.1/2-459; Shields to Department of State, May 10, 1960, NARA, RG 59, CDF 1960-1963, 023.1/5-1060 and Thomas Mann to Department of State, September 27, 1961, NARA, RG 59, CDF 1960-1963, 023.1/9-2761. See also Arthur Kogan, “Department of State Publication of Foreign Government Documents,” June 1981, Department of State, HO Research Projects Lot File 13 D 289, Box 7, R.P. No. 1261: Department of State Publication of Foreign Government Documents.

<sup>66</sup> Noble to Melville Osborne, November 3, 1958, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Classified Documents General. See also *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 6, November-December 1956; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 7, September-October 1957; November-December 1957; January-February 1958; and January-March 1959; Dulles to U.S. Embassy London, January 8, 1957, NARA, RG 59, CDF 1955-1959, 023.1/1-857; and Dulles to U.S. Embassy London, December 4, 1957, NARA, RG 59, CDF 1955-1959, 023.1/12-457.

U.S. memoranda of confidential conversations with foreign officials be cleared with the foreign governments in question before being published in *FRUS*. Historians in the (yet again renamed) Historical Office (HO) argued that the existing system of clearances within the Department safeguarded the legitimate sensitivities of foreign governments and that consulting other governments about publication decisions would create more problems than it would prevent. The Department again affirmed its existing FGI procedures.<sup>67</sup>

In sum, the Yalta volume exacerbated institutional struggles within the Department of State, between the Department and other national security bureaucracies, and between the United States and friendly foreign governments over the authority to define national interests and properly balance security and transparency. Ultimately, the Yalta Papers controversy strengthened the Department's commitment to publish comprehensive and objective documentary histories of U.S. foreign policy.

### **The Formation of the Historical Advisory Committee, 1956-1957**

Formalization of the relationship between Department historians and the academic community proved to be the most lasting legacy of the Yalta *FRUS* volume. When Congress linked continued support for *FRUS* to partisan demands for the Yalta Papers, the historians, political scientists, and international lawyers who relied on the series worried about its integrity and its survival. They expressed suspicions about the partisan prioritization of the wartime conference and China volumes, which were scheduled for release before regular annual volumes could establish the broader context for these controversial episodes. Although academic groups hoped to prevent further conservative pressure on the series by passing resolutions affirming the desirability of publishing *FRUS* volumes chronologically, many scholars also found right-wing accusations of censorship in the Yalta compilation alarming. Prominent diplomatic historians, like Howard Beale, urged the leadership of the American Historical Association to investigate these charges to safeguard the integrity of the *Foreign Relations* series.<sup>68</sup>

The most consequential critic of the Yalta *FRUS* was the volume's original compiler, Bryton Barron. Although Barron had been part of the *FRUS* staff between 1929 and 1944 (rising to the rank of Assistant Chief of the Division in 1940), his presence in HD during the 1950s followed a disastrous stint as Chief of the Treaty Section from 1944 to 1950. There, Barron's mismanagement sparked widespread staff

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<sup>67</sup> Robert Woodward to U. Alexis Johnson, December 4, 1961, NARA, RG 59, CDF 1960-1963, 023.1/12-461; Roger Tubby to Johnson, January 3, 1962, NARA, RG 59, CDF 1960-1963, 023.1/1-362; and Edwin Martin to Johnson, July 20, 1962 and Mark Lissfelt to Martin and Robert Manning, July 31, 1962 in NARA, RG 59, CDF 1960-1963, 023.1/7-2062. In 1965, the Department reaffirmed this policy in response to "casual inquiries" about clearing FGI from the Brazilian Government. See U.S. Embassy Rio de Janeiro to Secretary of State, March 11, 1965 and Department of State to U.S. Embassy Rio de Janeiro, March 15, 1965 in NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of US*.

<sup>68</sup> See *passim*, LCM, AHA Papers, Box 188, Historians & the Federal Government 1955.

criticism. Following an investigation that concluded that “Barron’s personal methods of operation ... can no longer be tolerated,” he was demoted and reassigned to RE. There, Barron’s superiors suspected that he began leaking “material to editors of weekly magazines ... defamatory to the Department of State and its officials.”<sup>69</sup> He also leaked such information to Republican political leaders after Eisenhower’s election in 1952. In December 1952, Barron advised Dulles’s personal assistant, Roderic O’Connor, how to give the Department a “housecleaning” that would oust “friends of Alger Hiss and his sympathizers” and reduce the “disproportionate influence ... exercised by the foreign born.”<sup>70</sup> Even before being assigned to compile the Yalta documents for *FRUS*, Barron was a troublesome addition to RE.

Once assigned to the Yalta compilation, Barron relentlessly criticized management decisions related to the wartime conference volumes. To cultivate congressional pressure on the Department, and especially HD, Barron passed to political allies accusations that Noble, Franklin, and the Roosevelt Presidential Library intentionally suppressed information that could embarrass FDR.<sup>71</sup> He selected for publication relatively insignificant documents that reflected poorly on Roosevelt’s decisions and ignored more significant ones that didn’t. He complained that the compilation obscured the influence of Alger Hiss by scattering his papers throughout the volume rather than collecting them in a discrete section. He doubted that Noble and Franklin had exhausted all their options to examine the Stettinius and Byrnes papers. He felt betrayed when Dulles postponed publication until after the 1954 midterm elections. With each allegation, Noble and Franklin carefully documented the substance and rationale for their decisions to guard against Barron’s continual appeals to Deputy Assistant Secretary of State for Public Affairs Robinson McIlvaine, Assistant Secretary McCardle, and congressional critics.<sup>72</sup>

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<sup>69</sup> *Departments of State and Justice, the Judiciary, and Related Agencies Appropriations for 1958: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, 85th Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1957), pp. 951-953.

<sup>70</sup> Bryton Barron to Dulles, November 30, 1952; Roderic O’Connor to Barron, December 4, 1952; and Barron to O’Connor (with attached “Proposed Survey ... ” and “Veteran subordinate officials ... ”), December 7, 1952, University of Oregon, Special Collections and University Archives, Bryton Barron Papers, Ax 463 (henceforth Barron Papers), Box 5, Dulles 6.

<sup>71</sup> See *passim*, University of Oregon, Special Collections and University Archives, Barron Papers, Box 5, Historical Blackout 1; Historical Blackout 2; and Historical Blackout 3 and Bryton Barron, *Inside the State Department: A Candid Appraisal of the Bureaucracy* (New York: Comet Press Books, 1956).

<sup>72</sup> See *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 2, Malta and Yalta Conferences 1954; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 3, Malta and Yalta Conferences 1955; *passim*, NARA, RG 59, WTC Lot File 83 D 222, Box 5, November-December 1953; *passim*, Reed College, Noble Papers, Box 16, 20 and Box 20, 10; *passim*, University of Oregon, Special Collections and University Archives, Barron Papers, Box 5, Yalta 2; Yalta 3; and Yalta 7; *passim*, University of Oregon, Special Collections and University Archives, Barron Papers, Box 6, Charges & Answers; and Ernest Lindley to McCardle, December 16, 1954 and McCardle to Lindley, December 28, 1954, NARA, RG 59, CDF 1950-1954, 023.1/12-1654.

Barron's actions embittered his colleagues within HD. When interviewed for a subsequent congressional investigation into Barron's charges against the Division, none of the HD staff "furnished favorable comment concerning [Barron's] character, demeanor, or ability."<sup>73</sup> The Department forced Barron to accept early retirement in August 1955.<sup>74</sup> After his dismissal, Barron took his charges against Noble, the Historical Division, and the Department to the public in a series of speeches, articles, books, and appearances before Congress, and as the John Birch Society's coordinator for Northern Virginia.<sup>75</sup> An investigation ordered by Congress in 1956 refuted Barron's charges of political bias in the Historical Division and illegitimate censorship in the Yalta compilation.<sup>76</sup>

As the Historical Division grappled with partisan intrigue, interagency conflict, and office disruptions in the wake of the release of the Yalta Papers, Noble found the prospect of academic oversight a useful buffer against continued congressional scrutiny. He cooperated with the AHA and other professional organizations as they inquired about the status of *FRUS* in 1955. In early 1956, Noble contacted noted diplomatic historian Dexter Perkins, then President of the AHA, to propose that the academic community institutionalize its engagement with HD and *FRUS* into a permanent advisory committee. Noble explained that "in this day and time, when the number of diplomatic papers has reached such gigantic proportions, the task of compiling *Foreign Relations* has become inordinately complicated." He elaborated that the Historical Division "would welcome highly qualified professional advice from the outside" on "a number of problems involving the scope of the selection of the papers, the nature of the contents of the volumes, and the inadequacy of State Department files to cover the subject of our foreign relations."<sup>77</sup>

Throughout the rest of the year, HD cultivated academic and Department support for an advisory committee. Noble's efforts with private scholars and professional organizations representing historians, political scientists, and international lawyers proceeded relatively smoothly over the course of 1956 and

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<sup>73</sup> *Departments of State and Justice, the Judiciary, and Related Agencies Appropriations for 1958: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, 85th Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1957), p. 960.

<sup>74</sup> See *passim*, Reed College, Noble Papers, Box 16, 9; 20; and 21 and Box 20, 10; Barron memorandum for the file, March 7, 1955, University of Oregon, Special Collections and University Archives, Barron Papers, Box 5, Yalta 1; and *passim*, University of Oregon, Special Collections and University Archives, Barron Papers, Box 6, Charges & Answers and Final Papers.

<sup>75</sup> See Bryton Barron, "The Historical Blackout in the State Department," *National Review* (March 14, 1956), pp. 19-21; "The Blackout Extended," *National Review* (September 15, 1956), pp. 13-14; *Inside the State Department: A Candid Appraisal of the Bureaucracy* (New York: Comet Press Books, 1956), pp. 37-57; and *The Untouchable State Department* (Springfield, Virginia: Crestwood Books, 1962), pp. 119-147.

<sup>76</sup> *Departments of State and Justice, the Judiciary, and Related Agencies Appropriations for 1958: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, 85th Cong., 1st Sess.* (Washington, D.C.: Government Printing Office, 1957), pp. 946-980.

<sup>77</sup> Noble to Dexter Perkins, April 30, 1956, p. 2, LCM, AHA Papers, Box 477, *Historians and the Federal Government 1956*.

1957. The American Historical Association, the American Society of International Law, and the American Political Science Association nominated candidates for service on the Historical Advisory Committee (HAC), and HD selected the nominees who were subsequently invited to join the Committee by the Assistant Secretary of State for Public Affairs. The HAC members received security clearances in line with existing Department procedures for granting access to unreleased (and potentially sensitive) information to approved “serious” researchers.<sup>78</sup>

Within the Department, progress was smooth until the eve of the first HAC meeting, when Dulles grew “fearful that we were creating a group who would only put pressure on us for earlier and more full publication despite contrary foreign policy effects.” Over the previous year, Noble had secured support from Robert Murphy, the Deputy Under Secretary of State for Political Affairs as well as officials in the Public Affairs, Administration, and Legal Affairs Bureaus by claiming that “the advice of eminent private scholars who use the *Foreign Relations* volumes would be of real use to the Historical Division” in answering increasingly thorny questions of the proper scope and organization of the series. He also anticipated that an advisory committee would “provide an excellent liaison between the Department’s historical functions and the scholarly world” and become a “valuable asset from the point of view of the Department’s public relations.” Though Dulles was less sanguine about the Committee’s potential value to the Department, he recognized that the Department “could not backtrack on the decision to utilize an advisory committee.” Participants at Dulles’s October 30, 1957 staff meeting concluded that the challenge facing HD and the Department as a whole was to “explore” the “nature of its activities” and “steer” the new HAC in “the most constructive direction.”<sup>79</sup>

Before the December 6 meeting, Richard Leopold, a Northwestern University diplomatic historian selected to serve on the HAC, consulted with George F. Kennan, the celebrated U.S. diplomat and former Director of the Policy Planning Staff, about the future of the series. Leopold expressed concern that the Department was poorly equipped to broaden the scope of documentation beyond its own records or protect

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<sup>78</sup> See *passim*, LCM, AHA Papers, Box 444, American Historical Association—Committee on the Historian and the Federal Government; *passim*, LCM, AHA Papers, Box 477, Historians and the Federal Government 1956; *passim*, LCM, AHA Papers, Box 482, Historian and the Federal Govt—1957; Andrew Berding to Dexter Perkins, et al., August 21, 1957, NARA, RG 59, CDF 1955-1959, 023.1/8-2157; Noble to Thomas Bailey, November 15, 1957, NARA, RG 59, CDF 1955-1959, 023.1/11-1557; and Noble to Bailey, November 29, 1957, NARA, RG 59, CDF 1955-1959, 023.1/11-2957. See also *passim*, Department of State, Bureau of Public Affairs, Office of the Historian, Advisory Committee on Historical Diplomatic Documentation Files, 1957-1990 (Lot File 96 D 292) (henceforth HAC Lot File 96 D 292), Box 6, FRAC Nominations—General (1957-1973); FRAC Nominations Amer. Soc. Of Internat’l Law (1956-1981); FRAC Nominations – American Historical Assoc. 1956-1981; and FRAC Nominations—Amer. Political Science Assoc.—1981.

<sup>79</sup> Noble to McCardle, October 1, 1956; Burke Wilkinson to Murphy, November 1, 1956; Berding to Dulles, October 23, 1957; Notes of Secretary’s Staff Meeting, October 30, 1957, p. 2; and Fisher Howe to Berding, October 30, 1957 in Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee History 1970s and Earlier.

itself from “charge[s] of selectivity and intentional distortion or suppression.” He wondered if “the time has come to take the compilation of the *Foreign Relations* series out of the hands of the Department of State and make it the responsibility of some inter-departmental agency.” Kennan, in turn, sought advice from British historian Llewellyn Woodward and future philanthropic administrator Gerald Freund. After corresponding with these colleagues, Kennan agreed that the scope of *FRUS* had to be broadened beyond Department of State records to provide an “adequate” account of U.S. foreign policy. To achieve this, he suggested that the Department hand the project over to a “semi-private academic unit” that would limit coverage to “subjects or episodes of major importance.” Kennan also urged that “special precautions” be taken “to assure the high scholarly capability, wisdom, and integrity ... of those to whom this really great responsibility would be given.” Major academic organizations like the American Historical Association and the Council of Learned Societies, he concluded, should determine “who would be entrusted with this work.”<sup>80</sup> Although Leopold did not cite Kennan’s advice at the 1957 HAC meeting, their exchange illustrated the wide range of possibilities that a diverse array of stakeholders considered for reforming the series after the Yalta Papers incident.

The first meeting of the HAC,<sup>81</sup> held in December 1957, focused on improving existing *FRUS* production processes. HD staffers and Department officials briefed the seven assembled historians, political scientists, and international law scholars on the *FRUS* production process. They explained the new challenges that had arisen as *FRUS* historians sought access to significant documents outside Department files and clearance for such material to be published in the series. They also asked for guidance about the preferences of *FRUS*’s academic consumers. Participants at this meeting—as they would at HAC meetings throughout the ensuing decades—struggled to reconcile competing priorities. Scholars wanted complete volumes, but comprehensiveness entailed significant delays for access and clearance. Despite his skepticism about the Committee, Dulles stopped by to thank them for assisting the Department in dealing with problems “of very, very great difficulty.”<sup>82</sup>

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<sup>80</sup> Richard Leopold to George Kennan, February 3, 1957; L.E. Woodward to Kennan, March 8, 1957; Freund to Kennan, March 13, 1957; and Kennan to Leopold, March 21, 1957 in Department of State, HAC Lot File 96 D 292, Box 1, Advisory Committee on the *Foreign Relations* Series 1961-1964.

<sup>81</sup> The inaugural Historical Advisory Committee consisted of Thomas Bailey (Stanford University), Clarence Berdahl (University of Illinois), Leland Goodrich (Columbia University), Richard Leopold (Northwestern University), Dexter Perkins (Cornell University), Philip Thayer (Johns Hopkins University), and Edgar Turlington (private attorney). Bailey, Leopold, and Perkins represented the AHA; Berdahl and Goodrich represented APSA; and Thayer and Turlington represented ASIL.

<sup>82</sup> Minutes of 1957 HAC meeting, p. 77, Department of State, Bureau of Public Affairs, Office of the Historian, Advisory Committee on Historical Diplomatic Documentation Files, 1957-1995 (Lot File 03 D 130) (henceforth HAC Lot File 03 D 130), 1957-HAC-Annual Meeting (also available online at Department of State, Office of the Historian website, <http://history.state.gov/historicaldocuments/frus-history/research/1957-hac-minutes-transcript>); Noble, meeting agenda, [no date], Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee History 1970s and Earlier. The HAC’s report was published as “Report of the Advisory Committee on *Foreign Relations* to the Historical Division of the Department of State,” *American Political Science Review* (June 1958), pp. 603-606.

In 1959, HD historians began the practice of employing HAC criticism of excessive delays or extensive excisions in the declassification process as “ammunition for dealing with the geographic bureaus [of the Department of State].”<sup>83</sup> In the short term, Department historians regarded the HAC as a source of cover from partisan pressures, of guidance for adapting the series to a new Cold War era, and of leverage in bureaucratic battles over declassification.

The formation of the HAC confirmed *FRUS*'s shift from 19th century practices that linked the series to Congress toward a 20th century historical transparency regime reflecting scholarly expectations for comprehensive disclosure. Over time, the HAC gained significant institutional power. During the Cold War, the Committee helped to shape the *Foreign Relations* series and regulate the balance between national security and governmental transparency. Over the following decades, the HAC joined policymakers and Department of State historians as they struggled to renegotiate responsible historical transparency and to accelerate the production of *Foreign Relations* volumes amidst resource and security constraints.

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<sup>83</sup> Noble to Ernest Fisk (and attached Dexter Perkins report) January 21, 1959, NARA, RG 59, CDF 1955-1959, 023.1/1-2159. At the 1959 meeting, the HAC reviewed the Department's excisions in the Potsdam volumes. The Committee “concurred” with seven types of excisions but criticized another seven deletions of material relating to Spain, Poland, Turkey, and Italy. See Jack Fleischer memorandum, November 7, 1959, NARA, RG 59, CDF 1955-1959, 023.1/11-759 and Dougall note, December 15, 1959, NARA, RG 59, WTC Lot File 83 D 222, Box 8, October-December 1959. For the Department of State clearance decisions for the Potsdam volumes, see Berding through S/S to Dulles, October 1, 1958, NARA, RG 59, CDF 1955-1959, 023.1/10-158; Dwight Porter through S/S [John Calhoun] to Noble, November 7, 1958, NARA, RG 59, CDF 1955-1959, 023.1/11-758; and GMR[Richardson] D[ougall] memo, November 7, 1958, NARA, RG 59, WTC Lot File 83 D 222, Box 7, July 1958-September 1959.

## Chapter 8: Cold War Normalcy, 1958-1979

Joshua Botts

Between 1958 and 1979, the Department of State published *FRUS* volumes covering the years 1940 through 1951, a key period of transformation in U.S. foreign policy. In doing so, Department historians grappled with daunting, but familiar, challenges. Resource and access constraints forced the Historical Office (HO) and the Historical Advisory Committee (HAC) to make difficult decisions about how to balance the comprehensiveness, timeliness, and affordability of the series. Clearance difficulties disrupted production schedules and undermined efforts to accelerate the series. As HO and HAC dealt with these issues, their choices defined new norms for the scope, selectivity, and timeliness of the series.

During these two decades, *FRUS*'s scope expanded to incorporate the most significant records of high-level decisionmaking in the U.S. Government. This extension of coverage was by no means assured in 1958. Taking into account recent difficulties in securing access to military records for the Yalta compilation and to files held in the Truman Presidential Library for the Potsdam volumes, the Historical Division (HD) and the HAC agreed in 1958 that research for regular *FRUS* volumes should focus almost exclusively on the Department of State's central files. Although the HAC reconsidered this stance in the early 1960s, HO continued to limit "supplemental" research until the 1970s, when *FRUS* compilers began systematically exploiting Presidential Library holdings. Although continuing access restrictions for CIA and JCS records frustrated *FRUS* compilers, they made the most of their new opportunities to document high-level decisionmaking during the early Cold War.

This high-level focus was itself another development for the series. Confronted with a growing universe of documentation related to U.S. foreign policy as the series moved to the postwar era, HO and the HAC had to devise new editorial strategies to sustain the quality of the volumes with constrained human and financial resources. Maintaining previous thresholds of inclusion would have required vastly increased appropriations for staff and printing, which in turn would have caused additional delays in declassifying a growing number of documents. At the same time, academic consumers of the series still relied on the volumes to provide a reliable foundation for research and teaching. Despite increasing numbers of ever-thicker volumes, the "*FRUS* filter" grew progressively finer as compilers employed increasingly selective criteria in choosing which records to print. As HO and the HAC maintained the principle of comprehensive coverage (rejecting alternatives like omitting documentation of "lesser" countries or by printing final policy decisions without records of the process that led to their approval), they gravitated toward a new vision for the series. Instead of focusing upon diplomatic correspondence incorporating final policy decisions, which had been *FRUS*'s core function during its first hundred years of existence, *FRUS* focused on U.S. Government decisionmaking. This necessarily reduced the proportion of

the volumes devoted to instructions from the Department and reports from posts. It also resulted in sharply diminished documentation of international law topics, which had been prioritized in the interwar period.<sup>1</sup> Ultimately, these changes were insufficient. Additional consolidation was still required and, in the mid-1970s, HO elected to replace the traditional annual subseries with triennial compilations. By 1979, the series had largely shifted from documenting diplomacy to documenting policymaking.

Finally, discussions concerning timeliness that unfolded between 1958 and 1978 revealed evolving conceptions about the purpose of *FRUS*. At first, HO sought to restore the “traditional” 15-year line that held for the interwar era. The first Presidential directive for the series, issued by John F. Kennedy in 1961, endorsed this goal, but the series consistently fell short of the target. Throughout the remainder of the 1960s, HO management and the HAC lobbied for expanded resources to accelerate the series to meet a compromise 20-year deadline. They warned the Department leadership that the inaccessibility of the historical record nurtured deeply flawed “revisionist” interpretations of the origins of the Cold War. Overcoming this phenomenon, they suggested, could deflate the anti-Vietnam War movement, placate unrest on college campuses, and reduce other burdens plaguing contemporary policymakers. After Walter LaFeber, a leading Cold War revisionist historian, joined the HAC in 1971, this rationale for accelerating *FRUS* disappeared completely. Instead, the HAC emphasized the crucial role that the production of the series played in the larger declassification process for Department of State records. The Department’s traditional release procedures for its increasingly voluminous files had become hopelessly inadequate. The 1966 Freedom of Information Act (FOIA), introduced as an alternative, produced minimal results. Even when Congress strengthened FOIA in 1974, it remained costly and time-consuming to implement, and yielded inconsistent outcomes. To avoid FOIA’s inefficiencies, transparency advocates urged the Department to accelerate the *Foreign Relations* series as an effective way to promote earlier public access to a much larger body of records. To this end, President Richard Nixon ordered the acceleration of *FRUS* to a 20-year line in 1972.

Nixon’s directive inspired a new HO management team, led by David Trask, to embark upon an ambitious plan to streamline production, consolidate volumes into triennial compilations, and employ new computer and microform technologies in the mid-1970s. By the late 1970s, Trask’s acceleration plan generated friction with the staff and the HAC. Between 1958 and 1979, HO and the HAC defined new norms for the *Foreign Relations* series as it moved from documenting the era of World War II to cover the origins of the Cold War.

### **New Normals: *FRUS* and Documenting U.S. Globalism**

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<sup>1</sup> See Everett Gleason to Sidney Roberts, March 27, 1968, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of US*.

Between 1958 and 1978, *FRUS* recorded the evolution of U.S. foreign policy toward “globalism.” Documenting profound changes in U.S. policy and the expansion of national security institutions introduced new challenges in researching, compiling, and declassifying *FRUS*. All the problems that HD encountered with the Yalta volume persisted: accounting for the rising importance of Presidential documentation outside the control of the Department, the growing necessity of mining the Department’s decentralized files (often described as “lot files”), the increasing importance of other-agency documentation (and clearances), and, for some volumes, heightened political and diplomatic sensitivities that complicated declassification and invited congressional scrutiny. New difficulties arose as well, especially as *FRUS* moved into the postwar era. After 1945, the United Nations, the National Security Council, the Central Intelligence Agency, the Department of Defense, and alliance commitments like the North Atlantic Treaty Organization all came into existence, enlarging the scope of U.S. diplomatic activity while also diminishing the Department of State’s already circumscribed authority over foreign affairs.

Determining how to grapple with these challenges occupied the early years of the HAC. At the first Committee meeting in December 1957, Noble asked members for advice about two critical questions facing HD: should *FRUS* maintain its existing standards of coverage in the face of a looming explosion of relevant documentation, and should *FRUS* historians supplement the records of the Department of State with files belonging to other agencies in the burgeoning national security bureaucracy? In dealing with the former, the challenge facing HD and the HAC was to balance competing priorities. The series could not possibly provide the same level of documentation that it had in the past, given resource constraints and the vast expansion of source material. Yet *FRUS* also had to continue to meet the needs of its consumers, especially those in the academic community. As the first chair of the Committee, Dexter Perkins, noted, “more than ever ... we have to establish criteria of what is really of most use because most students could not go to the Archives” and instead relied on *FRUS* for source material.<sup>2</sup>

Grappling with these questions focused HD and HAC discussion on an enduring dilemma for the modern series: how to balance thoroughness and timeliness in a process continually disrupted by access and clearance complications. HD proposed a range of options, including:

- “tighten up on the present basis of selection,”
- “narrow the range of topics to be covered,”
- “abandon the present comprehensive coverage ... and concentrate ... on subjects ... of major importance,” and
- “abandon the idea of giving a continuous story in documentary form.”

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<sup>2</sup> Minutes of 1957 HAC meeting, pp. 33-61 (quote on p. 47), Department of State, HAC Lot File 03 D 130, 1957-HAC-Annual Meeting.

Although individual HAC members at times suggested abandoning coverage of “minor countries,” the Committee’s 1958 report urged HD to focus its efforts on refining and narrowing its existing selection criteria rather than dramatically restricting the scope of the series.<sup>3</sup>

The HAC also advised HD to restrict the scope of *FRUS* to avoid the frustrating access restrictions and bruising interagency clearance debates that delayed the wartime conference volumes. While it was clear to everyone that those special volumes required substantial military documentation, the question remained “how much of an effort [HD] should make in normal circumstances to get the papers of [other agencies],” which involved “a great deal of difficulty in getting clearance and getting access.” William Franklin, the Deputy Chief of HD, warned that the Division’s efforts to declassify the accelerated China volumes suggested that documenting the operation of the National Security Council would “be a real problem.” In view of *FRUS*’s Departmental mandate to provide the “official record of the foreign policy of the United States,” HAC member Philip Thayer concluded that “you have got to chase down significant documents wherever you have to go to get them.” The immediate question facing HD and the HAC was whether *FRUS* compilers should limit their interagency research requests to documentary threads that began within Department of State records or whether they should seek to “dig out ... papers from other agencies.” HAC member Richard Leopold urged that, however this question was resolved, the Department clearly elucidate its research and editorial policies and procedures to readers of the volumes. The HAC’s final report determined that “it would not be practicable to range far afield in preparing [*FRUS*] for publication” and recommended limiting the series, which was “by origin and nature a State Department record,” to internal Department documents.<sup>4</sup>

Within four years, however, the HAC reversed course on limiting the documentary scope of *FRUS*. As the series moved from the World War II years to the postwar era, relying principally on the Department’s records became increasingly untenable. In its 1960 report, the HAC urged HO to exercise greater selectivity across a broader range of source material, including documentation of intelligence

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<sup>3</sup> Thomas Bailey, Clarence Berdahl, Leland Goodrich, Richard Leopold, Dexter Perkins, Philip Thayer, and Edgar Turlington, “Report of the Advisory Committee on *Foreign Relations* to the Historical Division of the Department of State,” *American Political Science Review* (June 1958), pp. 603-606 (quote from p. 605). During the 1957 meeting, Thomas Bailey suggested omitting coverage of Liberia. See minutes of 1957 HAC meeting, pp. 42-43, Department of State, HAC Lot File 03 D 130, 1957-HAC-Annual Meeting. Later, in 1962, Dexter Perkins proposed abandoning coverage of Paraguay. See E.R. Perkins to Franklin, October 1, 1962, Department of State, HAC Lot File 96 D 292, Box 1, Advisory Committee on the *Foreign Relations* Series, 1961-1964.

<sup>4</sup> Minutes of 1957 HAC meeting, pp. 61-70 (quotes from pp. 61, 67-69), Department of State, HAC Lot File 03 D 130, 1957-HAC-Annual Meeting and Thomas Bailey, Clarence Berdahl, Leland Goodrich, Richard Leopold, Dexter Perkins, Philip Thayer, and Edgar Turlington, “Report of the Advisory Committee on *Foreign Relations* to the Historical Division of the Department of State,” *American Political Science Review* (June 1958), pp. 603-606 (quote from p. 604).

operations.<sup>5</sup> Chief of the *Foreign Relations* Branch Ralph Perkins urged Noble to reject the HAC's advice and hold the line on the scope of the series. Perkins believed that the introduction of the NSC process had actually improved the Department's awareness (and record) of "the activities of other agencies in the foreign relations field." He also argued "any attempt to cover intelligence operations as a subject in itself would lead only to futile haggling with intelligence authorities."<sup>6</sup> After a summer-long "consultantship" inside HO, HAC member Clarence Berdahl reaffirmed the Committee's advice for broader coverage, reporting that "the principle of a thorough and accurate record" required *FRUS* historians to consult "documents produced and controlled by Government agencies other than the State Department, especially of Presidential, Defense, and Intelligence papers . . . . It may be regrettable that the State Department is no longer the exclusively [sic] agency in determining our foreign policy, but that is the situation which must be reflected to the extent necessary in the *Foreign Relations* volumes."<sup>7</sup> Over the coming decades, Berdahl's conclusion proved durable; *FRUS* users opted again and again for enhanced thoroughness even at the cost of lagging timeliness.

Although the HAC continued to press HO to broaden the documentary base for *FRUS*,<sup>8</sup> Ralph Perkins evaded their recommendations. In an extensive analysis of "Problems of Compiling *Foreign Relations* for the Years 1946-1950," prepared after Berdahl's report and before the 1961 HAC meeting, Perkins argued that interagency access was less important than it had been for the war years since "the Department of State again moved into its natural position as the prime agency in the field of international affairs." Perkins acknowledged that the series would "continue to need supplementary documentation for files outside the Department," but he also argued that research beyond Department of State records would quickly run into "a law of diminishing returns" that yielded records of "marginal value." Perkins envisioned that compilers would focus their attention on the Department of State central files and only turn to the Department's own decentralized files or other-agency records when they encountered "significant gaps" in the record. He also hoped to focus supplemental research at the Truman Library as the "chief outside source," noting

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<sup>5</sup> "Report of the Advisory Committee on *Foreign Relations: 1960*," *American Political Science Review* (September 1961), pp. 601-603 (quote from pp. 601-602). Before the 1961 meeting, HO prepared a short explanation of how compilers relied on annotation to provide citations to already-published material or summarize significant information from less essential documents, thereby reducing the number of documents that they needed to print in full in a given volume. Perkins also explained that this device saved space, but greatly added to the time required to prepare a volume. See Perkins memorandum, November 2, 1961, Department of State, HAC Lot File 96 D 292, Box 1, 1961-Report.

<sup>6</sup> Ralph Perkins to Noble, January 23, 1961, Department of State, HAC Lot File 96 D 292, Box 1, Advisory Committee on the *Foreign Relations* Series, 1961-1964.

<sup>7</sup> Clarence Berdahl to Noble, August 31, 1961, p. 5 attached as Tab 5 to agenda of 1961 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 1, 1961-Report.

<sup>8</sup> See draft report of 1961 HAC meeting attached to Leland Goodrich to Noble, January 5, 1962, Department of State, HAC Lot File 96 D 292, Box 1, Advisory Committee on the *Foreign Relations* Series, 1961-1964 and report of 1963 HAC meeting, p. 3, Department of State, HAC Lot File 96 D 292, Box 2, 1963-Report.

“it is urgently necessary to establish good working relations there in order to obtain the needed papers.” In response to Berdahl’s advice to include intelligence materials in *FRUS*, Perkins warned that intelligence activities would be very difficult to document and predicted that the series would be “fortunate” if it were allowed to release sanitized intelligence-related documents “needed for the understanding of a policy decision.” Citing the bureaucratic primacy of the Department of State in defining Truman’s foreign policy, Perkins rationalized maintaining the status quo for *FRUS* compilation methodology.<sup>9</sup>

Given the realities that HO faced in the 1960s, this amounted to making a virtue out of a necessity. HO historians faced daunting challenges as they researched postwar *FRUS* volumes. They grappled with significant gaps in the Department’s central files by using (and sometimes preserving) decentralized lot files.<sup>10</sup> Apart from limited access for the Potsdam volumes in the late 1950s and minimal research after 1976 for the last few Truman volumes, *FRUS* historians lacked access to Presidential material at the Truman Library.<sup>11</sup> While HO renewed the post-Yalta release terms of reference with the Pentagon and continued to request specific military documents for some compilations, the compilers’ experience with Defense remained “arbitrary, negative, and always time consuming.”<sup>12</sup> Even within the Department, HO had to prod lackadaisical bureau officials to expedite their reviews.<sup>13</sup> In the early 1970s, HO accepted additional declassification delays as a fair

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<sup>9</sup> Perkins, October 23, 1961, pp 1-5 of “Problems of Compiling *Foreign Relations* for the Years 1946-1950,” October 1961, Department of State, HAC Lot File 96 D 292, Box 1, Advisory Committee on the *Foreign Relations* Series, 1961-1964.

<sup>10</sup> Gleason to William Dale, January 6, 1966, NARA, RG 59, CFPF 1964-1966, POL 15-4 ISR; “Lot Files Which Have Been or Shortly Will Be Transferred In Whole or Part to National Archives,” [no date], Department of State, HAC Lot File 96 D 292, Box 2, 1973-Minutes; David Trask to Staff of PA/HO, August 31, 1976, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2.

<sup>11</sup> Noble to Philip Brooks, September 13, 1960, NARA, RG 59, CDF 1960-1963, 023.1/9-1360; Noble to Rose Conway (with attached Noble through [Thomas?] Stern to Roger Tubby, May 11, 1961), May 11, 1961, NARA, RG 59, CDF 1960-1963, 023.1/5-1161; Noble to David Lloyd, January 31, 1962, NARA, RG 59, CDF 1960-1963, 023.1/2-2462; memorandum of conversation among Harry Truman, Franklin, and Brooks, April 23, 1965; Franklin to John Snell, April 27, 1965; and Franklin to Brooks, May 12, 1965 in NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of U.S.*; Franklin to Brooks, March 28, 1967, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of U.S.*; and John Glennon, “A Brief History of Efforts by HO ...,” [no date] attached to “Future Issues Facing the *Foreign Relations* Series,” Department of State, HAC Lot File 96 D 292, Box 3, 1979-Correspondence.

<sup>12</sup> Quote from John Glennon, “A Brief History of Efforts by HO ...,” [no date] attached to “Future Issues Facing the *Foreign Relations* Series,” Department of State, HAC Lot File 96 D 292, Box 3, 1979-Correspondence. See also Arthur Sylvester to Assistant Secretary of State (Public Affairs) (with attached 1955 Terms of Reference and revised proposed draft), March 7, 1966 and Richard Phillips to Assistant Secretary of Defense (Public Affairs), March 18, 1966, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of the U.S.*; Dougall to Robert Stewart, August 22, 1969, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of the U.S.* Although the 1955 terms of reference applied to the wartime conference volumes, Winnacker agreed to apply the same standards to other *FRUS* volumes (beginning with the accelerated China volumes) in 1956. See Noble to Winnacker, March 6 and March 28, 1956, NARA, RG 59, CDF 1955-1959, 023.1/3-656 and 023.1/3-2056.

<sup>13</sup> Berding to Joseph Satterthwaite, Roy Rubottom, Burke Elbrick, Walter Robertson, and William Rountree, October 27, 1958 attached to Noble through Edwin Kretzmann to Murphy, October

price to pay to incorporate documentation of NSC activities in *FRUS*.<sup>14</sup> In the decade after Everett Gleason succeeded Perkins as the [General] Editor of the series in 1963, the difficulties of gaining reliable access to non-Department of State files reinforced HO's preference to focus *FRUS* compilations on Department records.

One important interagency relationship that began in the 1960s was the CIA's involvement in *FRUS*. The Agency asserted its authority over releasing intelligence equities in 1960, when Director of Central Intelligence (DCI) Allen Dulles accepted recommendations from the Agency's chief of foreign intelligence to veto publication of information about Office of Strategic Services (OSS)<sup>15</sup> activities in North Africa during 1942.<sup>16</sup> This first instance of significant Agency involvement in *FRUS* is noteworthy because it began a decades-long debate about how to release responsibly documentation of historically significant intelligence operations and analysis. This early case also foreshadowed many of the arguments employed by the CIA in subsequent years to explain why maintaining control over these release decisions was essential to protect present and future capabilities.

Dulles's action in 1960 reflected advice provided by a senior Agency official. The Acting Chief for Foreign Intelligence<sup>17</sup> rejected Bernard Noble's contentions that the Department of State had the authority to release intelligence equities in its own documents. Significantly, he also denied that information that had "already been revealed in various official and non-official publications" was inherently desensitized and appropriate for inclusion in *FRUS*. In response to the former claim, he cited the DCI's responsibility, under the National Security Act, to protect intelligence sources and methods. He also referred to decade-old policy guidance from the NSC that "any publicity, factual or fictional, concerning intelligence is potentially detrimental to the effectiveness of an intelligence activity and to

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29, 1958, NARA, RG 59, CDF 1955-1959, 023.1/10-2958 and Robert Manning to Phillips Talbot (with attached Franklin, "Notice to Reviewing Officers"), November 13, 1963, NARA, RG 59, CFPF 1963, PR 10 *Foreign Relations*.

<sup>14</sup> See *passim*, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of the U.S.* and PR 10 *Foreign Relations*; and *passim*, NARA, RG 59, Entry UD-08D-4: Bureau of Public Affairs, Assistant Secretary and Deputy Assistant Secretary Subject Files, 1975-1981 (82 D 297) (henceforth PA Lot File 82 D 297), Box 8, NSSM-113: 1971: Permanent File.

<sup>15</sup> The U.S. intelligence agency in operation from June 1942 until September 1945. DCI authority regarding intelligence equities stemmed from provisions in the National Security Act of 1947 and NSC policy directives to protect intelligence sources and methods needed to safeguard national security.

<sup>16</sup> Allen Dulles to Christian Herter, November 25, 1960, CIA Records Search Tool (henceforth CREST), CIA-RDP80B01676R000900080012-4. Dulles's letter was not sent to Herter. Instead, his special assistant, Col. Stanley Grogon, discussed the Agency decision informally with the Assistant Secretary of State for Public Affairs, Andrew Berding and his Deputy, Edwin Kretzmann. See Stanley Grogon (with attached Edwin Kretzmann through Grogon to Allen Dulles) to Allen Dulles, December 1, 1960, CREST, CIA-RDP80B01676R000900080012-4. The original Department referral to the Agency is Kretzmann to Allen Dulles (attention to Grogon), July 8, 1960, CREST, CIA-RDP80B01676R000900080067-4.

<sup>17</sup> This official's name has been redacted from released CIA documents. For convenience, the pronoun "he" is used in the text.

the national security.”<sup>18</sup> Only those possessing “a very considerable expertise in intelligence” could evaluate the risks of releasing specific intelligence-related information. Previous disclosure was irrelevant since “two wrongs do not make a right” and “the harm done by repeated publication tends, up to a point, to increase by a geometric ratio with each new disclosure.” Noble’s examples of prior releases were even more problematic because they “were made by individuals, not by Government agencies. This is not at all the same thing as their disclosure in an official publication by the Department of State—which would provide the most solemn and incontrovertible of evidence, thus far lacking.” Finally, the Chief for Foreign Intelligence warned Dulles that “the more the United States Government officially reveals of its clandestine activities in the past, the more difficult it is likely to become to recruit personnel for such activities in the future.”<sup>19</sup>

Despite this rocky start to CIA cooperation for preparing and declassifying *FRUS* volumes, the Agency gained confidence as Department of State historians limited coverage of intelligence activities in the series over the next decade. By 1963, the CIA allowed *FRUS* historians to determine for themselves whether OSS material was sensitive (and thus required referral to CIA for review) or non-sensitive and releasable without further scrutiny.<sup>20</sup> As the Department began preparing volumes covering 1947 (the year the CIA was founded) in 1970, the Agency again reminded the Department of its authority over intelligence equities.<sup>21</sup> When President Richard Nixon ordered the Agency to cooperate with the Department in accelerating the series in 1972, General Counsel Lawrence Houston explained to Executive Director William Colby that “over the years I have been involved one way or another with publication of [*FRUS*]” Department historians “have always been most conscious of the intelligence aspects, and we have had no problem in clearing the few requests that came through . . . . There would be no difficulty in providing for effective cooperation in what will almost certainly be a growing program so far as we are concerned.”<sup>22</sup>

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<sup>18</sup> NSC Intelligence Directive 11, January 6, 1950 is printed in *Foreign Relations of the United States, 1945-1950, Emergence of the Intelligence Establishment* (Washington, D.C.: Government Printing Office, 1996), Document 430, <http://history.state.gov/historicaldocuments/frus1945-50Intel/d430>.

<sup>19</sup> [Name redacted] for Chief, Foreign Intelligence to Director of Central Intelligence, August 26, 1960, CREST, CIA-RDP80B01676R000900080046-7. This document is also available online at Central Intelligence Agency, FOIA Electronic Reading Room, [http://www.foia.cia.gov/sites/default/files/document\\_conversions/5829/CIA-RDP80B01676R000900080046-7.pdf](http://www.foia.cia.gov/sites/default/files/document_conversions/5829/CIA-RDP80B01676R000900080046-7.pdf).

<sup>20</sup> Franklin to Colonel L. K. White, July 26, 1966, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of the U.S.*

<sup>21</sup> [Name redacted] EA/DDCI to [Executive Director-Comptroller], February 24, 1970, CREST, CIA-RDP72-00310R000200270023-2; [Director of Security] to Larry Houston (on Routing and Record Sheet), March 11, 1970; and Lawrence Houston (with covering memorandum) to Gleason, March 16, 1970 in CREST, CIA-RDP72-00310R000200270021-4.

<sup>22</sup> Richard Nixon to Richard Helms, March 8, 1972; William Colby to [Deputy Director for Support], Houston, and [Chief, Historical Staff], March 20, 1972; and Houston to Colby, March 21, 1972 in CREST, CIA-RDP83-00764R000400030055-6. Houston served as the Agency General Counsel from the CIA’s founding in 1947 until 1973. See Tim Weiner, “Lawrence Houston, 82, Dies; Helped

Foreign government clearance procedures and decisions also left indelible impressions on the series. Indeed, the Department had to undertake repeated consultations with the British to downgrade documents included in *FRUS* manuscripts from Top Secret to Confidential so that HO could complete its pre-clearance typesetting and editing of materials reflecting the Anglo-American “special relationship” without the substantial additional costs associated with processing highly classified material.<sup>23</sup> In the course of these consultations, British officials informed their American counterparts that, “as the series ... is now entering an era of major international agreements, such as NATO, which are still of major concern to HMG[,] we must of necessity be more guarded than hitherto in consenting to the publication of documents.”<sup>24</sup> Similar concerns held by other allied and neutral governments contributed to clearance difficulties.<sup>25</sup> Incorporating UN and NATO documents into the series compounded the foreign government clearance problem since by their nature they had multilateral and international organization equities.<sup>26</sup>

Even after procedural questions were answered, the substance of many clearance decisions reflected Cold War fears and objectives. Department officers worried that publishing official documents reflecting historical criticism of important partners would embarrass current relations and demoralize anti-Communist allies. These anxieties reflected the Department’s experience with the first installments of the special subseries of accelerated China volumes covering the 1940s requested alongside the wartime conference volumes by Sen. William Knowland in 1953. In 1956, the Department postponed release of the already-printed 1941 Far East volume after receiving protests from Max Bishop, the U.S. Ambassador in Bangkok. Although officials in the Bureau of Far Eastern Affairs (FE) had previously cleared the compilation, they supported Bishop’s claims that releasing 15-year-old reports of Thai collaboration with Japan and expansionist designs against Cambodia and Laos could endanger the political standing of pro-

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to Establish the C.I.A.,” *New York Times*, August 17, 1995, <http://www.nytimes.com/1995/08/17/obituaries/lawrence-houston-82-dies-helped-to-establish-the-cia.html>.

<sup>23</sup> See *passim*, NARA, RG 59, CFPF 1963, CFPF 1964-1966, CFPF 1967-1969, and CFPF 1970-1973, PR 10 *Foreign Relations of U.S.* and draft [?] Department of State to U.S. Embassy London, August 7, 1978, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

<sup>24</sup> Harry Harcombe to Dudley Miller, February 25, 1970 attached to U.S. Embassy London to Department of State, March 4, 1970, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of U.S.*

<sup>25</sup> The Department did not seek clearances from “governments of Iron Curtain countries” or “ex-enemy governments for documentation covering the period of the war.” See Department of State to U.S. Embassy London, April 14, 1964, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of U.S.* There were occasional exceptions to this policy. For example, the Spanish Government requested that the United States stop asking for clearance of Spanish documents to be printed in *FRUS* and instead provide copies of documents proposed for publication for its information and possible comment. This arrangement absolved the Spanish Government of any role in approving the release of recent (post-1900) official documents. See *passim*, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of U.S.*

<sup>26</sup> See *passim*, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of U.S.*

American Thai officials and disrupt U.S. efforts to mobilize regional support for containing revolutionary nationalism in Southeast Asia.<sup>27</sup>

These fears delayed the volume for another six years. In 1959, Assistant Secretary of State for FE Graham Parsons explained to a skeptical HAC that releasing the volume “would be exploited by the Cambodians, it would be exploited by the Communist bloc, and it would be to the detriment of an important free world ally whose capital is also the center of the South East Asia Treaty Organization, on which the collective security arrangements of the area depend.” In 1961, Arthur Schlesinger, Special Assistant to President Kennedy, brought White House pressure to bear in favor of releasing the embargoed volumes during HAC discussions with FE officials about the 1941 Far East volume (and the 1943 China volume). The volumes were released the following spring.<sup>28</sup>

Subsequent China volumes posed equally vexing difficulties. During most of the 1960s, the Department was reluctant to exacerbate official and unofficial Nationalist Chinese resentment over publication of the 1949 White Paper. Indeed, reporting from Taipei in 1967 indicated that “the average Chinese official or scholar cannot understand why a work such as [*FRUS*] should ever be published unless it is designed to serve some political objective of the publishers. The concept that an academic community could bring sufficient pressure on a government to force it to reveal sensitive information gets little credence.” In an effort to depoliticize the China volumes, the Department delayed their publication so that they could be released alongside the regular annual volumes covering the 1940s rather than as a special, accelerated subseries. By the late 1960s, however, the Department grew more anxious about Beijing’s reaction to publication than Taipei’s.<sup>29</sup> NSC clearance of the 1946 China volume was held up in advance of President Nixon’s famous trip to the PRC in 1971 and Department clearance of the 1949 China volume was delayed for five years, between 1972 and 1977, because of concerns that its contents could damage Chou Enlai’s reputation.<sup>30</sup>

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<sup>27</sup> See *passim*, NARA, RG 59, CDF 1955-1959, 023.1/9-2256 through 023.1/9-359 and transcript of 1958 HAC meeting, pp. B-21-B-53, Department of State, HAC Lot File 96 D 292, Box 1, 1958-Min. of Meeting 11/7/58.

<sup>28</sup> Quote from transcript of 1959 meeting (November 7), p. B-6, Department of State, HAC Lot File 96 D 292, Box 1, 1959-Min. of Meeting 11/6-7/59. See also *passim*, NARA, RG 59, CDF 1955-1959, 023.1/7-2957 through 023.1/11-559; Kretzmann to Graham Parsons, November 18, 1960, NARA, RG 59, CDF 1960-1963, 023.1/11-1860; minutes of 1961 HAC meeting, pp. 27-34, Department of State, HAC Lot File 96 D 292, Box 1, 1961-Report; Noble to Tubby, November 7, 1961, Department of State, HAC Lot File 96 D 292, Box 1, Advisory Committee on the *Foreign Relations Series* 1961-1964.

<sup>29</sup> Ironically, when *FRUS* [General] Editor Perkins suggested this possibility in 1958, the HAC responded with laughter. See transcript of 1958 HAC meeting, pp. B-21-B-53, Department of State, HAC Lot File 96 D 292, Box 1, 1958-Min. of Meeting 11/7/58.

<sup>30</sup> Quote from U.S. Embassy Taipei to Department of State, July 26, 1967, NARA, RG 59, CFPF 1967-1969, PR 10. See also U.S. Embassy Taipei to Department of State (with enclosed press transcriptions), May 23, 1956, NARA, RG 59, CDF 1955-1959, 023.1/5-2356; Walter Trohan, “Reveal How Pro-Reds in State Dept. Tried to Split U.S. and China During War: 1942 Papers Tell of Meddling,” *Chicago Daily Tribune*, December 2, 1956, p. 12; transcript of 1958 HAC meeting, p. B-49,

Other sensitive issues also complicated *FRUS* clearance and release decisions between the 1950s and the 1970s. For example, U.S. officials and foreign governments resisted the release of documents revealing sensitive basing agreements, even when American military deployments were widely known.<sup>31</sup> On at least one occasion, foreign officials identified *FRUS* as a major obstacle to sharing classified information with U.S. diplomats, which prompted U.S. Ambassador to Mexico Thomas Mann to “point out” in 1961 “the high cost that the United States pays for this service to historians.”<sup>32</sup> Postcolonial legacies raised anxieties as well, as when the Netherlands Government asserted that “the time was not ripe” between 1964 and 1969 to release its own documents covering policy toward Indonesia between 1945 and 1949.<sup>33</sup> At other times, U.S. plans to publish its historical records threatened other governments’ efforts to manipulate historical memory. In 1967, for example, an Iranian Foreign Ministry official explained that desired clearances from the Shah for the 1945 *FRUS* volume documenting postwar tensions with the Soviet Union could run afoul of “the current official Iranian line on the developments in the Azerbaijani crisis,” which “claimed more local credit for the favorable outcome of that crisis than is warranted by the facts.”<sup>34</sup> In 1970, the French Government refused to allow the Department to print its 1948 “reservations about granting full

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Department of State, HAC Lot File 96 D 292, Box 1, 1958-Min. of Meeting 11/7/58; transcript of 1960 HAC meeting, pp. 10-25, Department of State, HAC Lot File 96 D 292, Box 1, 1960—Min. of Meeting 11/4-5/60; *passim*, NARA, RG 59, CDF 1960-1963, 023.1/2-2161 through 023.1/4-462; “U.S. Publishes Long-Secret China Papers of ‘43,” *New York Times*, March 21, 1962, p. 2; *passim*, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of the U.S.*; *passim*, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of the U.S.*; Gaddis Smith, “Last View of the Chinese Scene,” *New York Times Book Review*, February 25, 1968, pp. 3 and 35; *passim*, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of the U.S.*; transcript of HAC meeting with Henry Kissinger, November 12, 1976, pp. 14-19, Department of State, HAC Lot File 96 D 292, Box 3, 1976-Report; [John] P G[lennon], March 23, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian’s Office 1979; and *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 11, PA/HO. In December 1977, after the “deaths of Chou and Mao and the purge of Chou’s main political opponents,” Assistant Secretary of State for East Asian Affairs Richard Holbrooke finally cleared the 1949 China volume despite “believ[ing] there is some risk in making the material public.” See Holbrooke to Hodding Carter, December 1, 1977, NARA, RG 59, PA Lot File 82 D 297, Box 11, PA/HO.

<sup>31</sup> See, for example, Winnacker to Noble, June 22, 1961 and Noble to Winnacker, August 28, 1961, NARA, RG 59, CDF 1960-1963, 023.1/6-2261 and U.S. Embassy Reykjavik to Department of State, January 26, 1965, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of U.S.*

<sup>32</sup> Thomas Mann to Department of State, September 27, 1961, NARA, RG 59, CDF 1960-1963, 023.1/9-2761.

<sup>33</sup> U.S. Embassy The Hague to Department of State, December 15, 1964 and U.S. Embassy The Hague to Department of State, October 12, 1965 in NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of U.S.*; U.S. Embassy The Hague to Department of State, March 14, 1968; Department of State to U.S. Embassy The Hague, March 24, 1969; U.S. Embassy The Hague to Department of State, April 15, 1969; and Department of State to U.S. Embassy The Hague, December 24, 1969 in NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of U.S.*

<sup>34</sup> U.S. Embassy Tehran to Department of State, February 8, 1967, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of U.S.* Within a few days, Iran granted permission to print the documents in question. See U.S. Embassy Tehran to Department of State, February 13, 1967, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of U.S.*

independence to West Germany.”<sup>35</sup> In 1971, the U.S. Embassy in Paris speculated that additional French clearance denials reflected continued embarrassment about the “abject condition of the French Government” in 1948 and its “plea for United States assistance.”<sup>36</sup> On occasion, persisting controversies militated against historical transparency. In 1972, the British refused permission to print documents on Persian Gulf oil claims, arguing that “the question of Iranian claims [was] still too recent and topical.”<sup>37</sup> In the early 1970s, the Department of State acquiesced in releasing “potential dynamite” regarding U.S. policy toward the Palestine “problem” from 1947,<sup>38</sup> but balked at divulging details about covert efforts to influence Italian elections in the late 1940s.<sup>39</sup> U.S. Government and foreign government clearances reflected the lingering sensitivity of many historical disputes amidst Cold War, nationalist, and postcolonial tensions.<sup>40</sup>

These restrictive impulses were reinforced by fleeting but embarrassing media coverage of *FRUS* “revelations” abroad. Despite the sensationalistic coverage of the release of the Yalta Papers in 1955, the Department encouraged international attention for *FRUS* in 1961 when it instructed several European posts to distribute the two volumes on the 1945 Potsdam summit to “appropriate review journals.”<sup>41</sup> To the Embassy in Moscow, the Department’s request noted that “any reviews which

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<sup>35</sup> U.S. Embassy Paris to Department of State, February 4, 1970, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

<sup>36</sup> U.S. Embassy Paris to Department of State, February 6, 1971, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

<sup>37</sup> Jack Dixon to Dudley Miller, May 11, 1972 attached to U.S. Embassy London to Department of State, May 17, 1972, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

<sup>38</sup> Alfred Atherton through Rodger Davies to Joseph Sisco, November 5, 1969, NARA, RG 59, Records Relating to Israel and Arab-Israeli Affairs, 1951-1976, Office of Israel and Arab-Israel Affairs, Bureau of Near Eastern Affairs, POL 3 Palestine Entity 1969.

<sup>39</sup> In 1971, Gleason reported to the HAC that the Italian Desk’s requested excisions left the documents “so completely gutted that the reader would scarcely be aware of the existence of the Italian Communist Party.” He advised that “if we cannot secure reconsideration of this wholesale slaughter, I would certainly be obliged to recommend the excision of the entire [1948 Italian] compilation. To print what would be permitted by the desk would simply amount to a fraud. We have never been guilty of that!” By 1973, the Bureau of European Affairs reduced its excisions to allow HO “to present the main lines of American policy quite clearly and directly,” albeit with only implicit allusions to the covert operation. See Fredrick Aandahl to Franklin, March 22, 1973, Department of State, HAC Lot File 96 D 292, Box 2, 1973-Minutes and Gleason, report to Advisory Committee, pp. 3-4, attached to record of the 1971 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 2, 1971-Minutes.

<sup>40</sup> For additional substantive clearance consultations with foreign governments, see *passim*, NARA, RG 59, CDF 1955-1959 and 1960-1963, 023.1; *passim*, NARA, RG 59, CFPF 1963, 1964-1966, and 1967-1969, PR 10 *Foreign Relations of US*; and *passim*, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

<sup>41</sup> Chester Bowles (Acting) to U.S. Embassy Paris, May 9, 1961 and Chester Bowles (Acting) to U.S. Embassy London, May 9, 1961 in NARA, RG 59, CDF 1960-1963, 023.1/5-961 and Chester Bowles (Acting) to U.S. Embassy Moscow, May 10, 1961; Chester Bowles (Acting) to U.S. Embassy Brussels, May 10, 1961; and Chester Bowles (Acting) to U.S. Embassy Bonn, May 11, 1961 in NARA, RG 59, WTC Lot File 83 D 222, Box 8, April-June 1961.

["Voprosy istorii" / "Issues of History"] might publish would be a net gain in making the existence of those volumes known to scholars in Eastern Europe."<sup>42</sup>

This effort to improve the visibility of the series complicated U.S. public diplomacy. During the 1960s and 1970s, international press coverage frequently misconstrued the U.S. Government's motives in publishing historical documents. For example, in 1973, the U.S. Embassy in Costa Rica reported "a surprisingly widespread perplexity and lack of understanding as to how the documents came to be published." Many U.S. diplomats would have agreed with their colleagues in San José that "we do not wholly benefit from this publication since our documents are the vehicle by which old sensitivities are rubbed raw, and embarrassments created."<sup>43</sup> In 1975, NSC staff member Denis Clift alerted Henry Kissinger to Soviet "use of declassified official documents to substantiate propaganda arguments" and advised him to suggest greater caution in "conversations concerning the release of ... old, seemingly harmless material."<sup>44</sup>

Decisions about the scope of *Foreign Relations* compilations reflected competing priorities. On the one hand, HO and the HAC wanted the volumes to be as comprehensive as feasible. Only robust documentation of decisionmaking within the Department and between the Department and other constituents of a burgeoning national security establishment would allow *FRUS* to continue providing an objective and contextualized account of U.S. foreign policy. Unfortunately, the arduous steps needed to access and clear the records entailed, at a minimum, significant delay in the production of *FRUS*. Indeed, until the end of the 1960s, gaining access to and permission to release such important records as NSC deliberations proved beyond the reach of HO. And, as much as HO and the HAC valued comprehensiveness, they also believed that improving the timeliness of *Foreign Relations* was essential to preserving its role as the leading vehicle for responsible historical transparency during the Cold War.

### **Timeliness: Historiographical Cudgel or a Catalyst for Openness?**

In 1958, in the aftermath of the Yalta Papers controversy and as the Department deliberated about the release of the Potsdam and Cairo-Tehran wartime conference volumes, Deputy Under Secretary of State for Political Affairs Robert Murphy asked HD about the *FRUS* publication schedule. As he weighed competing claims for the primacy of security against transparency for these controversial additions to the

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<sup>42</sup> Chester Bowles (Acting) to U.S. Embassy Moscow, May 10, 1961. NARA, RG 59, WTC Lot File 83 D 222, Box 8, April-June 1961.

<sup>43</sup> U.S. Embassy San Jose to Secretary of State, February 5, 1973 and U.S. Embassy San Jose to Secretary of State, February 12, 1973 in NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

<sup>44</sup> Denis Clift to Henry Kissinger, "Soviet Use of Declassified Documents," October 8, 1975, Gerald R. Ford Presidential Library, National Security Adviser Presidential Country Files for Europe and Canada, Box 18, USSR (23). Available at Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/library/nsc1975.pdf>. Document located via Steven Aftergood, "Soviet Use of Declassified U.S. Documents," *Secrecy News*, July 13, 2005, <http://www.fas.org/sgp/news/secrecy/2005/07/071305.html>.

series, he wanted to know more about the “normal” timetable for releasing “normal” *FRUS* volumes. In response, Noble explained that, although “a general presumption that [*FRUS*] should be published within a 15-year period” prevailed in the 1930s and into the 1940s, “the impact of World War II, resulting in a great increase in the bulk and sensitivity of our diplomatic documentation, coupled with insufficiency of staff, caused the lag to lengthen to 18 years” by the early 1950s. He also warned that “there are prominent and influential people in the public, and especially in Congress ... who feel that a gap of even 15 years cannot be justified.” Noble urged that even if it proved “impossible for the Department to publish the record of its diplomacy within 15 years ... every effort should be made to prevent a further widening of the gap.”<sup>45</sup>

Noble’s explanation failed to address what was, by the late 1950s, the principal utility of accelerating *FRUS*: the Department’s entire transparency program relied upon the *Foreign Relations* series for its foundation well into the 1970s. In the midst of tightening restrictions on the use of “restricted” records by unofficial researchers,<sup>46</sup> scholarly interest in speeding the declassification and release of foreign affairs documentation mounted. From the 1950s to the 1970s, this process was closely tied to *FRUS* production. In lieu of defined systematic declassification review procedures, the Department of State used *FRUS* compilations to provide responsible officials in the various operational bureaus with a representative sample of the historically-significant record to review for publication. Clearance decisions for information in *FRUS* documents would then be applied to the much larger mass of the Department’s unpublished records. These procedures resulted in a trifurcated transparency regime: the Department transferred 30 year-old documents to NARA, where they were open to the public; records for which related *FRUS* volumes had not yet been published remained closed; and HO administered “qualified” unofficial researcher access to “restricted” files whose corresponding *FRUS* volume had been published but were less than 30 years old. According to the HAC’s 1967 annual report, which endorsed this regime, qualified scholars who were U.S. citizens and passed a “security name check” could consult “classified and sensitive records of the restricted material” subject only to HO review of research notes to “eliminate ‘invidious references’ or any item the publication of which would interfere with current policy or negotiations.”<sup>47</sup>

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<sup>45</sup> Noble to Murphy, October 31, 1958, NARA, RG 59, CDF 1955-1959, 023.1/10-3158.

<sup>46</sup> See Department of State Press Release No. 463, August 23, 1960, NARA, RG 59, CDF 1960-1963, 023.1/8-2260; William Macomber to William Fulbright, September 17, 1960, NARA, RG 59, CDF 1960-1963, 023.1/8-2660; Brooks Hays to John Moss, March 14, 1961, NARA, RG 59, CDF 1960-1963, 023.1/2-2861; Franklin to Kennan, June 18, 1963, NARA, RG 59, CFPF 1963, CR 16-1 Belgrade; and Benjamin Read to Walt Rostow (with attached “Suggested Reply”), April 21, 1967, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of the U.S.*

<sup>47</sup> Robert B. Stewart, report of 1967 HAC meeting, pp. 10-12 (quote from p. 12), Department of State, HAC Lot File 96 D 292, Box 2, 1967—Report. See also minutes of 1963 HAC meeting, p. 18, Department of State, HAC Lot File 96 D 292, Box 2, 1963—Minutes; report of 1963 HAC meeting, p. 5, Department of State, HAC Lot File 96 D 292, Box 2, 1963—Report; minutes of 1967 HAC meeting, pp. 8-9, Department of State, HAC Lot File 96 D 292, Box 2, 1967—Minutes; Franklin to Robert Ferrell,

In the 1960s, HO and the HAC argued that accelerating *FRUS* production would promote civic virtue and support the U.S. Government's foreign policy objectives by revealing the truth about the origins of the Cold War to a public—especially students—increasingly alienated from the Cold War consensus. The HAC's repeated efforts to link more timely *FRUS* publication to concrete domestic and foreign policy interests in its annual reports to the Secretary of State reflected the Committee's adherence to Cold War orthodoxy, as well as HO's increasingly desperate efforts to augment resources for *FRUS*. Although recent scholarship associates the rise of revisionist interpretations of the origins of the Cold War to the publication of related *FRUS* volumes in the 1960s, HO management and the HAC claimed that their efforts to accelerate the series would reinforce public support for U.S. foreign policy amidst the strains of the Vietnam War.<sup>48</sup>

Throughout the 1960s, HO and the HAC sought to secure greater support for the *Foreign Relations* series to address the mounting *FRUS* publication lag. Their key objective was acquiring sufficient compiling capacity (while simultaneously restraining growth in the size of the series) to complete research and annotation for one year's worth of volumes per year. Despite Arthur Schlesinger's success in enlisting President Kennedy's endorsement of the series in 1961, a combination of Secretary of State Dean Rusk's preference for a 20-year (rather than a 15-year) publication line and insufficient personnel kept HO from making significant gains in *FRUS* production. Rusk brushed aside HAC and academic community requests for more personnel, even when endorsed by Congress, until 1969. Indeed, anxieties about diminishing Departmental support for HO sparked fears that *FRUS* was "in the midst of a major crisis" after Bernard Noble's retirement in 1962.<sup>49</sup>

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April 5, 1968, NARA, RG 59, CFPF 1967-1969, PR 10; Herbert Feis, "Speaking of Books: Unpublic Public Papers," *New York Times Book Review*, April 21, 1968, pp. 2 and 58; and James MacGregor Burns, "Speaking of Books: The Historian's Right to See," *New York Times Book Review*, November 8, 1970, pp. 2 and 42.

<sup>48</sup> Frank Costigliola argues that "many of the documents published in the *Foreign Relations of the United States* volumes for the war and immediate postwar years undermined the Manichaeism of the orthodox interpretation" in *Roosevelt's Lost Alliances: How Personal Politics Helped Start the Cold War* (Princeton: Princeton University Press, 2012), p. 8. For accounts of the backlash against Cold War revisionism that erupted in the 1960s, see Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession* (Cambridge: Cambridge University Press, 1988), pp. 445-457 and Mark Philip Bradley, "The Charlie Maier Scare and the Historiography of American Foreign Relations, 1959-1980" in Frank Costigliola and Michael J. Hogan, eds., *America in the World: The Historiography of American Foreign Relations since 1941*, 2nd Edition (Cambridge: Cambridge University Press, 2014), pp. 9-29, especially pp. 11-15.

<sup>49</sup> Noble was replaced by William Franklin, the long-time Deputy Chief of HD and HO, who oversaw the preparation of the wartime conference volumes in the 1950s. Franklin received a Ph.D. from the Fletcher School of Law and Diplomacy at Tufts University in 1941. He joined the Department in 1941 and became the Assistant Chief of RE for Foreign Policy Studies in 1947. He served as Noble's principal deputy from 1952 to 1962. Kennedy's NSAM on *FRUS* is printed in *Foreign Relations of the United States*, 1961-1963, Vol. XXV, Organization of Foreign Policy; Information Policy; United Nations; Scientific Matters (Washington, D.C.: Government Printing Office, 2001), Document 41 <http://history.state.gov/historicaldocuments/frus1961-63v25/d41> and reported in "Kennedy Asks Publication of War Records," *Los Angeles Times*, September 8, 1961, p. 16. HO built support within

To strengthen their lobbying efforts, HO and the HAC promised concrete benefits in public opinion if the Department accelerated *FRUS*. *FRUS* Editor Everett Gleason led this effort. Formerly the Executive Secretary of the NSC, Gleason's most influential scholarship (written with William Langer in the early 1950s) relied upon privileged access to U.S. Government documents and financial support from the Council on Foreign Relations to criticize prewar isolationism.<sup>50</sup> In 1965, Gleason suggested that the HAC "refer to the present ferment in university communities as an added reason for publishing on time a candid record of American foreign relations."<sup>51</sup> In 1967, he urged the HAC to impress upon "senior officers in the Department that there would be some practical advantage in having the 1945-1947 documents available now to show the origins of the Cold War." He warned that "a new revisionism is growing up, but desk officers seldom appreciate the great value of a candid presentation of American foreign policy."<sup>52</sup> Following this meeting, the HAC submitted a report to Rusk asserting that

the national interest would be well served by publishing the record long before the 20-year lapse. Here the Advisory Committee would emphasize especially the relevance of the historical record to current policy problems. In some cases American foreign policy would not be embarrassed—it would be positively assisted—by publication of the record. Having regard to the problem of both domestic and world opinion, and particularly as it may be affected by the current "outbursts of revisionism" by certain historians on the origins and nature of the cold war, the Advisory Committee believes that full public documentation on the years 1945-1947, and even later, would serve highly practical national purposes. The ready availability of the full record on the origins and early years of the cold war would provide a sound factual basis for judgment and decision by our policy makers, by

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the Department for Presidential endorsement of the series in 1960 and 1961. Kennedy's intervention took the form of a NSAM instead of an Executive Order after the Defense Department objected to the latter. See *passim*, NARA, RG 59, CDF 1960-1963, 023.1/11-2360 through 023.1/4-1561. See also *passim*, Department of State, HAC Lot File 96 D 292, Box 1, 1961-Report and Advisory Committee on the *Foreign Relations Series 1961-1964*; *passim*, Department of State, HAC Lot File 96 D 292, Box 2, 1963-Report; Dean Rusk to Dexter Perkins (and attached Robert Manning through S/S to Rusk, December 21, 1962), December 29, 1962, NARA, RG 59, CDF 1960-1963, 023.1/12-2962; *passim*, NARA, RG 59, CFPF 1964-1966, ORG P and PR 10 *Foreign Relations*; and *passim*, NARA, RG 59, CFPF 1967-1969, ORG P and PR 10 *Foreign Relations of U.S.*

<sup>50</sup> William Langer and Gleason, *The Challenge to Isolation, 1937-1940* (New York: Harper/Council on Foreign Relations, 1952) and Langer and Gleason, *The Undeclared War, 1940-1941* (New York: Harper/Council on Foreign Relations, 1953). See also Langer, *In and Out of the Ivory Tower: The Autobiography of William L. Langer* (New York: N. Watson Academic Publications, 1977) and Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession* (Cambridge: Cambridge University Press, 1988), p. 305.

<sup>51</sup> Minutes of 1965 HAC meeting, p. 22, Department of State, HAC Lot File 96 D 292, Box 2, 1965-Minutes.

<sup>52</sup> Minutes of 1967 HAC meeting, p. 4, Department of State, HAC Lot File 96 D 292, Box 2, 1967-Minutes.

Congress, by scholars and writers[,] and by public opinion at home and abroad.<sup>53</sup>

At the 1968 HAC meeting, Committee member Hardy Dillard, the Dean of the University of Virginia Law School, echoed these claims, “point[ing] out the timely relevance of *Foreign Relations* to the current debate on international relations, particularly in light of the revisionist trends in the study of the Cold War, and their impact on college students.” He believed “the *Foreign Relations* volume for 1945 that he recently read made it brilliantly clear who started the Cold War.”<sup>54</sup>

The apex of the HO/HAC effort to exploit anti-revisionist sentiment came in 1970. In conveying the 1969 HAC report (which noted “the emergence of a revisionist interpretation of the cold war” and “a mounting anti-historical and future-minded spirit abroad in the land”) to Secretary of State William Rogers in January 1970, Committee Chair Elmer Plischke lamented the “slippage” in *FRUS* publication that “cause[d] the Department and the nation grave harm” by inviting “irresponsible members of the public ... to charge the government with concealment of facts,” enabling “alleged scholars to develop and teach fanciful theories about ... the origins of the cold war,” and exacerbating “the undesirable gap between the Department and the scholarly community.” With sufficient resources, Plischke argued, *FRUS* could become a valuable instrument of shaping public opinion by refuting revisionism, exhibiting the U.S. Government’s commitment to responsible historical transparency, and improving the relationship between the academic community and the government.<sup>55</sup>

After 1970, HO shifted tactics. One key reason for this change was the Office’s grudging recognition that cold war revisionism was not going away. In 1971, the Department invited Walter LaFeber, a leading revisionist historian of U.S. foreign relations, to represent the American Historical Association on the HAC.<sup>56</sup> Liberals

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<sup>53</sup> Report of 1967 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 2, 1967-Report. In his transmittal of the report to Secretary of State Rusk, Committee Chair Robert Stewart emphasized this paragraph. See Stewart to Rusk, March 18, 1968, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of US*.

<sup>54</sup> Record of 1968 HAC meeting, p. 4, Department of State, HAC Lot File 96 D 292, Box 2, 1968-Minutes. HAC Chair Stanley Metzger’s transmittal of the HAC’s report to Rusk claimed that *FRUS* was “an opinion-moulder of no little importance” and that, if the 20-year line had been upheld, “this year would have witnessed the publication of the year 1948, recording in significant detail Soviet pressure on Czechoslovakia and Yugoslavia. Publication several years ago of the 1945, 1946[,] and 1947 volumes might have thrown into sharper relief some of the recent writings of historians of the origins of the Cold War, ‘revisionist’ or otherwise.” The HAC believed that “fuller attention of the contemporary significance” of accelerating *FRUS* “might well provide a climate of opinion within the Department which would be more benign to the Historical Office’s problems of manpower, clearance, and editing.” See Metzger to Rusk, November 21, 1968, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of U.S.*

<sup>55</sup> Elmer Plischke to William Rogers (with attached report of 1969 HAC meeting), January 12, 1970, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

<sup>56</sup> William Blair to Walter LaFeber, July 20, 1971, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*.

had also supplanted conservatives as the leading champions of greater transparency in Congress.<sup>57</sup> Most consequentially, intensifying suspicion of government and pressure for greater transparency after the publication of the leaked Pentagon Papers led prominent historians and public intellectuals to highlight the role that *FRUS* played in making foreign affairs documentation available to the public.<sup>58</sup>

In its report following the 1971 annual meeting, the HAC noted that “there is a lively interest in the declassification and publication of documents relating to foreign affairs to be found throughout the government and in various sectors of the American public. Newspapers that have not been known to give editorial support to the recurrent recommendations of the Advisory Committee have become champions of the people’s right to read foreign relations documents.” The Committee hoped this surge in public interest would magnify its renewed requests for increased staffing for HO, expedited clearance decisions, and more frequent HAC meetings in the future.<sup>59</sup>

To satisfy mounting demands for greater transparency while still protecting sensitive information, the U.S. Government and the Department of State revised key policies and procedures. In January 1972, the Department authorized the bulk declassification of most of the remaining classified records from World War II and made them available at the National Archives.<sup>60</sup> In response to “declassification and security problems, which had become acute after the revelation of the *Pentagon Papers*,” the Department of State created a new Council on Classification Policy to oversee existing inter-bureau referral, review, and appeal mechanisms for declassifying documents within the Department.<sup>61</sup> Finally, President Nixon

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<sup>57</sup> Congressional requests for the accelerated China volumes from 1956 to 1972 demonstrate the earliest manifestation of this trend. See congressional correspondence from William Knowland, Hubert Humphrey, and William Fulbright in *passim*, NARA, RG 59, CDF 1955-1959, 023.1; *passim*, NARA, RG 59, CDF 1960-1963, 023.1; *passim*, NARA, RG 59, CFPF 1963, PR 10 *Foreign Relations of U.S.*; *passim*, NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of U.S.*; *passim*, NARA, RG 59, CFPF 1967-1969, PR 10 *Foreign Relations of U.S.*; and *passim*, NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of U.S.*

<sup>58</sup> Carol M. Barker and Matthew H. Fox, *Classified Files: The Yellowing Pages: A Report on Scholars’ Access to Government Documents* (New York: The Century Fund, 1972), especially pp. 26-38; William Shirer, “History as the Loser,” *New York Times*, June 26, 1971, p. 29; Herbert Feis, “The Other Secrets,” *New York Times*, July 30, 1971, p. 33; Arthur Schlesinger, “The Secrecy Dilemma,” *New York Times Magazine*, February 6, 1972, pp. 12-13, 38-42, 50; Chalmers Roberts, “Foreign Relations’ Secrets: Less Revealing Than Enriching,” *Washington Post*, January 7, 1973, p. B6.

<sup>59</sup> Report of 1971 HAC meeting, p. 2, Department of State, HAC Lot File 96 D 292, Box 2, 1971-Report.

<sup>60</sup> “Action Ordered on Papers,” *New York Times*, March 15, 1972, p. 25 and report of 1971 HAC meeting, p. 2, Department of State, HAC Lot File 96 D 292, Box 2, 1971-Report. See also Kunzig to Nixon, July 2, 1971, NARA, RG 59, PA Lot File 82 D 297, Box 8, NSSM-113: 1971: Permanent File.

<sup>61</sup> Record of 1971 HAC meeting, pp. 6, 8-11, Department of State, HAC Lot File 96 D 292, Box 2, 1971-Minutes. For background on the Council, see *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 3, Council on Classification Policy; *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 6, Council on Classification Policy (CCP) and Freedom of Information and CCP 1979; *passim*, NARA RG 59, PA Lot File 82 D 297, Box 7, Freedom of Information and Freedom of Information & CCP 1978;

introduced two important measures. He issued Executive Order 11652 to define U.S. Government policy on classification and declassification (including, for the first time, requiring formal mandatory review procedures for declassification).<sup>62</sup> Nixon also ordered Secretary of State William Rogers to accelerate *FRUS* to meet a 20-year publication line.<sup>63</sup> Promising to accelerate *Foreign Relations* was “a move important to historians”<sup>64</sup> and offered one modest way for the Nixon administration to address the larger crisis of legitimacy gripping American society. During the next several years, *FRUS* historians struggled to satisfy Nixon’s directive to accelerate the series. In doing so, they grappled with obstacles that plagued efforts to speed production of *FRUS* for decades to come.

### **Acceleration Agonistes: The Aandahl/Trask Plan and Its Discontents**

In the mid-1970s, HO transformed the series in an attempt to implement Nixon’s directive. Office management determined that, even reinforced with planned additional resources and spurred by tightened deadlines, HO staff could not produce traditional annual volumes quickly enough to meet the 20-year publication line. To balance resources and objectives, Fredrick Aandahl, Gleason’s successor as the General Editor of the series,<sup>65</sup> proposed to consolidate coverage by converting the series from an annual to a triennial format. In the face of HAC skepticism of the need to limit the size the series, David Trask, Franklin’s successor as HO office director, developed a plan in 1976 to complete three full triennial subseries (for 1952-1954, 1955-1957, and 1958-1960) in four years to meet Nixon’s deadline by 1980. The acceleration initiatives of the mid- and late 1970s introduced many reforms that HO and the HAC continued to employ in later years. Trask’s plan—and its failure—prefigured the limited success of subsequent efforts to improve *FRUS* timeliness.

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and *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 8, January-Freedom of Information-Mar. 1975; Freedom of Information Apr.-Dec. 1975; Freedom of Information 1976; Council on Classification Policy 1976; and Freedom of Information & CCP 1977.

<sup>62</sup> See Executive Order 11652 (signed March 8, 1972), *Federal Register*, Volume 37, No. 48, pp. 5209-5218 (published March 10, 1972) and *Secrecy: Report of the Commission on Protecting and Reducing Government Secrecy*, S. Doc. 105-2 (Washington, D.C.: Government Printing Office, 1997), p. 55. National Security Study Memorandum 113 began the process that culminated in E.O. 11652. See NSSM 113, “Procedures for Declassification and Release of Official Documents,” January 15, 1971, Richard Nixon Presidential Library, [www.nixonlibrary.gov/virtuallibrary/documents/nssm/nssm\\_113.pdf](http://www.nixonlibrary.gov/virtuallibrary/documents/nssm/nssm_113.pdf); *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 8, NSSM-113: 1971: Permanent File; *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 9, NSSM 113: 1972: Permanent File; and *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 1, Declassification (Executive Order) 11652.

<sup>63</sup> Nixon to Rogers, March 8, 1972; John Ehrlichman to Rogers, March 10, 1972; John Richardson through Macomber to Rogers, March 22, 1972; Rogers to All Assistant Secretaries and Office Heads, March 30, 1972; and Rogers to Ehrlichman, March 30, 1972 in NARA, RG 59, CFPF 1970-1973, PR 10 *Foreign Relations of US*; report of 1971 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 2, 1971-Report.

<sup>64</sup> “Action Ordered on Papers,” *New York Times*, March 15, 1972, p. 25.

<sup>65</sup> Aandahl replaced Everett Gleason as the *Foreign Relations* Division Chief in 1972 after serving as a *FRUS* compiler and then overseeing other *FRUS* historians working on Western Europe compilations for two decades.

In the aftermath of E.O. 11652 and Nixon's directive to publish *FRUS* at a 20-year line, HO began undertaking measures to expedite production.<sup>66</sup> In January 1973, William Franklin assured the HAC that "we will get to a 20-year line within the next several years" and he jestingly anticipated "count[ing] [this accomplishment] as a contribution to the Bicentennial." He explained that HO was "able to buy priority service at the Government Printing Office," which resulted in the printing of 11 volumes during 1972 ("an all-time high"). This arrangement enabled progress against the backlog rather than early progress on the vital "initial and middle stages of our long assembly line," which would be "the real basis for a sustained, speedier production." Nonetheless, it did raise hopes of eliminating one perennial source of delay for the series. At the same time, Franklin warned the Committee that *FRUS* would "not be able to include documentation on covert intelligence, least of all if the series is to get up to a 20-year line and stay there."<sup>67</sup>

By the end of 1973, Aandahl devised an "optimal program" for *FRUS* production to implement Franklin's pledge. At the 1973 annual HAC meeting, he announced that HO had "reached our full authorized strength and our new members have completed their initial period of training and familiarization." To meet acceleration targets, however, HO staff would have to surpass previous performance records and "compile seven volumes [covering one year] in about seven months." Even with "a bright and energetic team that will rise to a challenge," this was a tall order.<sup>68</sup>

Within weeks, Aandahl recognized that additional resources would be required to make progress toward the 20-year line. To meet Nixon's deadline, he informed Assistant Secretary for Public Affairs Carol Laise that HO would have to complete compilation at an 18-year line (rather than the 22-year line that it currently met). To catch up, HO compilers would need to complete 12-14 volumes a year—twice the normal output—until the gap was closed. Aandahl explained that his augmented staff of 14 compiler-historians and three branch chief supervisors could not meet this requirement and that at least three more compilers would be needed to reach the 20-year line. He also asked for permission to incorporate editorial staff from elsewhere in the Department into HO to reduce delays in resolving the many substantive and technical questions that arose during production. Finally, Aandahl urged PA to upgrade HO facilities and increase travel funds needed for "occasional" research trips to the Truman and Eisenhower Presidential Libraries.<sup>69</sup> HO received some,

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<sup>66</sup> See record of 1972 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 2, 1972-Minutes and report of 1972 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 2, 1972-Report.

<sup>67</sup> Franklin to Former Members of the Advisory Committee on *Foreign Relations*, January 23, 1973, Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee 1971 and 1972.

<sup>68</sup> Aandahl memorandum, November 8, 1973, Department of State, HAC Lot File 96 D 292, Box 2, 1973-List of Members.

<sup>69</sup> Aandahl through Franklin to Carol Laise, November 29, 1973 and HO org chart, September 1973 in Department of State, Bureau of Public Affairs, Office of the Historian, Paul Claussen Files,

but not all, of the additional resources that Aandahl requested during the following year.<sup>70</sup>

Aandahl also proposed a strategy to mitigate clearance delays in 1974. He recommended that the Office channel publication of especially sensitive materials into a special supplemental volume. Such a volume would consolidate “problem documents ... and allow us to make great strides toward the 20-year line, while at the same time preserving the long-term integrity and comprehensive nature of the series.” Aandahl recognized that creating a new “deferred” category of release “might encourage reviewing officers to put too much” into it, but he hoped to avoid this prospect by keeping his plan secret from his colleagues in the U.S. Government. Retrospective volumes could be HO’s “secret escape hatch, allowing us to decide on our own terms which issues we wish to make a stand on. Under the present system, whenever we delete a document it is virtually lost to the series forever, and this forces us into an absolutist position that is highly destructive of rational scheduling.” Aandahl never explained how knowledge of this editorial triaging could be disseminated to the academic community but withheld from the rest of the U.S. Government. The HAC (publicly) endorsed this strategy, as a last resort, in its annual report following the 1974 meeting.<sup>71</sup>

HAC members expressed more skepticism about HO’s new strategy for accelerating *Foreign Relations* compilation: shifting from annual to triennial volumes. At the 1974 HAC meeting, Aandahl admitted that the “even with increased productivity” —which had tripled since 1971—“*Foreign Relations* was not making sufficiently rapid progress toward the twenty-year line.” To address the persisting compilation chasm, HO had “adopted a triennial format for the 1952-1954 volumes,”

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1972-2005 (Lot File 08 D 437) (henceforth Claussen Papers Lot File 08 D 437), Box 2, *Foreign Relations Memoranda*, Etc. 1974-1981.

<sup>70</sup> Aandahl’s memorandum did catalyze PA engagement in HO. In October 1974, Frank Wisner and Carol Laise directed HO to undertake a comprehensive review of its purposes and functions. HO organized two committees to undertake a bottom-up examination of the Office’s activities and organization. Many of the committees’ recommendations informed the acceleration and reorganization initiatives that followed. See Wisner to Laise, October 23, 1974; Committee “O” of the Historical Office to Laise, November 27, 1974; William Slany to Laise (with attached report), December 5, 1974; Franklin, Dougall, Costrell, Aandahl, and Kogan to Laise, January 14, 1975; and Wisner to Laise, January 27, 1975 in NARA, RG 59, PA Lot File 82 D 297, Box 8, Public Affairs: Historical Office. In 1974, Franklin reported to the HAC that “lack of money had not caused major delay in the *Foreign Relations* series. Printing funds had been adequate, and the delays had come from clearance difficulties.” Aandahl clarified that “the severest pinch was felt in the small editorial staff of the Publishing and Reproduction Division,” which was in the Bureau of Administration. A few days after the Committee meeting, Aandahl elaborated: “in the two years since the [acceleration] directive was issued ... the Department has added three historians to the staff [and] provided additional funds for printing and binding.” See minutes of 1974 HAC meeting, p. 7, Department of State, HAC Lot File 96 D 292, Box 2, 1974-Minutes and Aandahl to LaFeber, November 13, 1974, Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee 1974.

<sup>71</sup> Aandahl to Franklin, November 7, 1974 and report of 1974 HAC meeting attached to LaFeber to Franklin, December 26, 1974 in Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee 1974.

which would “boost morale,” allow for “more intensive planning of the series,” and enable the Office to address “major clearance problems in an early and rational manner.”<sup>72</sup> In a follow-up letter to HAC Chair Walter LaFeber, Aandahl explained that the triennial plan was a necessary “drastic action.” By “reduc[ing] duplication, improv[ing] efficiency, and sharpen[ing] the focus of the series,” consolidating coverage offered the “most feasible way to catch up.” Converting volumes covering the period 1952-1960 to the triennial format, Aandahl projected, would allow HO to reach the 18-year compilation line by 1978. He also promised that triennial compilations would increase the quality of the series by enabling “keener judgments on selection of documents.” Employing a market metaphor, he explained that “competition is tougher, and this is producing better stories.” Aandahl asked LaFeber and the Committee to “allow [HO] some leeway in how we organize our work, both in compilation and in clearance. We have some excellent volumes in process, we have gained considerable momentum on the operations that are within our direct control, and I feel that it would be a great pity to break our stride at this point.”<sup>73</sup>

The HAC sharply criticized the triennial plan in its 1974 annual report. The Committee lamented that the reduction would “work hardship on those unable to travel to Washington to use the files” and “hinder the many teachers who rely upon *Foreign Relations* for classroom purposes.” It also worried that consolidation could “lead to the mere presentation of final policy decisions ... too much like an official ‘White Paper.’” The HAC feared triennial compilations would “worsen the clearance problem” by ensnaring three years of material whenever HO appealed unfavorable declassification decisions. Finally, the triennial plan seemed to constrain space in the series for important “general” and thematic topics that promised to grow in importance in the post-1947 era. The HAC urged that “no internal, non-scholarly criteria should force changes” that would jeopardize “the quality, reputation, and usefulness of *Foreign Relations*.” The HAC wanted *FRUS* to be accelerated as it was, not transformed into something easier to produce.<sup>74</sup>

Despite the HAC’s opposition, HO implemented the triennial plan. In March 1975, HO and PA requested that Secretary of State Henry Kissinger change declassification procedures to give added power to the Council on Classification Policy to “review and *decide* inter-bureau differences” so *FRUS* clearance would no longer be held up by internal wrangling. Kissinger made no decision on this recommendation.<sup>75</sup> At the 1975 HAC meeting, HO staff “almost unanimously” defended the triennial plan and explained that they were expanding their use of

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<sup>72</sup> Minutes of 1974 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 2, 1974-Minutes.

<sup>73</sup> Aandahl to LaFeber, November 13, 1974, Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee 1974.

<sup>74</sup> Report of 1974 HAC meeting attached to LaFeber to Franklin, December 26, 1974, Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee 1974.

<sup>75</sup> Laise to Kissinger, March 4, 1975, Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee 1974. Emphasis in original.

annotation to inform researchers about unprinted material.<sup>76</sup> The HAC withdrew its objection to the triennial format, “pending opportunities for evaluation thereof by the scholarly community as a whole,” after its 1976 meeting.<sup>77</sup>

The HAC’s provisional acceptance of the triennial plan in 1976 coincided with a leadership transition within HO. David Trask came to the Historical Office—after being recommended by the HAC<sup>78</sup>—in June 1976 from the State University of New York at Stony Brook, where he was chair of the department of history and vice president for student affairs. A recognized authority on the Spanish-American War and U.S. policy during World War I, Trask had “no grand design” for HO or the *FRUS* series before he took charge beyond strengthening the relationship between Department historians and the scholarly community.<sup>79</sup> Within weeks of his arrival, however, Trask directed a reorganization of HO, consolidating the *Foreign Relations* and policy studies staff into geographically- and functionally-oriented divisions and centralizing administrative personnel. In the short term, he intended the new structure to accelerate *FRUS* compilation. Trask envisioned that over time it would enable greater “flexibility,” outreach, professional development, and “revision and rebuilding of the policy-related research function as staff becomes available.” To assuage concerns that this initiative would devastate policy studies work, Trask pledged to restore a “sound balance” between the two core HO missions as quickly as the *FRUS* acceleration allowed.<sup>80</sup>

In August, Trask and the HO management team also finalized an acceleration plan to realize a 20-year clearance line by 1980. The plan called for “increasing the scope of materials included in the series to make [*Foreign Relations*] the primary vehicle for declassifying the most important documents of all major government agencies relating to foreign policy and diplomacy.” Trask confirmed the shift to triennial volumes and asked HO staff to complete the compilation of the ten remaining volumes in the 1952-1954 subseries by December (six had already been compiled), a 12-volume 1955-1957 subseries by the end of the summer of 1978, and a 12-volume 1958-1960 subseries by “early 1980.” “Team compiling” would “speed up the work” and produce “volumes in a steady and predictable sequence.” Trask also envisioned that clearing documents in manuscript (rather than typeset galley proofs)

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<sup>76</sup> Minutes of 1975 HAC meeting p. 10, Department of State, HAC Lot File 96 D 292, Box 2, 1975-Minutes.

<sup>77</sup> Report of 1976 HAC meeting attached to Covey Oliver to Cyrus Vance, February 11, 1977, Department of State, HAC Lot File 96 D 292, Box 3, 1976-Report.

<sup>78</sup> John Reinhardt to Kissinger, July 8, 1976, NARA, RG 59, CFPF 1976, P760114-0202.

<sup>79</sup> Minutes of 1975 HAC meeting p. 10, Department of State, HAC Lot File 96 D 292, Box 2, 1975-Minutes.

<sup>80</sup> David Trask and William Dyess to Reinhardt, July 15, 1976; Trask to Staff of PA/HO, July 22, 1976; and Trask to HO Staff, July 22, 1976 in NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Declassification: HO Role and Procedures. The reorganization reflected previous recommendations from Aandahl to PA. See Committee “O” of the Historical Office to Laise, November 27, 1974 and Aandahl through Trask to Blair, May 26, 1976 in NARA, RG 59, PA Lot File 82 D 297, Box 8, Public Affairs: Historical Office. See also Reinhardt to Kissinger, August 23, 1976, NARA, RG 59, CFPF 1976, P760138-1010.

could allow for “early and continuous declassification ... even as compilation [went] forward.”<sup>81</sup> Trask planned to minimize interagency delays by limiting the number of documents with Defense equities. A new style guide and the reorganization of HO’s editing staff would streamline the editing process, while new printing technologies promised “significant savings in time and money.” Trask promised renewed efforts to build a “strengthened relationship” with the CIA “and other major agencies” to foster interagency support for *FRUS*’s “role ... as the principal vehicle for the initial release and publication of high-level national security and foreign affairs documentation.”<sup>82</sup>

Trask’s plan sparked dissent among the HO staff historians. Some compilers complained that Trask failed to grasp the difficulty of collecting high-value material, including Department of State decentralized “lot” files, NSC materials from the Eisenhower Library, CIA and Defense documentation, oral histories, and “pertinent private manuscript collections,” in advance of the compilation process.<sup>83</sup> Other compilers complained that they could not possibly meet the deadlines envisaged for their current volumes, let alone those for the following subseries.<sup>84</sup> Compiler N. Stephen Kane pointed out that the stated objectives of the acceleration plan conflicted with one another. “An energetic effort to widen the scope of our coverage,” he warned, “may significantly interfere with our goal of a twenty-year line by 1980.” Kane predicted that reducing the number of documents sent to the Pentagon for declassification would prove less important than “the content of the documents” referred. He also cautioned against relying on anticipated technological panaceas, especially those that would actually be implemented outside HO. Real improvements in HO’s efficiency could be realized, Kane suggested, if *FRUS* compilers were liberated from “standardized and routine work” by research assistants and faster photocopying equipment.<sup>85</sup>

As the compiling staff struggled with the implications of the acceleration plan, HO management focused on “down-range” impediments to more timely *FRUS* production. To avoid delays associated with extensive foreign government clearances, Associate Historian for the Western Hemisphere and Europe William

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<sup>81</sup> For implementation of this procedure, see Aandahl to Peter Johnson, July 8, 1977, Department of State, Bureau of Public Affairs, Office of the Historian, *FRUS* Clearance Files, 1961-1963 (Lot File 04 D 114) (henceforth *FRUS* Clearance Lot File 04 D 114), Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>82</sup> Trask to PA/HO Staff (with attached “Memorandum on the Acceleration of *Foreign Relations*”), August 25, 1976, Department of State, Bureau of Public Affairs, Office of the Historian, Edward Keefer Files, 1972-2008 (Lot File 09 D 480) (henceforth Keefer Papers Lot File 09 D 480), Trask Acceleration Plan—1976 *FRUS*. For Trask’s outreach to CIA, see [chapter 9](#).

<sup>83</sup> David Baehler and Ronald Landa to Ralph Goodwin, September 2, 1976, Department of State, Keefer Papers Lot File 09 D 480, Trask Acceleration Plan—1976 *FRUS*.

<sup>84</sup> Neal Petersen to Goodwin, August 31, 1976; Evans Gerakas to Goodwin, August 31, 1976; and William Sanford to Goodwin, September 2, 1976 in Department of State, Keefer Papers Lot File 09 D 480, Trask Acceleration Plan—1976 *FRUS*.

<sup>85</sup> N. Stephen Kane to Goodwin, September 3, 1976, Department of State, Keefer Papers Lot File 09 D 480, Trask Acceleration Plan—1976 *FRUS*.

Slany<sup>86</sup> and Edwin Costrell, his counterpart for Asia, Africa, and the Pacific, elected to preemptively limit British-originated documents in *FRUS* compilations after the British Government informed the U.S. Embassy that “we consider it would be inappropriate if documents of purely British origin were to appear in an American publication in advance of their publication ... [or] release to the general public under our 30-year rule.” Since this “uniformly disappointing ... experience with the Foreign Office is by no means unique,” Slany and Costrell announced a “self-denying ordinance” that “applied to the documents of ... friendly governments ... except those which appear to be absolutely critically important.”<sup>87</sup>

Slany also warned the rest of the HO management of continuing problems with the Department’s Publishing and Reproduction Division (PBR) and the Government Printing Office. HO had long identified delays associated with PBR, the other bureaucratic successor to the Division of Publications that handled the Department’s technical editing and publication work, and liaison with GPO as key bottlenecks in *FRUS* publication.<sup>88</sup> During 1976, only two volumes were published despite HO’s submitting galley proofs for eight cleared compilations between September 1975 and January 1976. Absent additional efforts to hold HO’s partners accountable, Slany worried that such dismal performance would “make a mockery” of “predictions to the Advisory Committee or officers of the Department regarding the attainment of the 20 year line in the near term.”<sup>89</sup>

Undaunted by staff criticism or problems with the back end of the *FRUS* production process, Trask and Aandahl worked to expand the scope of the series. In advance of the 1976 HAC meeting, they prepared a policy memorandum for Secretary of State Kissinger outlining their hopes for the future of *Foreign Relations* and the Office of the Historian. The *FRUS* series, their memorandum (transmitted

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<sup>86</sup> William Slany earned a Ph.D. from Cornell University and joined the Historical Division in 1958 after serving as an intelligence analyst in the Department for the preceding two years. Starting out as a compiler working on volumes covering Eastern Europe and the Soviet Union, Slany rose through the *FRUS* ranks to serve as a division chief, Associate Historian, and General Editor before becoming the longest-tenured director in the history of the Office of the Historian (and its bureaucratic predecessors). He managed HO and *FRUS* during the two critical decades from 1981 to 2000. See [chapters 9-12](#).

<sup>87</sup> William Slany and Edwin Costrell to PA/HO Staff, October 26, 1976, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Classified Documents General and U.S. Embassy London to Department of State (with attached Harry Harcombe to Pratt Byrd, September 20, 1976), September 28, 1976, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Gov. Inf: Great Britain.

<sup>88</sup> See Franklin to Jerome Perlmutter, September 24, 1963, Department of State, HAC Lot File 96 D 292, Box 2, 1963-Minutes and Franklin to Perlmutter, November 14, 1967, NARA, RG 59, CFPP 1967-1969, PR 10.

<sup>89</sup> Slany to Trask, Aandahl, Costrell, and Kogan, November 2, 1976, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2. In 1979, GPO cost overruns (blamed on inflation, clearance delays, and HO revisions to typeset manuscripts) threatened to overwhelm HO’s budget. This experience encouraged HO and PA to begin planning to work with commercial printers. See Trask to Washington, May 15, 1979; Trask to Blair, June 25, 1979; and Leon Ramey to Blair, July 10, 1979 in NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian’s Office 1979; and Terry McNamara to William Dyess, January 15, 1981, NARA, RG 59, PA Lot File 82 D 297, Box 1, PA/HO.

to Kissinger through Deputy Assistant Secretary of State William Blair as the Acting Assistant Secretary for Public Affairs) argued, was “a major asset in our openness program.” With “Congress and the public ... demanding ever more insistently that the Federal Executive provide detailed and expeditious information about its activities,” *FRUS* “assume[d] special significance as the most venerable and comprehensive effort of the government to provide an objective record of its performance.” Unless the Department accelerated production and resolved interagency access and declassification problems, the eroding utility of *FRUS* could strengthen “the hands of those in Congress and elsewhere who advocate clearly unworkable standards of disclosure ... . To avoid serious difficulties of this kind and to strengthen public confidence in our management of official information, the Executive agencies must,” HO insisted, “make every effort to ensure the highest possible standards of disclosure consistent with the real requirements of national security.” Blair urged Kissinger to “strengthen the series” by requesting President Gerald Ford’s endorsement of “the series’ mission ... to ensure full cooperation of other agencies” to “improve[e] its substantive coverage of other-agency documentation and accelerat[e] its publication schedule.”<sup>90</sup> Although Kissinger accepted Blair’s recommendation, the transition from Ford to President Jimmy Carter minimized the impact of this HO initiative.<sup>91</sup>

Even without a new Presidential directive, HO expanded *FRUS*’s inclusion of other-agency records through standard bureaucratic channels. HO researchers made their first trip to the Eisenhower Library in February 1975. There, they gained direct access to NSC memoranda of discussion, a “truly symbolic event for the series.”<sup>92</sup> At the 1976 HAC meeting, Slany reported that the “1952-1954 volumes ... included much more material of DoD, CIA, and White House origin” than previous annual volumes, reflecting “exhaustive” team research at the Presidential libraries.<sup>93</sup>

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<sup>90</sup> William Blair through Eagleburger to Kissinger, November 17, 1976, NARA, RG 59, PA Lot File 82 D 297, Box 8, Public Affairs: Historian’s Office 1977. For an earlier version of this memorandum, prepared before the HAC meeting, see draft Reinhardt to Kissinger, October 14, 1976, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

<sup>91</sup> U.S. Delegation [Secretary in Brussels] to Secretary of State, December 7, 1976, NARA, RG 59, CFPF 1976, 1976 Secto 32013 and Kissinger to Ford, December 7, 1976, NARA, RG 59, CFPF 1976, P760188-2320. According to PA’s briefing memorandum for Kissinger’s meeting with the HAC, HO also planned to “make suitable recommendations [for improving *FRUS*] to the new Administration,” but there is no record of PA or HO seeking to employ Kissinger’s approval of Blair’s recommendation after Carter’s inauguration. See Blair to Kissinger, November 9, 1976, Department of State, HAC Lot File 96 D 292, Box 3, 1976-Minutes. Kissinger’s most consequential action regarding HO in November 1976 was his endorsement of expanding the HAC’s mandate to include the Office’s policy studies work in addition to *FRUS*. See transcript of HAC meeting with Kissinger, November 12, 1976, Department of State, HAC Lot File 96 D 292, Box 3, 1976-Report.

<sup>92</sup> Glennon, “A Brief History of Efforts by HO ... ,” [no date] attached to “Future Issues Facing the *Foreign Relations* Series,” Department of State, HAC Lot File 96 D 292, Box 3, 1979-Correspondence.

<sup>93</sup> Minutes of 1976 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 3, 1976-Minutes and Edward Keefer, paper prepared for 1978 AHA Conference, [April 11, 1978?], Department of State, Keefer Papers Lot File 09 D 480, 1978 *FR* Papers—AHA.

Although Department of State records still comprised almost 94 percent of the documentation in the 1952-1954 subseries,<sup>94</sup> the Eisenhower Library provided a “treasure trove of both high-level interagency paper and records generated at the White House.”<sup>95</sup>

HO still required cooperation with other agencies to access this material and fill in remaining gaps in coverage.<sup>96</sup> The CIA pre-screened records requested by HO researchers at Presidential Libraries; one *FRUS* division reported receiving only one of the 25 CIA documents it had requested at the Eisenhower Library in 1977.<sup>97</sup> In 1978, HO access to other-agency records improved somewhat after the Department assented to an Interagency Agreement granting reciprocal access to records for government historians engaged in official research. Unfortunately, the CIA and the Joint Chiefs of Staff declined to join the agreement, which limited its value to HO researchers.<sup>98</sup>

Between 1977 and 1979, Trask struggled to convince an increasingly alienated staff, a wary HAC, and a suspicious academic community of the benefits of his acceleration plan. In November 1977, Slany explained (in an undistributed memorandum for the files) that staff discontent reflected alienation from HO decisionmaking, skepticism of Trask’s efforts at “inreach” within the Department, resentment of his “negative sometimes contemptuous attitude toward the *Foreign Relations* series as a publication and an occupation,” suspicion of a “conservative approach to disclosure” obscured by “lip-service to the principle of ‘openness,’” and bitterness at the “demolition of the Historical Studies function of the Office.” Slany believed the staff’s professional consciousness trumped its bureaucratic identity and its fixation on substantive matters ignored administrative priorities.<sup>99</sup> After the staff vented some (but not all) of these complaints in on-the-record sessions with the HAC in 1977,<sup>100</sup> Slany advised Trask to adopt more collegial management

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<sup>94</sup> This figure was derived from analysis of the source notes in digitized volumes from the 1952-1954 subseries conducted in July 2013: 76.4 percent of the 1952-1954 documents came from the Department of State’s central decimal files, 17.3 percent came from decentralized “lot” files, 4.1 percent came from the Eisenhower Library, 0.4 percent from the Truman Library, and 0.2 percent from military records.

<sup>95</sup> Keefer, paper prepared for 1978 AHA Conference, [April 11, 1978?], Department of State, Keefer Papers Lot File 09 D 480, 1978 *FR* Papers—AHA.

<sup>96</sup> Trask to [Secretary of J.C.S.], October 7, 1976, NARA, RG 59, CFPF 1976, P760159-1184 and Trask to Calvin Pastors, October 7, 1976, NARA, RG 59, CFPF 1976, P760159-1185.

<sup>97</sup> Jack Pfeiffer to Daniel Reed, June 23, 1977, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2, and “Associate Historian for the Western Hemisphere and Europe (WHE)” attached to Trask to Members of the Advisory Committee, November 2, 1977, Department of State, HAC Lot File 96 D 292, Box 3, 1977-Correspondence.

<sup>98</sup> See *passim*, Department of State, Keefer Papers Lot File 09 D 480, Interagency Agreement for Off Historians.

<sup>99</sup> No author identified, “Tensions in the Office of the Historian,” November 4, 1977, Department of State, HAC Lot File, Box 3, Advisory Committee-1977. All other documents in this folder are attributed to Slany.

<sup>100</sup> “Agenda Item 4: Meetings of Committee Members with Groups of Staff Members (Except the Senior Officers of HO), Group A,” “Group B,” and “Group C,” in Department of State, HAC Lot

strategies like “seminar procedures” for reviewing *FRUS* manuscripts and periodic “show-and-tell sessions” to “afford [everyone] some opportunity to report on their work.”<sup>101</sup>

When a spring 1977 Presidential directive to eliminate unnecessary federal advisory committees threatened the HAC with termination, Trask and his superiors in the Bureau of Public Affairs fought to preserve the Committee. In March and April, HO and PA effectively rallied academic community support for the HAC. Deputy Assistant Secretary Blair told his new boss, Assistant Secretary of State for Public Affairs Hodding Carter, that the Committee’s “substantive” role in “keeping the series honest, and seen as such” filled a “compelling” need “in these days of high expectations of openness and participation.” Former Secretary of State Dean Rusk likewise supported the Committee’s role in helping the U.S. Government “open up its archives.” At a sparsely attended April 8 public hearing on the matter, Trask and Acting Deputy Assistant Secretary William Dyess assured members of the Department’s Management Operations staff (which oversaw the activities of the Department’s various advisory committees) that the HAC served a vital function “promoting openness and communications” between the academic community and the U.S. Government. By October, Trask could report to Rusk that President Jimmy Carter had “approved [the Committee’s] continuance.”<sup>102</sup>

After its brush with termination, the Committee criticized HO’s switch to the triennial format, Trask’s proposed microform supplements, and eroding HO staff morale. After the 1977 HAC meeting, Trask and Aandahl turned to inexpensive microform supplements to allay HAC fears that consolidation would reduce the amount of documentation released to the public.<sup>103</sup> Later in 1978, Trask explained that microform supplements would allow *FRUS* to publish ten times as many documents as it could with printed volumes alone. “The only way,” he argued “to provide much more documentation; to improve the quality of the series; to accelerate publication to a twenty-year line; and to control costs” was to stick with HO’s triennial consolidation plan and expand the series with new microform supplements.<sup>104</sup>

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File, Box 3, 1977-Correspondence and minutes of 1977 HAC meeting, Department of State, HAC Lot File, Box 3, 1977-Minutes.

<sup>101</sup> Slany to Trask, November 28, 1977, Department of State, HAC Lot File, Box 3, Advisory Committee-1977.

<sup>102</sup> D[avid] F T[rask] to Fred[rick Aandahl], [no date] (with attached Blair to Hodding Carter, March 2, 1977 and Jimmy Carter to the Heads of Executive Departments and Agencies, February 25, 1977), Department of State, HAC Lot File 96 D 292, Box 2, Advisory Committee History 1970s and earlier and Rusk to Department of State Management Operations, April 7, 1977; minutes of public hearing (with attached statement by Trask), April 8, 1977; and Trask to Rusk, October 12, 1977 in Department of State, HAC Lot File 96 D 292, Box 6, FRAC-Hearings.

<sup>103</sup> Trask to Lloyd Gardner (with attached comments on minutes of 1977 HAC meeting), December 28, 1977, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

<sup>104</sup> Trask (with Slany and Baehler) memorandum, June 26, 1978, Department of State, HAC Lot File 96 D 292, Box 3, 1978-Correspondence.

Faced with HAC skepticism, Trask invited outside historian and librarian consultants to assess the prospects of the microform initiative. They endorsed the idea,<sup>105</sup> and Trask tried again to convince the HAC of the virtues of microform in 1979. In place of a “two-tier” documentary system consisting of documents printed in *FRUS* and unpublished records at the National Archives, he outlined a “three-tier” system. The new *FRUS* would feature slimmed-down printed volumes providing “general information” to “general users” and serving as a finding aid for more serious researchers, microfiche supplements containing a much wider array of documentation for students and researchers, and unpublished materials at the National Archives that would be available to a “very small but very important” group of serious researchers.<sup>106</sup>

The academic community expressed concern about *FRUS* in two principal ways in 1978. First, scholars lobbied Senator George McGovern (Democrat, SD) to introduce language in the Department’s authorizing legislation that required future *FRUS* volumes to “maintain the high standard of comprehensive documentation already established by past volumes.” A conference committee report clarified that this language meant that HO should “consult fully with scholars in diplomacy and other fields, university and other libraries, and interested members of the public about the most appropriate method of publishing the series in the future.” The report also expressed Congress’s “expectation” that HO would “consult formally” with House and Senate committees before changing selection standards or publishing format.<sup>107</sup> The McGovern amendment constituted the most significant congressional intervention in the series between Knowland’s 1953 request for the accelerated China and wartime conference volumes and the 1991 *FRUS* statute, although it differed from these earlier and later actions in limiting HO autonomy rather than prescribing any particular course of action.

The second manifestation of academic community concern was the formation of a “shadow HAC” within the Society for Historians of American Foreign Relations (SHAFR) at the end of 1977. SHAFR assigned this “ad hoc committee” a remit “to explore the question of the future content and format of the *Foreign Relations* series.” Current and former HAC members and leading diplomatic historians in SHAFR hoped the shadow HAC could buttress the official Committee. After the

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<sup>105</sup> Baehler, report on *FRUS* consultations and Trask to Consultants on the *Foreign Relations* Series, December 12, 1978 in Department of State, HAC Lot File 96 D 292, Box 3, 1979-Correspondence.

<sup>106</sup> Trask memorandum, [no date], Department of State, HAC Lot File 96 D 292, Box 3, 1979-Correspondence.

<sup>107</sup> Trask briefing paper, [no date], NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2. Trask prepared a detailed statistical refutation of the initial version of the McGovern amendment’s implied charge that the triennial volumes would cut the documentation printed in *FRUS* by two-thirds. See Trask memorandum, October 31, 1978, Department of State, HAC Lot File 96 D 292, Box 3, 1978-Correspondence. Discussion of the amendment at the 1978 HAC meeting is in minutes of 1978 HAC meeting, pp. 20-21, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2.

1978 meeting, HAC members Lloyd Gardner and Betty Unterberger asked for the shadow HAC's assistance. In April, Unterberger, Gardner, Richard Leopold, and William Appleman Williams met to discuss recent *FRUS* developments. The ad hoc committee lamented declining Office morale and agreed that the McGovern amendment had a salutary effect on restraining potentially harmful HO actions. They singled out Trask's microform initiative as potentially corrosive to the series. Although appreciative of his efforts to share information with the HAC, the committee urged Trask to expand this outreach to the rest of the interested academic community.<sup>108</sup>

By the end of the 1970s, efforts to accelerate production had alienated critical *FRUS* stakeholders. As HO staff, HO management, and the HAC debated the best ways to accelerate and improve the *Foreign Relations* series, they lost confidence in one another. Trask and other HO managers wanted the academic community to trust their judgment and integrity. They also wanted the staff to implement management decisions without second-guessing their authority or wisdom. HO staff resented authoritarian management in the guise of reform and remained suspicious of Trask's commitment to openness. The HAC wanted HO to improve the timeliness of the series without jeopardizing its comprehensiveness by resorting to experiments in triennial consolidation or microform supplements.

Between 1958 and 1978, the Department of State published 92 *FRUS* volumes. During this period, the publication lag grew by almost 50 percent, from 19 years between 1958 and 1963 to 27 years between 1973 and 1978. Although the timeliness of the series suffered, HO historians made significant breakthroughs in access to records outside the Department of State. Exploiting this documentation required *FRUS* historians to improve existing interagency relationships and forge new ones. Despite these qualitative improvements, *FRUS* stakeholders debated how to balance timeliness, thoroughness, and comprehensiveness in the mid-1970s. These conflicts divided HO management, HO staff, and the HAC just before the Department grew less hospitable to responsible historical transparency in 1980.

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<sup>108</sup> Wayne Cole, Robert Divine, Gardner, Betty Unterberger, and Leopold, report of SHAFR ad hoc committee, May 8, 1979 attached to Trask to Blair, June 13, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian's Office.

## Chapter 9: The Erosion of Transparency, 1978-1985

Joshua Botts

From 1979 to 1985, the Department of State published 30 *FRUS* volumes at an average publication line of 30 years. The 27 volumes published after 1980 reflected a major clash between Department historians and a new Departmental Classification/Declassification Center (CDC) in 1980 and 1981. The creation of the CDC in 1978 introduced a powerful, focused bureaucratic counterweight to HO and fostered an institutional culture skeptical of transparency within the Department. The CDC assumed *FRUS* declassification review responsibilities just as U.S. policymakers grappled with the aftermath of the Soviet invasion of Afghanistan, the Iranian revolution, the growing nuclear freeze movement in Western Europe, and Josip Tito's death in Yugoslavia.<sup>1</sup> Unfortunately for *FRUS*, these developments coincided with HO's efforts to complete the declassification of volumes documenting the "'coldest' phase of the Cold War[,] when secret and undercover operations assume[d] an important role in U.S. foreign policy."<sup>2</sup>

Between the spring and fall of 1980, Department of State officials and historians debated the proper balance between security and transparency as they argued about the *FRUS* series. Anxious Department officials insisted that the CDC review again all 18 unpublished *FRUS* compilations that had been cleared under the old decentralized declassification procedures. HO's appeals of this "re-review," both through standard bureaucratic channels and the Department's special Dissent Channel, were denied in the fall of 1980. In early 1981, the Department adopted procedures to expand foreign government information (FGI) consultations and transferred interagency *FRUS* liaison responsibilities from HO to the CDC. The re-review delayed, for several years, the release of many *FRUS* volumes covering the first half of the 1950s.

Even more importantly, the 1980 debate over *FRUS* established precedents that privileged security concerns over the U.S. Government's responsibility for openness throughout the rest of the decade. Amidst delays in securing adequate clearance for existing *FRUS* manuscripts, HO halted further compilation for over a year in the early 1980s. One re-reviewed volume, *The American Republics, 1952-1954*, lacked documentation of the CIA's widely-known role in deposing Jacobo Arbenz in Guatemala when it was published at the end of 1983. In 1984, as Nixon's mandated 20-year line seemed increasingly unattainable, the Department rejected academic community requests to hold *FRUS* to a 25-year line and instead established a 30-year norm. Even meeting a 30-year line required President Ronald Reagan's intervention

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<sup>1</sup> For a survey of the challenges facing U.S. policymakers in 1979-1980, see Raymond Garthoff, *Détente and Confrontation: American-Soviet Relations from Nixon to Reagan*, Revised Edition (Washington, DC: The Brookings Institution, 1994), pp. 935-1121.

<sup>2</sup> Kogan to Trask, August 18, 1976, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

to order an acceleration of the production process. Most critically, the re-review decision led HO to lower its expectations for comprehensiveness and the HAC to focus its attention on declassification policy and procedures, which brought it into conflict with an increasingly resentful CDC as the Department implemented the Reagan acceleration directive in the mid- and late 1980s.

### **“No Policy Issue Can Be of Comparable Importance”: The 1980 *FRUS* Re-Review**

One of the most traumatic events in the history of the series, the 1980 re-review was an ironic consequence of institutional reform intended to streamline and liberalize Department declassification procedures. In response to President Jimmy Carter’s 1978 executive order on classification and declassification policies (E.O. 12065),<sup>3</sup> Under Secretary of State for Management Ben Read determined that “declassification activities are a permanent and major function and the Department must organize itself to handle them on a permanent basis.” To implement Carter’s directive, Read established “a unified Department-wide structure governing all aspects of records release.” The Classification/Declassification Center (CDC) replaced the ad hoc process of clearances by desk officers in the geographic and functional bureaus, whose prioritization of operational responsibilities sometimes led to tardy or arbitrary decisions about releasing information. The transition to CDC authority was to be gradual, with the existing process remaining in place for 1950-1954 records and the new system responsible for records from 1955 onward.<sup>4</sup>

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<sup>3</sup> Executive Order 12065 (signed June 28, 1978), *Federal Register*, Volume 43, No. 128, pp. 28949-28963 (published July 3, 1978). E.O. 12065 established a 20-year line for systematic declassification review, but also protected foreign government information provided in confidence for 30 years. Carter began the process of replacing Nixon’s E.O. 11652 on June 1, 1977, when he issued PRM-29 directing “A Comprehensive Review of the Classification System.” See Jimmy Carter Library and Museum, <http://www.jimmycarterlibrary.gov/documents/prmemorandums/prm29.pdf>; *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Executive Order 12065 and NSC Implementing Directive and PA/HO Suggestions on Guidelines & PRM-29; *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 3, PRM 29 Working Grp.; PRM 29 (two folders in this box share this name); and PRM29-Working Group; *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 9, PRM# 29 (Review of the Class. Syst.) (Presidential Review Memorandum) June 1977; PRM# 29—Review of the Classification System July 1977; PRM# 29 Review of the Classification System August-September 1977; PRM# 29 (Review of Class. Syst.) (Presidential Review Memo.) Oct.-Dec.; PRM 29 Jan-Feb. 1978; PRM 29 & E.O. 12065; PRM 29 March-April 1978; and PRM 29 May-June 1978; *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 7, E.O. 12065 Classification/Declassification June-July 1978; E.O. 12065 August-October 1978; and E.O. 12065 November-December 1978; and *passim*, NARA, RG 59, PA Lot File 82 D 297, Box 6, E.O. 12065 1979. In 1979, David Baehler, the HO declassification adviser, pointed out that “as long as the *Foreign Relations* series documents are being cleared at a time lag of from 19 or 20 years up to (but not including) 30 years, we have a hybrid of clearance criteria under E.O. 12065. It’s messy and unfortunate, but it’s a fact. Anything defined as US government material is going to be reviewed under systematic review criteria. Anything defined as FGI [foreign government information] is going to be reviewed under mandatory review criteria.” See Baehler to Trask, [May 1979?], NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Classified Documents General.

<sup>4</sup> Secretary of State to All Diplomatic and Consular Posts, November 3, 1979, Department of State, State Archiving System (henceforth SAS), 1979 STATE 287775; Read to all Assistant Secretaries, Special Assistants, and Office Heads, November 20, 1978 and Department Notice, November 24, 1978 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980). For

At the same time that the Department overhauled its declassification process, HO participated in Department-wide efforts to implement E.O. 12065's provisions protecting FGI. These efforts gained urgency as allied governments already concerned about FOIA releases that damaged or embarrassed their interests inquired about the Executive Order's provision for systematic declassification review at a 20 year line. In response, the Department took pains to emphasize the U.S. Government's strengthened protection of FGI, which was exempted from the order's 20-year systematic review requirement and from mandatory review under FOIA before 30 years.<sup>5</sup> Despite revisions to systematic review guidelines to take foreign government concerns into account, it remained unclear whether the Department would consult foreign governments regarding FGI in U.S. documents.

HO expressed special concern over how FGI protections would affect *FRUS* clearances. Office Director David Trask urged the Department to maintain traditional practices, which treated "declassification for publication in *Foreign Relations* [as] a special case" rather than as part of the general mandatory or systematic review workload because of the added context that the series afforded "sensitive documentation."<sup>6</sup> HO also worked to protect existing FGI practices that reserved to the U.S. Government exclusive authority to withhold or release its own documents. Opening the door to consultation with foreign governments would, in effect, grant those governments vetoes over the release of U.S. documents. In the spring of 1980, Trask learned that the CDC had already informed British diplomats that the

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background on the formation of the CDC (including HO assessments of the existing, decentralized system and support for centralized systemic declassification review), see also Department of State, Bureau of Administration, Office of Freedom of Information, Privacy, and Classification, Historical Documents Review Office Record Files, 1950-1993 (Lot File 95 D 113) (henceforth CDC Lot File 95 D 113), Box 1, Origins and Functions of CDC; NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Classification/Declassification Center (CDC); and Charles Stuart Kennedy interview with Clayton McManaway, June 29, 1993, LCM, Foreign Affairs Oral History Collection of the Association for Diplomatic Studies and Training (henceforth ADST Oral History), <http://hdl.loc.gov/loc.mss/mfdip.2004mcm01>.

<sup>5</sup> For foreign government concerns, see NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Classified Documents General; Foreign Gov. Inf.: Great Britain; Foreign Government Information Guidelines; and Classification/Declassification Center (CDC); Ronald Spiers to Thomas Brimelow, March 24, 1975, Document 30 in Malcolm Byrne, "CIA Confirms Role in 1953 Iran Coup: Documents Provide New Details on Mossadeq Overthrow and its Aftermath," National Security Archive Electronic Briefing Book No. 435, August 19, 2013 (henceforth NSA Electronic Briefing Book 435), <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB435/docs/Doc%2030%20-%20March%2024%201975.pdf>; U.S. Embassy Stockholm to Secretary of State, March 3, 1978, Department of State, SAS, 1978 STOCKH 00871; U.S. Embassy Tokyo to Secretary of State, November 16, 1978, Department of State, SAS, 1978 TOKYO 20349; U.S. Embassy Rome to Secretary of State (info to U.S. Embassy Bonn, U.S. Embassy London, U.S. Embassy Paris, U.S. Embassy Brussels, and U.S. Mission NATO), February 27, 1979, Department of State, SAS, 1979 ROME 04994; and Department of State, CDC Lot File 95 D 113, Box 4, UK 1.

<sup>6</sup> Blair to Clayton McManaway (with attached Trask to Blair, May 4, 1979), May 8, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian's Office 1979.

Department would undertake extensive consultations before declassifying *FRUS* compilations.<sup>7</sup>

In 1980, the Department's plan for an orderly transition to the new declassification regime fell apart after CDC and Bureau of European Affairs (EUR) officials protested that the old clearance process failed to protect sensitive material in several *FRUS* volumes that were near publication. HO was unsurprised by EUR's concerns since the Bureau had presented vexing clearance problems in recent years. In 1978, HO declassification adviser David Baehler warned his superiors that EUR "requested large deletions in major compilations for 1951 and 1952-54" involving two types of information: "U.S. planning on political or propaganda action to be undertaken covertly or semi-covertly ... includ[ing] any mention of CIA as an agency responsible for such action" and "material that ... might ... give offense to another government and thereby impair U.S. relations with it." He emphasized that EUR's excisions were "not small potatoes. The covert activities category ... is a significant aspect of U.S. policy for the early 1950s. We might as well face the fact now that our acceding to bureau requests that this category not be treated in *Foreign Relations* would be tantamount to the purposeful omission of a considerable body of the foreign policy record." Baehler warned that accepting EUR deletions would "set a precedent for a long time to come."<sup>8</sup>

EUR excisions of CIA presence and covert operations coincided with HO outreach to the Agency during the late 1970s to improve documentation of intelligence activities in *FRUS*. Compilers working on volumes covering the 1950s encountered CIA documents chiefly in Department of State files or in the holdings of the Eisenhower Library; they had no direct access to Agency records. Despite this restriction, HO occasionally obtained CIA cable traffic for background use.<sup>9</sup> To HO's chagrin, however, the CIA rejected efforts to include such documents in *FRUS* compilations and resented proposed Editorial Notes that ignored "limitations

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<sup>7</sup> For development of FGI guidelines, including HO comments on various drafts, see *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Government Information Guidelines and *passim*, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 3, Reply to Hodding Carter memo of December 5, 78 re Guidelines for 1950-1954 Records. See especially Secretary of State to All Diplomatic and Consular Posts, April 15, 1979, Department of State, SAS, 1979 STATE 094957 and Kogan to McManaway, June 5, 1979, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Classified Documents General. The CDC meeting with the British is described in Trask to Slany, Kogan, Charles Sampson, Glennon, and Paul Claussen (with attached memorandum of conversation among Geoffrey Blackbourne-Kane, Roger Carrick, McManaway, Laurence Pickering, and Howard Meyers), March 25, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Gov. Inf: Great Britain.

<sup>8</sup> Baehler through Aandahl to Trask, October 26, 1978, Department of State, Bureau of Public Affairs, Office of the Historian, Paul Claussen Files, 1976-1979 (Lot File 13 D 284), Box 1, [Chron File October-December 1978].

<sup>9</sup> Stansfield Turner to Vance, June 6, 1979 attached to Hodding Carter to David Newsom, July 23, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian's Office 1979.

that CIA must apply to the proposed disclosure of CIA information.”<sup>10</sup> In 1980, HO explored ways to secure access, for possible inclusion in *FRUS*, to CIA documents that had already been declassified through mandatory or systematic review but were nonetheless difficult to use in the absence of an established repository or database of the released materials.<sup>11</sup> Despite these substantial obstacles to documenting the CIA’s contributions to policymaking, in 1978 HO identified prompt CIA clearances to records gleaned from Department files and Presidential Libraries as essential to the timely publication of *FRUS* volumes covering the 1950s.<sup>12</sup>

As HO quickly learned, speedy clearance decisions that did not release significant documentation held little value for *FRUS*. Under E.O. 12065, the CIA carved out 29 broad categories of exemptions from declassification at 20 years.<sup>13</sup> CIA review of documents for *FRUS* reflected this broader impulse toward secrecy. The CIA denied HO appeals to publish documents on the basis of previous disclosure in memoirs of former CIA officials, congressional reports, or leaked documents (like the Pentagon Papers). The CIA also refused to clear documents that revealed a previously unacknowledged CIA presence or liaison relationship with a foreign intelligence service. Employing a broad definition of “intelligence sources and methods,” the CIA practically excised itself from the documents that it cleared for *FRUS* in 1979 and 1980.

In the late 1970s, HO historians struggled to influence CIA declassification review practices. In September 1979, after a meeting with CIA declassification officials that “effectively cut the ground from under us on the issue of whether the *[Foreign] R[elations]* series is a legitimate vehicle for initial executive disclosure for CIA materials,”<sup>14</sup> John Glennon, the Associate Historian for Asia, Africa, and the Pacific, appealed CIA denials for “policy papers which deal in only the most general way with operational methods and make no mention at all of sources.” In another appeal, he asked the CIA to release a “mere indication of the CIA presence” abroad. To support these requests, Glennon explained that much of the denied information

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<sup>10</sup> Kane to Dave [David Baehler], August 9, 1978; Aandahl to Gene Wilson, October 20, 1978; and Gale Allen to Aandahl, January 29, 1979 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder; and [redacted] to Don [Wortman], May 12, 1980, CREST, CIA-RDP93B01194R000700010022-0.

<sup>11</sup> Claussen to Slany, October 22, 1980, Department of State, CDC Lot File 95 D 113, Box 1, CIA General.

<sup>12</sup> Hodding Carter to Newsom, July 28, 1978; Newsom to Frank Carlucci, August 2, 1978; Carlucci to Newsom, August 22, 1978; and Newsom to Carlucci, August 28, 1978 in NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

<sup>13</sup> See Allen to McManaway (with attached waiver requests and guidelines), June 28, 1979, Department of State, CDC Lot File 95 D 113, Box 1, CIA General. Even with these exemptions, CIA characterized E.O. 12065 as “intolerable.” See “Brief History of Systematic Classification Review in CIA” and “Toward a Limited Systematic Review Program,” [no date] in CREST, CIA-RDP85B00552R001000070019-5.

<sup>14</sup> Memorandum of conversation among Glennon, Dave Mabon, Baehler, Landa, Allen, and [5 names redacted—Classification Review Division staff and Directorate of Operations review officer], September 25, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian’s Office 1979.

had already been disclosed in the “memoirs of high-level CIA officials,” the Church Committee’s final report, an official military history, or the Pentagon Papers.<sup>15</sup>

In response to Glennon’s appeals, Gale Allen, the Chief of the CIA’s Classification Review Division, explained “the Agency rationale” for its clearance actions. Allen rejected Glennon’s assumption that “references from open literature” constituted “authorized executive disclosure.” For the Agency to accept otherwise would, “in the face of the First Amendment entitlement of most Americans ... and the weakness of our statutes with respect to the protection of official secrets, place us in an untenable position.” Vital secrets would then be “vulnerable to the Ellsbergs and Agees of this world who, having purloined official classified material and had it published, could then point to the fact of publication as a basis for requiring the Agency to make official confirmation.” The Agency did not consider its own pre-publication review of “semi-official memoir” manuscripts or legislative disclosures (like the Church Committee’s final report) precedents for authorized executive disclosure. Likewise, it insisted that the release of CIA equities by “another component of the Executive Branch does not constitute authorized executive disclosure by this Agency unless competent authority of this Agency ... has concurred.” Allen continued by outlining the “standard Agency practice ... not to disclose CIA locations abroad” and citing statutory authority to withhold information concerning “the fact of or details concerning intelligence liaison relationships between CIA and foreign intelligence and security services.” Agency reviewers, he insisted, focused upon the “present day impact of disclosure”; no document’s historical significance could provide “sufficient justification to ignore the possible present day difficulties that could result from disclosure.” Allen concluded that the CIA was “well-advised not to release official information that makes clear to host country authorities that CIA has or had a station in the country, or that CIA has or had an intelligence liaison relationship with intelligence services of the host country.” “Our concern,” Allen assured HO, “is not that disclosure of this sort is embarrassing but that it has a definite impact on current or future diplomatic and operational environments in which the CIA must carry out intelligence activities.”<sup>16</sup>

HO refused to accept Allen’s position. On February 6, 1980, Trask tried to convince him that documents selected for *FRUS* merited special consideration for release. He argued that “the legal role of the *Foreign Relations* series in executive disclosure of material containing CIA equities is of key importance” and that *FRUS* historians had repeatedly been directed, “subject to the needs of national security, to publish the material adjudged important regardless of whether it has been previously disclosed.” CIA insistence on “prior authorized executive disclosure” of material to be cleared for *FRUS* made a mockery of the fundamental purpose of the series and, Trask alleged, lacked legal standing. Moreover, the CIA’s rigid

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<sup>15</sup> Glennon to Gale Allen, September 27, 1979, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Declassification Denials & Challenges.

<sup>16</sup> Allen to Baylor [sic, Baehler], October 28, 1979, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Declassification Denials & Challenges.

policies ignored the balancing test provided by E.O. 12065 (identifiable damage to U.S. foreign policy vs. public's right to information), especially in cases when the Department of State believed that a historical CIA presence or liaison relationship was no longer sensitive. Trask urged the CIA to recognize that "omit[ing] significant categories of foreign relations material" from the series "would compromise its authoritative character," "weaken the credibility of the series," and, consequently, damage the U.S. Government's best tool for "revealing publicly the record of its foreign policy in its full context."<sup>17</sup>

The CIA response, which came in the midst of the 1980 re-review, was scathing. Thomas White, the Chief of the Information Services Staff (which oversaw the Classification Review Group), informed Trask in July 1980 that "all final decisions with respect to the declassification or the continued classification of" intelligence-related information "must be made by officials of this Agency . . . . The intelligence business," he explained, "is unique and such decisions can only be made, if we are to avoid damage to national security, by persons fully knowledgeable of all relevant facts in any given instance." Far from downplaying *FRUS*'s significance, White explained that "the mandated role of *FRUS* and its importance as the official history of United States foreign policy . . . causes us particular concern since anything appearing in the *FRUS* is official Executive disclosure of United States government information" that "leaves no doubt as to its veracity."<sup>18</sup> This led the Agency to "be extremely careful that information regarding [the] CIA appearing therein not be such as to damage the national security of the United States." Although Trask's presumption that most "information may become desensitized with the passage of time . . . may often be valid, it [was] much less so in the case of information concerning intelligence agencies and their activities." Protecting historical sources was crucial because it reassured current and future sources that their assistance to the U.S. Government would "not redound against them or their families." White also reiterated the CIA's rejection of prior unauthorized disclosure as a rationale for releasing classified information. "To do so would," he alleged, "be to recognize the validity of everything that has been published regarding the intelligence process over the years whether right or wrong, sensitive or not, and we simply cannot take this position." In his conclusion, White staked the Agency's claim "to protect a vast

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<sup>17</sup> Trask to Allen, February 6, 1980, Department of State, CDC Lot File 95 D 113, Box 1, CIA General.

<sup>18</sup> This "particular concern" echoed an earlier CIA characterization of *FRUS* as "the maximum form of executive disclosure" in August 1979. At a meeting with HO historians, an Information Review Officer for the Directorate of Operations explained that "the Agency is very careful about each clause, sentence, or document that is cleared for publication. The CIA knew that the Soviets would scrutinize each new *FRUS* volume, as would the British and the French. He emphasized that there was no going back once publication had occurred, so CIA reviewers must be cautious beforehand." See memorandum of conversation among Trask, Slany, Claussen, Baehler, Allen, Pfeiffer, and [4 names redacted—Classification Review Division staff and Directorate of Operations review officer], September 7, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian's Office 1979.

area [of intelligence sources and methods] that is vital to our objectives and without which we would be rendered useless.”<sup>19</sup>

White’s response reached HO as Trask and his colleagues confronted a far more immediate threat to *FRUS*’s integrity from within the Department. On March 19, 1980, the CDC joined EUR’s efforts to sanitize *Foreign Relations*. Deputy Assistant Secretary of State Clayton McManaway, who headed the CDC, informed HO and its parent Bureau of Public Affairs (PA) that his staff wanted to review pre-1955 records, especially those regarding relations with the British. McManaway justified the re-review by criticizing previous decisions about FGI in U.S. documents and claiming that subsequent events had re-sensitized some information after desk officer clearance.<sup>20</sup>

In April 1980, EUR and CDC persuaded Under Secretary Read to revoke clearances for all pending *FRUS* volumes. The 1951 national security affairs volume, which contained documentation about the possible use of British and Canadian bases in the event of war with the Soviet Union, served as the catalyst for the re-review.<sup>21</sup> The release of this volume on April 14 also drew the CIA’s attention because it included references to a confidential intelligence liaison relationship.<sup>22</sup>

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<sup>19</sup> Thomas White to Trask, July 28, 1980, Department of State, CDC Lot File 95 D 113, Box 1, CIA General.

<sup>20</sup> McManaway to Blair, March 19, 1980; Trask to Blair, March 26, 1980; and memorandum of conversation among McManaway, Blair, Pickering, Trask, and Baehler, April 2, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980); memorandum of conversation between Pickering and Baehler, April 4, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>21</sup> *Foreign Relations of the United States*, 1951, Vol. 1, National Security Affairs; Foreign Economic Policy (Washington, D.C.: Government Printing Office, 1979), pp. 802-901. See Trask memorandum, [April 11, 1980], NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2. In October 1981, over a year after the release of the volume, the Canadian Government protested the publication of “very sensitive aspects of Canadian-American defense cooperation” in the 1951 *FRUS* volume and requested that “no agency, official, or former official of the US Government make public in any form, without prior consultation with Canadian authorities, any document relating to the use of Canadian airspace and facilities by SAC aircraft.” U.S. Embassy Ottawa to Secretary of State, October 14, 1981, Department of State, SAS, 1981 OTTAWA 06226. Rising popular agitation against NATO’s December 12, 1979 “dual-track” Intermediate Nuclear Forces deployment decision increased the sensitivity of U.S. arrangements with allied governments for the use of their basing facilities in the event of nuclear war with the Soviet Union. See Lawrence Wittner, *Toward Nuclear Abolition: A History of the World Nuclear Disarmament Movement, 1971 to the Present* (Stanford: Stanford University Press, 2003), pp. 63-105.

<sup>22</sup> Don Wortman to Read, April 29, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980). Subsequent correspondence prepared by HO and transmitted to CIA over Ben Read’s signature explained that CIA had in fact reviewed and cleared the documents in question between June 1976 and March 1977. Read also sent another letter, prepared by the CDC, to CIA promising “close collaboration between your Agency and this Department in order to maintain the quality and usefulness of the series.” See Hodding Carter to Read, May 8, 1980 attached to Executive Secretary to Assistant Secretary of State for Administration, May 28, 1980, Department of State, CDC Lot File 95 D 113, Box 1, CIA General and Read to Wortman, May 23, 1980, NARA, RG 59, CFPF 1980, P800080-0798.

After learning that advance copies of the volume had already been released to foreign journalists on April 11, Assistant Secretary of State for European Affairs George Vest withdrew his bureau's clearances of all unreleased *FRUS* compilations. The same day, Read affirmed that CDC would re-review almost two dozen compilations that had already completed or nearly completed the clearance process under previous declassification procedures.<sup>23</sup> The CIA echoed these demands for a re-review of previously-cleared compilations later that month.<sup>24</sup>

Amidst these decisions, HO criticized the re-review and proposals to expand FGI consultations as unnecessary and counterproductive. On April 11, Trask fulminated that "no sovereign state should compromise in any way its freedom of action to dispose of its records."<sup>25</sup> He assured Vest that HO followed careful procedures to "minimize untoward stories or embarrassment for missions overseas" when it published *FRUS*.<sup>26</sup> On April 15, Trask urged Hodding Carter, the Assistant Secretary of State for Public Affairs, to "insure that the re-review of unpublished volumes ... do[es] not threaten the integrity of the series or delay publication unnecessarily." He warned that "serious damage to *FRUS* would deal a body blow to the Department's support for openness in government" and "attract most unfavorable notice in Congress [that] might well lead to undesirable constraints."<sup>27</sup>

Although PA complained about EUR's withdrawal of previous clearances, HO and *FRUS* gained little traction within the Department during the spring. On April 17, Hodding Carter emphasized to Vest that "the national interest has to be defined and interpreted to include the public's right to access." He worried that the re-review would "lend substance to a charge that the present Administration is less committed" to opening the historical record "than either of its two predecessors."<sup>28</sup> By April 23, Trask reported to William Dyess, Deputy Assistant Secretary for Public Affairs, that the CIA request to re-review unpublished *FRUS* volumes "proves beyond doubt that we are indeed faced with a truly serious challenge."<sup>29</sup>

HO discussions with the CDC reinforced its fears. Near the end of April, the Department's declassification staff suggested to Trask that a "30-year publication line is more sensible than the 20-year line." Trask responded that "delaying the

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<sup>23</sup> George Vest to Read, April 11, 1980 and Read to all Assistant Secretaries, April 11, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>24</sup> [Name redacted—Chief, Information Services Staff] to Trask, April 21, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>25</sup> Trask memorandum, April 11, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>26</sup> Trask to Vest, April 14, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>27</sup> Trask to Hodding Carter, April 15, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>28</sup> Hodding Carter to Vest, April 17, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>29</sup> Trask to Dyess, April 23, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

series" was "overkill of the first magnitude."<sup>30</sup> On May 2, Trask added that "at no point in the publication of the *Foreign Relations* series have untoward consequences resulted from the traditional practice of avoiding discussions with foreign governments concerning publication of their information in American documents." Even if "consultation with foreign governments is primarily being considered with reference to the UK and other Commonwealth countries," he warned, "drawing distinctions between foreign countries in terms of their right to prepublication review could create misunderstandings and tensions."<sup>31</sup>

As HO-CDC tensions simmered in May, Trask struggled to enlist PA to support *FRUS* in the bureaucratic chain of command. Unfortunately for Trask, his superiors had more immediate concerns. On April 25, 1980, the White House acknowledged the failure of a U.S. military operation to rescue American hostages in Tehran. Secretary of State Cyrus Vance, who opposed the operation, resigned on April 28. Hodding Carter followed Vance out of the Department by "phasing out" before resigning in June. Amidst this chaos, Carter's deputy William Dyess "lack[ed] authority to do much" and "worrie[d] about missteps that might affect his future." Trask faced a leadership vacuum in PA that "worked against anyone making decisions of any great moment."<sup>32</sup> PA's passivity weakened HO's efforts to persuade Read and McManaway of the value of *FRUS* for the Department, the difficulties engendered by the re-review, and the merits of existing policies for clearing foreign government information in U.S. documents.<sup>33</sup>

The conduct of the re-review confirmed HO's anxieties. On May 7, Office staff met with CDC reviewers to discuss the general economic and political affairs compilation for 1952-1954. The meeting showed that the CDC's re-review "would be painstaking, raising the possibility of numerous objections to previously cleared material" and that the new reviewers "clearly gave priority to the need for withholding sensitive materials over the goal of expediting the release of the diplomatic record." After meeting their CDC colleagues, *FRUS* compilers urged "HO management and staff to take appropriate steps to contain possible damage" to the series.<sup>34</sup> By May 22, Trask had "come to the firmest conclusion that decisive action should be taken immediately to stop all tampering with unpublished volumes."<sup>35</sup>

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<sup>30</sup> Trask to Dyess, April 28, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>31</sup> Draft Hodding Carter to Read, (tab 7 of Trask to Hodding Carter, May 2, 1980), Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>32</sup> Trask memorandum, June 2, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980).

<sup>33</sup> Trask to Hodding Carter, May 2, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>34</sup> Memorandum of conversation among Pickering, Wendell Woodbury, Stuart McIntyre, Kane, Landa, and Sanford, May 13, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2.

<sup>35</sup> Trask to Dyess, May 22, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

Unfortunately, the time for such action had passed. On May 27, McManaway reported that “the results achieved thus far more than justify the undertaking of the re-review. The protection of materials relating to Yugoslavia, Iran, and to several of our European allies have been of great importance.”<sup>36</sup> Despite McManaway’s report, Trask still believed that he could persuade Read to reverse his decision for the re-review as June began.<sup>37</sup> He derived some of this optimism from Samuel Gammon, a special assistant to Under Secretary Read, who “thought EUR and CIA had been nudged into the review by CDC” and insinuated “that M was unhappy about ... CDC’s ... failure to consult while taking all sorts of decisions that clearly involved other organizations.”<sup>38</sup>

At a June 5 meeting of the Department’s committee overseeing implementation of Carter’s executive order, Trask made his case against the re-review. Dyess, newly installed as Acting Assistant Secretary for Public Affairs, reminded his colleagues that their decisions “went well beyond publication of *FRUS* to the whole question of sincerity about openness in government.” Other bureaus, however, argued that Cold War concerns should outweigh the impulse for openness. Robert Miller, the Director of Management Operations who filled in for the absent Under Secretary Read, predicted that releasing “post-World War II records would lead to many more [foreign policy] difficulties than had the publication of earlier records ... because there is continuity between the early postwar years and the institutions that developed the[n] and the present.” David Baehler countered that the Department had “yet to hear a peep of protests from foreign governments reflecting foreign policy difficulties” even though it had “been publishing postwar documents for fifteen years now.”<sup>39</sup> Miller remained unconvinced. He feared that “the act of publication can be construed abroad as a political statement on the part of the US government.” With assurances from the Government Printing Office that re-reviewed manuscripts could be “fast-tracked” for early publication, the Bureau of Management (M) and CDC dismissed HO’s warnings of significant delays in *FRUS*. Despite Trask’s criticism of the decisionmaking process that led to the re-review, his warnings of looming “image problems” with the academic community, and his projection of delays and cost overruns, the Department bureaucracy rejected HO’s arguments and proceeded with the re-review.<sup>40</sup>

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<sup>36</sup> McManaway to Oversight Committee for the Department’s Information Security Program (E.O. 12065), May 27, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>37</sup> Trask to Dyess, May 23, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>38</sup> Trask memorandum, June 2, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980).

<sup>39</sup> Baehler’s statement was misleading. Although *FRUS* did not cause significant “foreign policy difficulties,” volumes did, on occasion, irritate foreign governments. See [chapters 7](#) and [8](#).

<sup>40</sup> Baehler memorandum, [no date] and memorandum of conversation among Robert Miller, Samuel Gammon, McManaway, Pickering, Paul Washington, Dyess, Trask, Slany, and Baehler, June 9, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980). See also [Trask], “Charges Relating to CDC,” talking points, and “Memo for the Record

Defeated within the chain of command, Trask employed the Dissent Channel to bypass CDC officials and Under Secretary Read to appeal the re-review directly to the highest levels of the Department. In his June 11, 1980 appeal to Anthony Lake, Director of the Policy Planning Staff, Trask argued that, "if the *Foreign Relations* series is compromised, so is the Department's commitment to open government. Given the fundamental importance of information in the function of a democratic society, no policy issue can be of comparable importance."<sup>41</sup> On the same day, he informed the Historical Advisory Committee about the re-review and HO's efforts to uphold previous clearances.<sup>42</sup> Trask anticipated these measures would culminate in a "Wagnerian climax" by the time he, Dyess, and Read were scheduled to address the Society for Historians of American Foreign Relations later in the summer.<sup>43</sup>

Instead, the appeal and the re-review dragged into the fall. Over the next few months, HO pursued dual tracks within the Department bureaucracy. As HO struggled to mitigate the damage done to individual volumes, Trask persisted with his Dissent Channel appeal of the re-review.<sup>44</sup> In late August, Trask dismissed "re-sensitization" of documents as "just plain stupid" and a "patently ridiculous ... smoke screen" for excessive secrecy.<sup>45</sup> On September 9, he attributed allegations of foreign concern about *FRUS* to "clientism in the Department." Trask insisted

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(notes)," June 5, 1980 and [Trask] memorandum, June 27, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980).

<sup>41</sup> Trask to Anthony Lake, June 11, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980). Despite Trask's request to restrict distribution of the Dissent Channel appeal from M and the CDC, an official from M requested to review the appeal later in June and Trask agreed to remove the distribution restriction. See [Baehler] note, June 24, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980) and Lake to Trask, June 30, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>42</sup> Trask to members of the Advisory Committee on Historical Diplomatic Documentation, June 11, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980). Word of the re-review and concerns over the clearance of foreign government information had already reached the academic community in May. See Gardner to George McGovern and Frank Church, May 6, 1980; Trask to Hodding Carter, May 12, 1980; and McGovern to Brian Atwood, May 14, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980); and Trask to Gary Hess, June 3, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980).

<sup>43</sup> Trask memo, June 18, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980). For HO guidance for Read's speech to SHAFR, see Trask to Francis McNamara (with attached talking points), August 8, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2. For Trask's speech to SHAFR, see planned remarks, August 14, 1980, Department of State, HAC Lot File 96 D 292, Box 4, 1980-Correspondence. For Dyess's speech, see planned remarks, NARA, RG 59, PA Lot File 82 D 297, Box 1, PA/HO.

<sup>44</sup> Trask to Felix Vargas and Elaine Morton, July 3, 1980 and Trask to Morton, July 7, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980). To the latter memo, Trask attached the various documents contained in the Dissent Channel Package (1980) folder.

<sup>45</sup> Trask to Morton, August 28, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

that “even if on some future occasion a row materializes, we have to weigh some slight evanescent inconvenience against our responsibility to report the truth at an appropriate time without fear or favor. If we stray from that principle ... we will be throwing away one of our strong and undeniable assets in dealing with the rest of the world and informing our own people.”<sup>46</sup>

Trask and his colleagues also remained fully engaged in the re-review process. Between June and September, McManaway peppered the bureaucracy with optimistic reports of the CDC’s rapid progress. He promised to complete the re-review by November 1.<sup>47</sup> Trask deprecated McManaway’s assurances since HO and CDC could not even agree on what constituted a “complete” re-review.<sup>48</sup> In meetings with HO staff to discuss the results of the re-review for specific volumes, representatives of the CDC exhibited skepticism about the value of the series and government transparency. One CDC reviewer displayed “a surprising degree of carelessness and disregard for the provisions of Executive Order 12065 and related Department of State regulations” when he met with HO staff members on September 5. To *FRUS* historians, the CDC treated *FRUS* “as though it were a current public affairs pamphlet intended to explain policies or create a favorable image abroad, rather than as the official and objective record of United States foreign policy.”<sup>49</sup>

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<sup>46</sup> Trask to Morton, September 9, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>47</sup> McManaway to Oversight Committee for the Department’s Information Security Program (E.O. 12065), June 27, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980); and McManaway to Oversight Committee for the Department’s Information Security Program (E.O. 12065), July 23, 1980 and McManaway to Oversight Committee for the Department’s Information Security Program (E.O. 12065), September 15, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>48</sup> Trask to McNamara, September 23, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980). By early November, the re-review had already fallen behind schedule. In a report to Newsom, Dyess pointed out that only two of the 18 compilations being re-reviewed (two others relating to Iran had been deferred indefinitely) had “run the full course preparatory to publication.” While HO had received information about four other manuscripts, it still had no response from CDC concerning two-thirds of the re-review workload that was supposed to have been completed entirely by November 1. On November 18, the CDC presented only a preliminary and incomplete assessment rather than a full review of the 20 volumes in question. Baehler judged the report “not a reliable indication of what will be deleted upon arrival of formal judgments.” At the conclusion of an 8-month re-review process, CDC was no closer to providing HO staff with clarity about the criteria employed to determine excisions. See Dyess to Newsom, November 4, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980) and D[avid] M B[aehler] to D[avid] F T[rask], January 8, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File January 1981.

<sup>49</sup> Claussen to Slany, September 16, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980. CDC reviewer William Galloway (formerly a political officer at the Embassy in London and special assistant to Read) staked out the extreme anti-openness position later in September. He asserted that publishing documents in *FRUS* gave “them a stature they would not possess if released elsewhere.” He told the historians that “the KGB is [*FRUS*’s] best customer and that we must accordingly be extremely careful in publishing records in” the series. In Baehler’s

The CDC's actions reflected fears among U.S. diplomats that releasing sensitive information in historical documents risked disastrous consequences for U.S. foreign policy in 1980. Department officials believed *FRUS* documents could be especially dangerous for Yugoslavia. In April, shortly before Tito's death, CDC and EUR insisted that a fully-printed volume containing documents from 1949 and 1950 be delayed "on the grounds that the Yugoslavia materials might endanger the country's existence."<sup>50</sup> In July, U.S. Ambassador to Yugoslavia Lawrence Eagleburger warned that releasing documents on U.S. relations with Yugoslavia in 1950 and 1951 would "encourage ... those opposing a strong, independent Yugoslavia," "damage" British and French "relations with both Yugoslavia and the Soviet Union," and "shock" Yugoslavs who did not "understand us well enough to accept that [publication of *FRUS*] was not being done deliberately to embarrass them."<sup>51</sup>

HO's battle against re-review culminated in early October 1980. Even before Trask's Dissent Channel appeal, HO considered the European Security volume for 1951 to be an ideal test case for challenging the results of the re-review within normal bureaucratic channels. On May 30, David Baehler argued that the deletions demanded by EUR and CDC "get us down to basics very quickly ... are we trying to publish a historical record describing as completely as possible such things as the considerations involved in the entry of Greece and Turkey into NATO, or are we publishing something akin to a White paper the contents of which are determined more by present political considerations than by historical considerations?"<sup>52</sup> Working through PA, HO appealed EUR's deletions in the summer of 1980.<sup>53</sup>

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eyes, Galloway "displayed extreme condescension" in his "conviction that only ... front-line officers could possibly be aware of all of the foreign policy implications publication might have." Moreover, "Galloway completely ignored the basic purpose of the series ... to inform the American people of their government's foreign policy. His exclusive concern was with the effect that publication would have on foreign governments or on US relations with those governments ... never mentioning the need to maintain the trust and confidence of the American people as an element of [the] national interest." To Galloway (and others who shared his views), *FRUS* was "a tool to be used for political purposes in ... reinforcing favorable attitudes of the US among US allies." Baehler characterized Galloway as more hostile to transparency than most in CDC, but reflective of CIA views. See Baehler to Trask, September 17, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>50</sup> Trask to McNamara, September 18, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>51</sup> Lawrence Eagleburger to Robert Barry, July 14, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>52</sup> Baehler note, May 30, 1980 attached to Slany to Pickering, June 5, 1980, NARA, RG 59, Entry UD-07D-64: Bureau of Public Affairs, Office of the Historian, *FRUS* Clearance Files, 1948-1954 (96 D 274) (henceforth *FRUS* Clearance Lot File 96 D 274), Box 4, 1951, Vol. III, Eur. Sec. & Ger. Quest. CDC transmitted its formal clearance memorandum on June 13. See Pickering to Trask, June 13, 1980, NARA, RG 59, CFPF 1980, P800143-0198. HO comments on requested CDC deletions can be found in "CDC actions (per 6/13/80 memo), 1951, v. III," [no date], NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2.

<sup>53</sup> Trask to Dyess, [no date—June/July 1980], NARA, RG 59, *FRUS* Clearance Lot File 96 D 274, Box 4, 1951, Vol. III, Eur. Sec. & Ger. Quest. (also in NARA, RG 59, CFPF 1980, P800143-0190) and draft

EUR criticized HO for ignoring the views of those tasked with current operations. In August, the Bureau insisted that [officials in the Department's operational bureaus] and the Embassies abroad ... are better positioned to make judgments about what is and what is not sensitive ... than our colleagues in the Office of the Historian."<sup>54</sup> Trask responded that "both HO and our missions abroad may have useful but different information that may be helpful in reaching a decision on declassification ... . EUR's claim to what amounts to a veto on declassification is surely inadmissible."<sup>55</sup> When the final appeal was ready for Under Secretary of State for Political Affairs David Newsom on September 12, Assistant Secretary Vest urged Newsom to affirm "that the geographic assistant secretary concerned should be the final arbiter on what is fit for publication in the *Foreign Relations of the U.S.* series."<sup>56</sup>

On October 9, Newsom chaired a meeting where he, Trask, Vest, and Laurence Pickering (substituting for the absent Clayton McManaway) discussed what could be responsibly released in the *FRUS* volume on European security for 1951.<sup>57</sup> Newsom focused on two basic questions: "what are our obligations to our allies and to NATO?" and how should the "possible damage of release to national security ... be weighed against the right of the public to the information"? Newsom pressed all three officials. The Under Secretary asked Trask about clearing foreign government information and *FRUS*'s role in the overall declassification process. He queried Vest about the continued sensitivities of NATO military planning and documents relating to Greece and Turkey's admission to NATO. Pickering intervened at several points to clarify CDC views on declassification procedures and authorities. Ultimately, Newsom upheld the continued secrecy of documents referencing Yugoslavia and those relating to Greek and Turkish entrance into NATO. CDC also secured a postponement of plans to release NATO military planning documents pending further consultations with the NSC.<sup>58</sup> Although Newsom upheld existing procedures

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Dyess and Vest to Newsom (with attached comments on appealed documents), July 28, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>54</sup> "EUR Comments on Historian David Trask's Memorandum (TAB A)," August 12, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2* (also in NARA, RG 59, CFPF 1980, P800143-0201).

<sup>55</sup> "PA Comments on EUR Memorandum Dated August 12, 1980," August 29, 1980 (attachment to revised draft McNamara and Vest to Newsom, [no date]), NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980 (also in NARA, RG 59, CFPF 1980, P800143-0204).

<sup>56</sup> Vest to Newsom, September 12, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

<sup>57</sup> Dyess and Vest to Newsom, September 13, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980. Trask sent a briefing memo to Dyess on October 8. See Trask to Dyess (and attached "Views of the Office of the Historian on Handling Foreign Government Information," [no date]), October 8, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>58</sup> Later in October, Dyess complained to Newsom that the CDC had undermined his decision and informally "established the NSC staff as a final appeal and arbiter in declassification questions on defense-related categories of information." Trask complained that the CDC's consultations improperly interfered with HO's responsibility to coordinate *FRUS* declassification with other government agencies. See Pickering to Brenda Reger, October 17, 1980; Trask to Terry [McNamara]

for reviewing foreign government information in U.S. documents and he explicitly endorsed Trask's formulation of a balancing test between security and transparency, he accepted EUR and CDC's arguments about where such a line should be drawn in 1980 and rejected "structural change or new institutions" for dealing with clearance decisions within the Department.<sup>59</sup>

Anthony Lake's response to Trask's Dissent Channel appeal five days later echoed Newsom's stance at the re-review appeal meeting. Lake agreed with Trask that *FRUS* was "central to the Department's adherence to the principle of open government," but accepted the CDC's argument that the possible "negative impact upon our ability to conduct an effective diplomacy" made the re-review "proper." He accepted at face value the CDC's optimistic projections for completing the re-review and publishing the affected *FRUS* volumes and reaffirmed the adequacy of the Department's existing policies and procedures for "balancing national security concerns and the public's right to know about the history of our foreign policy." Lake's response amounted to a total rejection of Trask's appeal.<sup>60</sup>

### **Transparency Malpractice: The Re-Review and the Guatemala Volume**

The re-review controversy fueled concerns in the academic community about both the timeliness and the comprehensiveness of *FRUS*. Within days of Lake's response, Trask, Baehler, and *FRUS* General Editor William Slany met with former HAC members Walter LaFeber and Lloyd Gardner to discuss Department of State declassification procedures. Anxious that the CDC would slow declassification and withhold more documents from release, Gardner urged Trask "not [to] sacrifice

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(with attached draft Dyess to Newsom), October 29, 1980; and Trask to Dyess, (with attached Trask to Dyess, October 30, 1980), October 30, 1980, in NARA, RG 59, PA Lot File 82 D 297, Box 1, PA/HO; Reger to Pickering, October 24, 1980 and Dyess to Newsome [sic], October 29, 1980 in NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>59</sup> Memorandum of conversation among Newsom, [Mildred] Patterson, Vest, H. Allen Holmes, Thomas Tracy, Pickering, Knute Malmberg, Gammon, Morton, Dyess, McNamara, Trask, and Baehler memorandum, October 9, 1980, in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980). Newsom's decision is recorded on p. 8 of Dyess and Vest to Newsom, September 13, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980. See also Newsom to Dyess and Vest, October 14, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980 for Newsom's endorsement of existing appeal procedures. When HO appealed EUR excisions for *FRUS*, 1952-1954, Vol. I to Newsom in November, EUR insisted that they and CDC resolve the matter with PA. See Holmes to McNamara, December 8, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *FRUS* Rereview 1980.

<sup>60</sup> Lake to Trask, October 14, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980). Lake used language drawn from the 1925 Kellogg Order that formalized *FRUS* editorial methodologies and defined acceptable grounds for excisions to justify the re-review. See [chapter 6](#) and Department of State, Office of the Historian website, <http://history.state.gov/historicaldocuments/frus-history/research/1925-order>.

the comprehensiveness of the series in the effort to attain the twenty year line.”<sup>61</sup> In mid-November, the annual HAC meeting also focused on the re-review and its implications. After discussing the re-review, Trask suggested to the Committee that HO could avoid delays and build trust within the Department by self-censoring “documents that have no chance of surviving the clearance process”—like those involving covert operations. “Good common sense needed to be exercised by the historian[s] in the office,” he contended, along with “good judgment in recognizing when to stop arguing.”<sup>62</sup> The HAC’s report (published the following spring) warned that, with the creation of the CDC and the tightening of declassification guidelines, “a critical situation has developed, one which threatens the integrity of the *Foreign Relations* series.”<sup>63</sup>

This “critical situation” deteriorated even further after the HAC meeting. On November 18, Newsom, citing “protests” from “four foreign governments,” initiated the transfer of HO’s remaining foreign government and interagency declassification responsibilities to the CDC.<sup>64</sup> Although these protests turned out to involve inadvertent FOIA releases rather than published *FRUS* volumes, Assistant Secretary of State for Administration Thomas Tracy maintained that the increasing sensitivity of records dating from the 1950s provided little reason for “treating *FRUS* materials differently from other documents being reviewed” by the CDC.<sup>65</sup> Trask resented Tracy’s equation of *FRUS* Clearances with the rest of the Department’s declassification workload because it “ignored the entire purpose of the *Foreign Relations* series,” which was “the keystone to the Department’s observance of ‘open government’ and as such enjoys very distinctive and special status.”<sup>66</sup>

Between late November 1980 and mid-January 1981, Trask tried to defend *FRUS*’s special status by mobilizing public opposition to the Department’s augmentation of CDC authority. *FRUS* stakeholders, especially the HAC, mounted an unsuccessful publicity blitz directed at Under Secretary Read, newspapers, and Congress. Read, unmoved, approved the revised Departmental procedures on January 13. Apart from completing the transfer of declassification coordination to CDC, the revised provisions stipulated that in all but the most exceptional

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<sup>61</sup> Memorandum of conversation among LaFeber, Gardner, Trask, Slany, and Baehler, October 17, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Documents Relating to the Re-Review of *Foreign Relations*, 1950-1954 (1980).

<sup>62</sup> Minutes of 1980 HAC meeting, pp. 15 and 18-19, Department of State, HAC Lot File 96 D 292, Box 4, 1981—Minutes, Report.

<sup>63</sup> Unterberger, “1980 Report of the Advisory Committee on Historical Diplomatic Documentation,” *PS* (Spring 1981), pp. 274-281 (quote from p. 280).

<sup>64</sup> Baehler memorandum, November 19, 1980,” NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations* 2.

<sup>65</sup> Tracy to Dyess, December 3, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Classified Documents General.

<sup>66</sup> Trask to Dyess, December 8, 1980 attached (as Document 36) to Kogan, “Department of State Publication of Foreign Government Documents,” June 1981, Department of State, HO Research Projects Lot File 13 D 289, Box 7, R.P. No. 1261: Department of State Publication of Foreign Government Documents.

circumstances, “the final decision on [*FRUS* declassification] appeals rests with the Assistant Secretary of the geographic or functional bureau having substantive jurisdiction over the issues involved.”<sup>67</sup>

With its new authority, CDC transformed the way the Department cleared FGI for *FRUS*. By consulting with allied governments before unilaterally releasing U.S. documents containing potentially sensitive FGI, CDC predicted that HO would be able “to publish more rather than less.” Although this was occasionally the case, the Department pursued these new consultations to maintain, not relax, secrecy. While the new procedures would only apply to Great Britain, Canada, Australia, and New Zealand at first, McManaway anticipated that the Department could “extend the range of such consultations to include other allied governments.”<sup>68</sup> The new procedures went into effect in early 1981.<sup>69</sup>

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<sup>67</sup> McNamara to Dyess and Trask (with attached Tracy to Department Oversight Committee for the Department’s Information Security Program (E.O. 12065), January 5, 1981), January 1, 1981 and Dyess to Tracy (with attached draft FAM revisions), January 9, 1981 in NARA, RG 59, PA Lot File 82 D 297, Box 1, PA / HO; Trask to McNamara (with attached Unterberger to David Trask, January 16, 1981 and correspondence attached thereto), January 23, 1981; Trask to McNamara (with attached Unterberger to Trask, January 27, 1981 and correspondence attached thereto), February 9, 1981; Walter Cutler to Henry Reuss, February 13, 1981; Lloyd Bentsen to Unterberger, February 20, 1981; Reuss to Unterberger, February 24, 1981; and Phil Gramm to Unterberger, March 3, 1981 in Department of State, HAC Lot File 96 D 292, Box 4, 1981-Correspondence; Alexander George to Trask (with attached George to Read, January 12, 1981), January 26, 1981, Department of State, HAC Lot File 96 D 292, Box 4, 1981-Minutes, Report; and Foreign Affairs Manual section 247, January 13, 1981 attached (as Document 37) to Kogan, “Department of State Publication of Foreign Government Documents,” June 1981, Department of State, HO Research Projects Lot File 13 D 289, Box 7, R.P. No. 1261: Department of State Publication of Foreign Government Documents; and Richard Fairbanks to Charles Percy, April 27, 1981, Department of State, Central Foreign Policy Files 1981 (P-Reels) (henceforth P-Reels preceded by the appropriate year), P810056-0145.

<sup>68</sup> Draft McManaway to the Oversight Committee for the Department’s Information Security Program (E.O. 12065), November 18, 1980, Department of States, CDC Lot File 95 D 113, Box 1, Origins and Functions of CDC.

<sup>69</sup> McManaway to Michael Armacost and Frank Bennett, February 5, 1981, Department of States, CDC Lot File 95 D 113, Box 3, Australia: Pre-1985; McManaway to Holmes and Robert Funseth, February 5, 1981, Department of States, CDC Lot File 95 D 113, Box 3, British Government; McManaway to Eagleburger (with attached John Campbell memo, May 13, 1981; Pickering talking points, July 13, 1981; and memorandum of conversation among Eily Blayney, Roger Carrick, McManaway, Pickering, Campbell, and Galloway, July 13, 1981), July 24, 1981, Department of States, CDC Lot File 95 D 113, Box 4, UK 1; Secretary of State to U.S. Embassy Ottawa, October 23, 1981, Department of State, SAS, 1981 STATE 282725; and Secretary of State to U.S. Embassy Canberra (info to U.S. Consulate Melbourne, U.S. Consulate Sydney, and Perth), March 2, 1983, Department of State, SAS, 1983 STATE 056402. Although Thomas Niles to Hans-Theodor Wallau, July 21, 1983, Department of State, CDC Lot File 95 D 113, Box 4, FRG invited the West German Government to consult with CDC on “some understanding on a basis for regularizing consultations between our governments on declassification matters,” Secretary of State to U.S. Embassy Bonn, November 5, 1983, Department of State, SAS, 1983 STATE 317126 reported that the “Dept has not had a direct reply.” See also U.S. Embassy Bonn to Secretary of State, April 30, 1984, Department of State, SAS, 1984 BONN 11380.

*FRUS*'s interagency partners welcomed the shift from HO to CDC liaison with the Department.<sup>70</sup> The CIA lauded "the excellence of the relationship and understanding" that it developed with CDC. Several CDC reviewers visited the Agency soon after they took over declassification coordination responsibilities to obtain guidance on CIA policies regarding releasing "material already published in open literature" and "how to process information showing CIA relationship[s] with foreign liaison services." After McManaway complained to the Agency in April 1981 that *FRUS* declassification discussions had taken place outside the CDC channel, his Agency counterpart cited the "incalculable help" that the CDC had provided in "protecting our equities" since that office assumed the *FRUS* declassification coordination function. The Agency counterpart asked his staff to "strengthen Clay's [McManaway's] hand and prevent him from being blindsided in this process." The Agency's discovery in June 1981 that HO unilaterally restored material excised by a CIA review only heightened its relief at the CDC's expanded role in *FRUS* declassification. By July 1981, the only re-reviewed compilations for which the CIA had not yet restored clearances were "the Middle East volumes and Latin America (all 1952-54), and they are hung up for other reasons as well." By early 1982, the CIA developed sufficient confidence in the CDC's judgments to delegate much of their authority to review documents intended for publication in proposed *FRUS* microfiche supplements.<sup>71</sup>

As security-minded executive branch officials and foreign governments hailed these changes, HO and the HAC grew increasingly alarmed. The series fell further behind its official goal of a 20-year publication line during the 1980s when, despite CDC assurances, the re-reviews took much longer than promised.<sup>72</sup> Of the nine "fast-tracked" volumes scheduled for publication in 1980, one appeared in 1981, two in 1982, three in 1983, two in 1984, and one (after being split into two volumes) in 1987

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<sup>70</sup> Recall the confusion about CIA clearances for *FRUS*, 1951, Vol. I in April and May of 1980 and the more recent PA complaint about CDC contact with the NSC in October (described above). See Trask to Pickering, April 11, 1980; Pickering to Trask, April 16, 1980; and Trask to Pickering, April 23, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980); and Trask to Alfred Goldberg, September 15, 1980, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, *Foreign Relations 2*.

<sup>71</sup> See [name redacted] through [Chief, Administration Branch] to [Chief, Classification Review Branch], April 7, 1981, CREST, CIA-RDP85B00236R000400020053-1; [name redacted] (for White) to William Donnelly, April 23, 1981, CREST, CIA-RDP85B00236R000400020049-6; White to McManaway, May 15, 1981 and Pickering to McManaway, July 8, 1981 attached to White to McManaway, June 5, 1981 in Department of State, CDC Lot File 95 D 113, Box 1, CIA General (the White to McManaway letter is also available in CREST, CIA-RDP85B00236R000400020043-2); [name redacted—Administration Branch] through Chief, Administration Branch to Chief, Classification Review Division, June 15, 1981, CREST, CIA-RDP85B00236R000400020039-7; [name redacted—Chief, Classification Review Division] to Pickering, June 25, 1981, CREST, CIA-RDP85B00236R000400020038-8; and [name redacted—Chief, Classification Review Division] to Pickering, February 24, 1982, CREST, CIA-RDP85B00236R000400030009-9.

<sup>72</sup> D[avid] M B[aehler] to D[avid] F T[rask], January 8, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File January 1981.

and 1989.<sup>73</sup> To address these production shortfalls, HO proposed in 1981 that CDC be given additional resources to address the “enormous backlog of unpublished volumes.”<sup>74</sup>

At the same time, however, Trask and Deputy Assistant Secretary of State for Public Affairs Francis McNamara agreed that HO needed to “reassess [its] goals.” With the 20-year line slipping away, the Department embarked on “compensatory activities to mitigate the credibility gap and expand the policy oriented research program.” While half of HO personnel focused on “sustaining the publication of *Foreign Relations* at its present level and plan for a renewed burst of compiling in two or three years,” the other half were redirected to policy studies to help “upgrade the Department’s role in the making of overall national policy.” To “compensate to some extent for the failure to attain the twenty-year line,” HO also revived the *Current Documents* series (compiled from unclassified documents) that had been suspended in 1971.<sup>75</sup> These measures, McNamara and Trask hoped, would “reduce the gap between announced intentions and actual accomplishments,” “greatly reduce ... interminable, rancorous arguments between equally dedicated historians and declassifiers,” and “provid[e] historic perspective to illuminate some of the murkier problems for the Department’s policy makers.”<sup>76</sup>

The downside to McNamara and Trask’s “compensatory activities” was that they “could, if misunderstood, arouse considerable anxiety among the user population.”<sup>77</sup> Later in 1981, HO reported to the HAC that “declassification

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<sup>73</sup> The “fast-tracked” volumes were: European Security and the German Question (1951, Vol. III), Korea and China (1951, Vol. VII), General Political and Economic (1952-1954, Vol. I), American Republics (1952-1954, Vol. IV); West European Security (1952-1954, Vol. V), Africa and South Asia (1952-1954, Vol. XI), Indochina (1952-1954, Vol. XIII), Geneva Conference (1952-1954, Vol. XVI), and Africa and South Asia (1955-1957, Vols. VIII and XVIII).

<sup>74</sup> Draft Dyess to Richard Kennedy, June 4, 1981 attached to Trask to McNamara, June 4, 1981, NARA, RG 59, PA Lot File 82 D 297, Box 1, PA/HO.

<sup>75</sup> The *Current Documents* series represented a sporadic Department effort to revive the 19th century *FRUS* paradigm of contemporary release. In the 1950s, the Historical Division began publishing compilations of public U.S. Government statements about its foreign policy in an attempt to mitigate the increasing *FRUS* publication lag. At the first HAC meeting in December 1957, Dulles extolled a compilation of 1950-1955 documents as “go[ing] quite a ways toward meeting the needs of scholars” even if it “d[id] not technically meet the conventional requirements” of *FRUS*. The Historical Office stopped producing *Current Documents* in 1971 (in accordance with an earlier recommendation from the HAC to direct limited resources to *FRUS*). The Historian’s Office again suspended work on the revived *Current Documents* series to concentrate on producing *Foreign Relations* after the passage of the *FRUS* statute in 1991. See minutes of 1957 HAC meeting, p. 73, Department of State, HAC Lot File 03 D 130, 1957-HAC-Annual Meeting; report of 1967 HAC meeting, pp. 5-6, Department of State, HAC Lot File 96 D 292, Box 2, 1967—Report; and record of 1971 HAC meeting, p. 11, Department of State, HAC Lot File 96 D 292, Box 2, 1971-Minutes.

<sup>76</sup> McNamara and Trask to Dyess, March 13, 1981 attached to Trask to Slany, Petersen, Sampson, Glennon, and Claussen, March 16, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File March 1981.

<sup>77</sup> McNamara and Trask to Dyess, March 13, 1981 attached to Trask to Slany, Petersen, Sampson, Glennon, and Claussen, March 16, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File March 1981.

difficulties ... preclude at this time a further dash to the 20 year line."<sup>78</sup> During the 1982 HAC meeting, Acting General Editor of *FRUS* John Glennon reassured the Committee that "compiling still continued on a very small scale" sufficient to prevent the staff's accumulated compiling skills and experience from "disappearing."<sup>79</sup> HO's 1983 status report to the HAC informed the Committee that it had "resumed the compiling of new *Foreign Relations* volumes after a pause of more than a year," although the persisting clearance backlog compelled HO management to triage "volumes with a reasonable assurance of clearance by Department declassification reviewers."<sup>80</sup> The 1980 re-review, the delays that it entailed for *FRUS*, and the CDC-led declassification process that initiated it all contributed to mounting academic concerns over the timeliness and comprehensiveness of the series.

The re-review also made it "perfectly obvious that Trask really couldn't stay in the Historian's Office." As Deputy Assistant Secretary of State for Public Affairs Francis McNamara recalled in a 1993 oral history interview, the entire re-review ordeal resulted from Ben Read's determination to prevent "documents that [he and his allies in EUR and CDC] considered sensitive coming out in the *Foreign Relations* series" without "open dissent" that could generate "newspaper attention." McNamara recalled Gammon (Trask's contact in M as the re-review commenced) confiding "that this is all just window dressing, the under secretary doesn't want these documents to come out." By 1981, "Dyess was really down on Trask; he wanted to get rid of him." In the spring McNamara gave Trask a "solomonic" efficiency report that satisfied Dyess and enabled Trask to go "off happily" to a job at the Center for Military History. McNamara's experience with Trask in 1980 and 1981 led him to observe, "I don't see how you could have that job without getting in trouble."<sup>81</sup> William Slany, the General Editor of *FRUS*, served as Acting Historian from the summer of 1981 until he was selected for the permanent job in the spring of 1982. It would not take long for Slany to appreciate McNamara's insight.

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<sup>78</sup> *FRUS* status report, November 1981, Department of State, HAC Lot File 96 D 292, Box 4, 1981-Correspondence. See also Raymond Seitz to Richard Kennedy (with attached talking points), November 10, 1981, Department of State, 1981 P-Reels, P810159-0615. The HAC's report following the 1981 meeting endorsed the compilation slow down, concluding that "given the delay in the declassification and publication of volumes of *FRUS* that have already been compiled ... increasing use of staff time ... in policy-related research should have no adverse impact upon *FRUS* at this time. On the contrary, to the extent that such activity enhances the Historical Office's value to the Department of State ... and affords [HO staff] the opportunity to re-establish direct contact with desk officers which the creation of the CDC had served to sever, the long-term impact may be positive." Report of 1981 HAC meeting attached to Taylor to Dean Fischer, June 16, 1982, Department of State, HAC Lot File 96 D 292, Box 4, 1982-Report, Minutes, Correspondence.

<sup>79</sup> Minutes of 1982 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 4, 1982-Report, Minutes, Correspondence.

<sup>80</sup> HO status report, October 1983, Department of State, HAC Lot File 96 D 292, Box 4, Correspondence-1983-Meeting.

<sup>81</sup> Charles Stuart Kennedy interview with Francis McNamara, March 18, 1993, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004mcn01> and Francis Gomez to George, August 13, 1981, Department of State, HAC Lot File 96 D 292, Box 4, 1981-Correspondence.

Of the 18 compilations re-reviewed by the CDC in 1980, *Foreign Relations, 1952-1954, Volume IV, American Republics* generated the most notoriety. Its production illustrated many of the problems confronting HO during the late 1970s and early 1980s, including restricted access to highly-classified intelligence documents and inconsistent declassification practices. In 1981 and 1982, HO reluctantly proceeded with publication despite the volume's obviously-incomplete account of U.S. activities in Guatemala. In doing so, the volume's compiler and many of his colleagues took pains to acknowledge the volume's lacunae in hopes of immunizing themselves and the Department from accusations of fraud or incompetence. Their efforts succeeded in the short term and the volume's release coincided with academic community initiatives to lobby for accelerating the *FRUS* series without sacrificing its integrity.

HO's failed efforts to change CIA clearance practices and the 1980 re-review established the context in which Department of State historians made crucial decisions regarding the Guatemala chapter of the 1952-1954 *American Republics* volume. In discussions with the CIA during the summer of 1979, a CIA declassification reviewer for the Directorate of Operations explained that "CIA would have to resist publication of anything more than the basic fact that the Agency participated in the overthrow of the Arbenz regime," but that "CIA would defer to the State Department on the foreign relations aspect of the issue. If the Department ... determined that no foreign relations problem was involved, such information could be published." He also explained that, "on questions of policy concerning covert activities, CIA was really only an executive secretariat to the NSC in the later 1950s and 1960s" and that HO should "approach the National Security Council on access to and declassification of the sort of material [it] sought from the CIA."<sup>82</sup>

The re-review rendered these assurances irrelevant. During the summer of 1980, the CDC deleted several previously-cleared documents and made numerous excisions in others.<sup>83</sup> HO accepted this initial Department re-review in August 1980 and scheduled the volume for "fast-track" publication pending final CIA clearance of additional newly added documentation for the Guatemala chapter.<sup>84</sup> When HO contacted the CIA in December to urge the Agency to assign "the highest priority"

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<sup>82</sup> Memorandum of conversation among Trask, Slany, Claussen, Baehler, Allen, Pfeiffer, and [4 names redacted], September 7, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian's Office 1979.

<sup>83</sup> William Dietrich to Aandahl (with attached ARA comments), July 6, 1978 and Nina Noring memorandum, June 17, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Clearance/Publication Order for 1951-1954 Volumes (June 1980); Baehler to Pickering, June 26, 1980 and Pickering to Trask (with attached Kane to Noring, August 4, 1980 and Noring memorandum, August 5, 1980), July 28, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>84</sup> Trask to [name redacted], June 17, 1980; Trask to [name redacted], August 11, 1980; and Trask to [name redacted], September 24, 1980 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

to completing its review for the volume, the CIA reported that the volume had run into “some problems” as its reviewers consulted with “the State Department desks about it.”<sup>85</sup> In June 1981, the CIA reported to CDC that its review of the American Republics volume required “clarification of the Department’s views on release of the material concerning Guatemala.”<sup>86</sup> The CIA did not complete its review until March 1982.<sup>87</sup>

In the interval between HO’s December 1980 prodding of the CIA and the Agency’s eventual response in 1982, Department of State historians debated whether to proceed with publication of the volume. On January 27, 1981, Slany (at that point, still Trask’s deputy and General Editor) included the American Republics volume among a list of volumes to be accelerated in an effort “to close the publication gap and move toward the 20-year line target.”<sup>88</sup> In February, Slany reported to the CDC that HO was prepared to forego NSC equities still awaiting clearance to expedite release. He also requested CDC assistance in hastening CIA clearances so the publication process could proceed.<sup>89</sup>

N. Stephen Kane, the compiler of the Guatemala chapter, urged HO management to delay the volume and pursue additional efforts to protect the integrity of the series. He wanted to wait for CIA clearance decisions on a “supplemental package of editorial notes based on CIA cables” and to appeal “NSC deletions of material which has appeared almost verbatim in previously published volumes.”<sup>90</sup> “In the absence of a high-level policy decision prohibiting coverage of covert activities,” he explained, “HO has an obligation, consonant with its original

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<sup>85</sup> Noring memorandum, December 16, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

<sup>86</sup> White to McManaway, June 5, 1981, CREST, CIA-RDP85B00236R000400020043-2 (also in Department of State, CDC Lot File 95 D 113, Box 1, CIA General). In effect, CIA consultations with State sparked a second, informal re-review that lasted until the end of 1981. At the end of 1981, the Agency reaffirmed—in response to an HO appeal of excisions in another volume through CDC—its opposition to releasing information that “pinpoints the Agency’s presence in a foreign country, reveal[s] our capabilities . . . , and indicate[s] a foreign contact.” See [name redacted] memorandum, December 8, 1981, CREST, CIA-RDP85B00236R000400020005-4.

<sup>87</sup> Pickering to Slany, March 24, 1982, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>88</sup> Slany through Trask to McNamara, January 27, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File January 1981.

<sup>89</sup> Slany to Pickering, February 19, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File Feb. 1981.

<sup>90</sup> In 1982, Kane cited Stephen Ambrose (with Richard Immerman), *Ike’s Spies: Eisenhower and the Espionage Establishment* (Garden City: Doubleday, 1981); Blanche Wiesen Cook, *The Declassified Eisenhower: A Divided Legacy of Peace and Political Warfare* (Garden City: Doubleday, 1981); Richard Immerman, “Guatemala as Cold War History,” *Political Science Quarterly*, Winter 1980-1981, pp. 629-653; and Stephen Schlesinger and Stephen Kinzer, *Bitter Fruit: The Untold Story of the American Coup in Guatemala* (Garden City: Doubleday, 1982) in his appeals to include more documentation on the Guatemala covert operation in the volume. See Kane through Claussen to Glennon, May 5, 1982 (attached to Kane through Claussen to Glennon, May 11, 1982) in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

mandate, to make the effort, and to account for its failure, if necessary. If HO permits silence to substitute for substance, and gaps in the record for accountability, the series' reputation as a credible and objective official documentary publication will not endure." Although Kane acknowledged that HO could not win every clearance battle, he insisted that giving up on the American Republics volume would not only "seriously erode the credibility of the series," it would also "send a clear signal to the CIA that if it defers a decision long enough HO will make it voluntarily." He warned that moving ahead would "radically change the nature of HO's mission" and "impose a form of self-censorship on the series." Kane recommended that, if necessary, HO "insert a meaningful disclaimer ... to account for the lack of coverage" if it failed to secure release of essential information. He also urged HO management to "initiate the appropriate process at higher levels in the Department to redefine the official rationale of the *Foreign Relations* series and the principles guiding its compilation in accordance with current realities."<sup>91</sup> If *FRUS* could not be an instrument of transparency, Kane believed, the Department should at least be transparent about its translucency.

Although the HAC and many HO historians endorsed Kane's recommendations in March and April, Trask decided to proceed with publication irrespective of the CIA's eventual clearance decisions at the end of April 1981. Trask's decision reflected his acceptance of post-re-review realities. Senior Department officials had concluded that the traditional standard of transparency for potentially controversial U.S. policies and actions was imprudent. The CIA had shown little enthusiasm for releasing even seemingly innocuous materials about its role in decisionmaking or its presence overseas, to say nothing of documentation of major covert operations. In this context, Trask concluded that obtaining clearances for publishing the full record of U.S. policy in Guatemala during the 1952-1954 period would be impossible and that HO should save whatever bureaucratic leverage it still possessed for less quixotic efforts. To the HO staff and the HAC, he rationalized that "the [uncleared] information is not deemed of sufficient import to merit delay either in the publication of the volume or of the particular compilation within the volume in which the materials in question appear."<sup>92</sup>

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<sup>91</sup> Kane through Claussen and Slany to Trask, March 18, 1981, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>92</sup> Glennon, Robert McMahon, Edward Keefer, Louis Smith, David Patterson, Sherrill Wells, Landa, Stanley Shaloff, James Miller, Mabon, Harriet Schwar, Sanford, Carl Raether, Evans Gerakas, and Madeline Chi through Slany to Trask, March 20, 1981 and M. P[aul] C[laussen] to W[illiam] Z S[lany], March 23, 198[1] in Department of State, Paul Claussen Lot File 08 D 437, Box 7, Chron File March 1981; Trask to Glennon, McMahon, Keffer [sic], Smith, Patterson, Landa, Shaloff, Miller, Mabon, Sanford, Raether, Gerakas, Wells, Schwar, and Chi, March 23, 1981; Trask to Slany, April 27, 1981; and Trask to Unterberger, April 27, 1981 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder; Unterberger to Trask, April 10, 1981, Department of State, HAC Lot File 96 D 292, Box 4, 1981-Correspondence. See also [name redacted, Administration Branch] through [Chief, Administration Branch] to [Chief, Classification Review Division], April 8, 1981, CREST, CIA-RDP85B00236R000400020052-2 and [name redacted] memorandum, April 9, 1981, CREST, CIA-RDP85B00236R000400040051-3. In the

In the aftermath of the decision to proceed with the American Republics volume, HO accepted further deletions by Department reviewers after a second review of the Guatemala chapter in the fall of 1981. The CIA's March 1982 decisions required "no substantial change" in the material that survived three successive Department declassification reviews.<sup>93</sup> In May, HO mounted a partially successful appeal of deletions of and excisions to documents that had been released under FOIA and cited in recently published accounts of the CIA's involvement in the 1954 coup.<sup>94</sup> During a discussion of declassification difficulties at the 1983 HAC meeting, John Glennon (the Acting General Editor) explained that "there were two kinds of 'No' from CDC: 'No' meaning 'not now,' and 'No' meaning 'not ever.' Guatemala ... was a 'not ever'; the Historical Office did the best it could."<sup>95</sup>

After electing to move forward with an incomplete volume, HO devised strategies to mitigate the damage. In the spring of 1983, HO managers settled on language for an expanded introduction to the volume that included a disclaimer acknowledging:

the editors did not and could not, under current government declassification policies, procedures, and regulations, attempt to document systematically all aspects of the widening web of official relationships which the United States Government established and maintained in the Western Hemisphere. A more comprehensive accounting of these expanding relationships, particularly in the military

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summer of 1981, after Trask's departure and Slany's elevation, Paul Claussen, Chief of the Western Hemisphere, African, and Middle Eastern Division, recommended, "because it is likely that we will encounter considerable further delay in obtaining clearance of the compilation on Guatemala in this volume, ... that we remove the compilation (or portions of it) for future publication in another *Foreign Relations* volume." He was particularly interested in creating a "special *Foreign Relations* volume ... to contain certain difficult-to-clear compilations," which could "liberate the balance of the affected volume for publication within the coming year." See Claussen to Slany, July 10, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File July 1981. On August 18, Slany had lunch with Laurence Pickering and the Chief of the CIA's Classification Review Division. The CIA officer reported that he "found Bill Slany to be quite an easy-going person, who seemed to be understanding of our problems, which ... bodes well for our relationship in the future." See [name redacted—Chief, Classification Review Division] memorandum August 19, 1981, CREST, CIA-RDP85B00236R000400020014-4.

<sup>93</sup> Memorandum on "Guatemala Chapter," [no date]; Pickering to Slany (with attached Glennon note), March 24, 1982; Slany to Pickering, April 14, 1982; and John Burke to William Price, April 15, 1982 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>94</sup> Kane through Claussen to Slany, May 28, 1981, Department of State, Claussen Papers Lot File 08 D 437, Box 7, Chron File June 1981; Kane through Claussen to Glennon (with attached "Introduction"; "Note on Sources"; Kane through Claussen to Glennon, May 5, 1982; and Kane through Claussen to Glennon, May 10, 1982), May 11, 1982; Glennon to Pickering, May 12, 1982; and Charles Flowerree to Slany, December 30, 1982 in Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>95</sup> Minutes of 1983 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 4, Correspondence – 1983—Meeting.

and intelligence dimensions, requires readers and researchers to consult official publications and papers of other departments and agencies.

This statement amplified the standard language in the preface that qualified the comprehensiveness of the volume with “necessary security considerations.” Although the disclaimer was artfully vague in describing the limitations imposed on the volume by the Department of State and the Central Intelligence Agency, it did alert careful readers that the volume fell short of *FRUS*’s typical standards.<sup>96</sup>

Until the late 1980s, the most negative comments about the volume actually appeared before its release. A September 1983 *Washington Post* article on the academic community’s “heated conflict” with the Reagan administration over U.S. Government secrecy cited the absence of documentation on the CIA’s role in Guatemala as an example of “stringent new declassification rules that demand excessive secrecy about long-past events.”<sup>97</sup> A footnote in a December 1983 “critical appraisal” of *FRUS* in the *Journal of American History* described the volume’s coverage of Guatemala as “little more than a bare outline of United States policy in Guatemala” and cited it as a harbinger of a “greater dilemma” for the series than the increasing publication lag: access restrictions and clearance difficulties meant that “the documents that finally appear in the *Foreign Relations* volumes may not include all those necessary to provide a comprehensive record of major foreign policy decisions but rather only those that can be secured by the historical office staff and can survive the security review process.”<sup>98</sup>

The Department released the volume on January 3, 1984. A January 4 *New York Times* article announced that, “after a six year delay, the State Department ... published the official documentation on American policy toward the overthrow of the leftist Government in Guatemala in 1954. But,” the lead noted, “all material on the covert role of the Central Intelligence Agency and the Defense Department was omitted” from the volume. The *Times* explained that the American Republics volume “covered the first case in which covert activity played a crucial role in American

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<sup>96</sup> Introduction to *Foreign Relations of the United States, 1952-1954, Volume IV, The American Republics* (Washington, D.C.: Government Printing Office, 1983), <http://history.state.gov/historicaldocuments/frus1952-54v04/introduction>. Claussen through Glennon to Slany, September 26, 1983, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder explains that the language of the introduction had been approved in the spring. Slany was less concerned about the Guatemala chapter than his staff. He asked, “Why should Guatemala be so highlighted and why should we stumble about on the whereabouts of military and intelligence activities in the volume” as HO revised the volume summary that would be distributed with review copies. He urged his colleagues to “try to be positive in our approach, helpful to writers of articles and reviewers, and upbeat about our methodology” in the final draft. Slany to Petersen, Glennon, Carol Becker, and Claussen, October 25, 1983, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>97</sup> Ian Black, “Tightened Rules Keep Nation’s Secrets Too Long, Historians Say,” *Washington Post*, September 10, 1983, p. A3.

<sup>98</sup> Lorraine Lees and Sandra Treadway, “A Future for Our Diplomatic Past? A Critical Appraisal of the *Foreign Relations* Series,” *Journal of American History* (December 1983), pp. 621-629 (quotes from pp. 626-627).

relations with another Government, but the official American documentation of those relations cannot be published in full." The article quoted Glennon lamenting that "we were not successful in declassifying everything we wanted." Glennon explained that "we try to make it as comprehensive as we can" and that, while "there was more that we would have liked to have gotten in ... we felt it was enough in there to make it worthwhile publishing the volume."<sup>99</sup> On January 5, Glennon advised the Government Printing Office that "potential sales" for the volume could "be in the higher than average range."<sup>100</sup> Despite positive reviews in academic journals,<sup>101</sup> the volume reflected many of the threats facing the *FRUS* series and the broader objective of responsible transparency as HO undertook another acceleration initiative in the mid-1980s.

### **Accelerating Translucency, 1983-1985**

In 1982, President Ronald Reagan replaced Carter's E.O. 12065 with a new directive on classifying and declassifying national security information. Executive Order 12356 eliminated the previous order's balancing test and its timetables for systematic review. The driving force for this shift came from within the bureaucracies of Executive Branch agencies. Clayton McManaway prepared the Department of State's recommendations to "eliminate automatic declassification," "further protect foreign government information," "eliminate systematic review in present form," and extend classification extension authority to more officials. He also advised phasing out "complicating" provisions such as "the exhortations to give declassification equal weight with classification," "encourag[ing] personnel to challenge classification," and "the 'balancing act' concept theoretically enabling release of correctly classified information in favor of a vague public interest." Assistant Secretary for Public Affairs William Dyess conditioned his concurrence with McManaway's proposals upon CDC assurances that it would prepare "a joint schedule" to maintain the "pace [for] special clearances of documents" for *FRUS*.<sup>102</sup>

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<sup>99</sup> Bernard Gwertzman, "U.S. Tells of '54 Guatemala Invasion," *New York Times*, January 4, 1984, p. A3.

<sup>100</sup> Glennon to Stanley Field, January 5, 1984, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, 1952-1954, Vol. IV, American Republics Clearance Folder.

<sup>101</sup> Elmer Plischke, a former member of the HAC, opined that the "volume continues to evidence the lofty standards maintained by the Office of the Historian ... over the years, and reflects its dedication to the arduous but important process of revealing the course of American diplomacy on a scholarly, systematic, detailed, reliable, and serviceable basis." Joseph Smith, a professor at the University of Exeter, concluded that although "the section on Guatemala underlines the difficulty of dealing with still politically sensitive subjects and shows how it is not practicable for the series to become 'the comprehensive record' of major policy decisions, ... the editors have competently produced a large volume of significant documents that will serve as a most valuable tool of reference and information." See Plischke review of *Foreign Relations of the United States, 1952-1954, Volume IV, The American Republics* in *American Journal of International Law* (July 1984), pp. 735-739 (quote from p. 739) and Smith review of *Foreign Relations of the United States, 1952-1954, Vol. iv, The American Republics* in *English Historical Review* (July 1986), p. 753.

<sup>102</sup> Executive Order 12356 (signed April 2, 1982), *Federal Register*, Volume 47, No. 66, pp. 14874-14884 (published April 6, 1982) and correction of April 8, 1982 in Volume 47, No. 70, p.

The new executive order, coupled with the formation of the CDC and the 1980 re-review controversy, inspired concern among transparency advocates that “excessive secrecy” was taking hold in the U.S. Government. In a September 1983 *Washington Post* article, historians lamented that it was “‘virtually impossible’ to write American diplomatic history after 1950.” HAC member Anna Nelson elaborated that the government’s restrictions made it difficult for historians and international relations scholars to avoid “writ[ing] inadequately and in a distorted fashion . . . . We are depriving our next generation of policy-makers of the proper perspective of what went on.” *FRUS* publication delays, access restrictions, and clearance problems contributed to this worrying situation and threatened both the integrity and utility of a series that was already being eulogized as “once admired as the finest work of its kind.”<sup>103</sup> In December, a *Journal of American History* review of *FRUS* amplified these concerns and warned that, “if the interested historical community does not soon act[,] . . . the *Foreign Relations* series that survives the 1980s may be useless to scholars and embarrassing to a government that claims to provide its citizens with a ‘comprehensive record’ of United States foreign policy.”<sup>104</sup>

Congress echoed the academic community’s fears by including language on *FRUS* in the Department’s authorization act in November 1983. The law “expressed concern about the excessive delays currently experienced in the publication of the Department of State’s vital series of historical volumes.” Congress endorsed “publishing within 25 years of the events” and ordered the Historian to explain the reasons for escalating delays and to assess the prospects for meeting a 25-year line.<sup>105</sup>

The HAC noted these concerns in its annual report to the Department of State. On December 21, 1983, Committee Chair Ernest May informed Secretary

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15557 (published April 12, 1982); Dyess through McManaway to Richard Kennedy, April 22, 1981, Department of State, 1981 P-Reels, P810075-1081; and McManaway to Richard Kennedy (with attached McManaway to Steven Garfinkel), May 1, 1981, Department of State, 1981 P-Reels, P810075-1070-1078. During the 1985 HAC annual meeting, CDC chief Ambassador John Burke explained that “the recent executive order was more stringent than its predecessors . . . , but . . . it had been drafted not by the White House but by the Information Security Oversight Office (ISOO)” and “reflected the experience of many officials from different agencies.” Burke echoed this characterization in a 1989 oral history interview, when he claimed that “certain deficiencies in the Carter Order . . . had to be corrected” and that “the stricter provisions were actually all proposed by bureaucrats and not by the White House.” See minutes of 1985 HAC meeting, p. 17, Department of State, HAC Lot File 96 D 292, Box 4, Minutes 1985 and Charles Stuart Kennedy interview with John Burke, May 26, 1989, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004bur03>.

<sup>103</sup> Ian Black, “Tightened Rules Keep Nation’s Secrets Too Long, Historians Say,” *Washington Post*, September 10, 1983, p. A3.

<sup>104</sup> Lorraine Lees and Sandra Treadway, “A Future for Our Diplomatic Past? A Critical Appraisal of the *Foreign Relations* Series,” *Journal of American History* (December 1983), pp. 621-629 (quotes from p. 629).

<sup>105</sup> P.L. 98-164; H.R. Report 98-563, Conference Report for H.R. 2915, November 17, 1983, Department of State, HAC Lot File 96 D 292, Box 4, Correspondence-1983-Meeting and “Bill Summary & Status, 98th Congress (1983-1984), H.R. 2915, CRS Summary,” Library of Congress, Congress.gov website, <http://beta.congress.gov/bill/98th-congress/house-bill/2915>.

of State George Shultz that “the history of American foreign policy after World War II is poorly understood” because “the sources necessary for writing fair and comprehensive histories” were being “withheld from serious scholars.” “More and more of the history,” he lamented, “consists merely of remembered headlines, for scholars cannot see the documents which would enable them to correct the record.” May assured Shultz that “our collective national security interests will be served” if the Department embarked upon “modest steps to improve the conditions for scholarly research.” Specifically, May and the HAC urged Shultz to open historical records belonging to the Department for research at a 25-year line, “lead an effort to make such a policy government-wide,” and order HO to accelerate the production of *FRUS* volumes “reflective of the whole record, with any necessary omissions specifically identified so that the international scholarly community can retain confidence in the integrity of the series.” By reminding Shultz that “intelligent public and congressional understanding of history is a precondition for sound and effective national policies,” May hoped to convince Shultz that strengthening the Department’s existing *FRUS*-centered transparency regime would serve the interests of both the U.S. Government and the academic community.<sup>106</sup>

May’s letter and Congress’s request for a report on *FRUS* delays galvanized action from the Department. In February 1984, Shultz ordered HO to investigate the steps required to meet the HAC’s recommendations.<sup>107</sup> These efforts informed William Slany’s August report to Congress, which diagnosed *FRUS*’s troubles, and a Department staff study, completed in October, that provided a prescription for accelerating the series. Both the report and the staff study rejected a 25-year line and described a 30-year standard as difficult to meet. As Slany’s report to Congress explained, “a 30-year line is a reasonable and achievable goal for the *Foreign Relations* series, but a wide range of conceptual and procedural modifications are required if

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<sup>106</sup> Ernest May to George Shultz, December 21, 1983, Annex 1 of *FRUS* Staff Study, October 1984, Department of State, CDC Lot File 95 D 113, Box 2, Staff Study 1984. HO had already, after “careful consideration, planning, and discussion with the Bureau [PA] and A/CDC,” proposed accelerating the production of *FRUS* volumes documenting U.S. policy toward Vietnam. HO assured the HAC that “the volumes on Vietnam, when completed, will represent the most comprehensive documentary record of this most important subject available in any form.” See “*Foreign Relations of the U.S. (The Vietnam Record)*,” [October 1983] and Glennon to Slany, October 3, 1983 in Department of State, HAC Lot File 96 D 292, Box 4, Correspondence-1983-Meeting. The CIA provided contradictory advice to potential interviewees. The Agency urged that former CIA officials “give [HO] your full cooperation,” but also reminded them their “pledge of secrecy remains effective regarding Agency operations.” Interviewees were advised that they “should feel free to discuss any matter in that time period that would not reveal specific Agency activities.” See [name redacted – Directorate of Operations Information Review Officer] to Kenneth McDonald (with attached draft Briggs to former Agency employees), January 9, 1984 and McDonald to Petersen, January 13, 1984 in CREST, CIA-RDP01-00569R000100080098-7. For a Public Affairs front office perspective on the challenges confronting HO in 1983, see Charles Stuart Kennedy interview with John McCarthy, August 28, 1996, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004mcc02>.

<sup>107</sup> John Hughes to Secretary of State, January 30, 1984 attached to Alan Romberg to Kenneth Dam, July 27, 1984, Department of State, George Shultz and Charles Hill Subject Files, 1982-1988 (Lot File 89 D 250) (henceforth Shultz Lot File 89 D 250), Box 1, Miscellaneous File 6/84.

such a goal is to be achieved." He blamed "a wide range of compiling, clearance, and publishing problems" for the existing delay in the series, but elaborated that "few of the issues are really new."<sup>108</sup>

In his report to Congress, Slany cited enduring challenges to timeliness and comprehensiveness that had confronted the series since the 1950s. He described how "uncertainty over the definition [of comprehensiveness] prevents the making of sound and consistent decisions on all phases of the *Foreign Relations* program." Slany explained how the 1925 Kellogg Order established a "constant framework for preparation of" *FRUS*, but "actual compiling practices and the changing expectations of users have increasingly come into conflict with the charter's principles." He elaborated that HO's efforts to improve the quality of *FRUS* during the 1970s by "systematically us[ing] the records of other agencies," shift[ing] the focus from "traditional diplomatic exchanges" to the policymaking process, and "extend[ing] the series into the most sensitive and controversial episodes of American intelligence activities and political action in foreign countries" resulted in a "slowdown in the publication of the series." Slany also cited mounting printing problems to illustrate the impossibility of simultaneously accelerating the series and maintaining its current level of coverage. Citing "sixty years of experience by the Office of the Historian," Slany recognized "the futility of all efforts to bring [*FRUS*] closer to currency unless and until careful, even severe, restraint can be exercised on the size of the series." To explain the Department's skepticism about the feasibility of meeting a 25-year publication line, Slany cited the "prodigious effort in compiling, editing, declassification, and publication never before attempted or envisaged" that would be required. Slany endorsed a 30-year target that would align *FRUS* with the Department's systematic review commitments, "provide a more realistic interval to declassify and desensitize most secrets," and accord with British practice.<sup>109</sup>

Slany concluded his report with several cautionary notes. The first involved the "intense" restraint that would be required of *FRUS* historians to avoid aggravating perennial access, declassification, printing, and scope problems. Such restraint clashed with "demands from within the government and the public for expanded volumes. The prospective size and scope of the series must have full support from

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<sup>108</sup> Slany, "Report by the Historian of the Department of State," July 1984, Department of State, 1984 P-Reels, P840134-2027 through 2058 (quotes from p. 2). The substance of Slany's report was cleared by the Bureau of Administration and Management and reported to the Deputy Secretary in July. See Romberg to Dam, July 27, 1984, Department of State, Shultz Lot File 89 D 250, Box 1, Miscellaneous File 6/84 and Romberg to Dam, August 13, 1984, Department of State, 1985 P-Reels, P850093-0180.

<sup>109</sup> Slany, "Report by the Historian of the Department of State," July 1984, Department of State, 1984 P-Reels, P840134-2027 through 2058. The HAC declined to endorse the 30-year line in 1985 and 1986. See Warren Kuehl to Shultz, March 11, 1985 and Shultz's response, April 20, 1985, Department of State, 1985 P-Reels, P850143-0447-0449. For the HAC's reports, see report of 1984 HAC meeting attached to Kuehl to Shultz, March 11, 1985, Department of State, HAC Lot File 96 D 292, Box 4, Report-1984-Minutes and report of 1985 HAC meeting attached to Kuehl to Shultz, February 25, 1986, Department of State, HAC Lot File 96 D 292, Box 4, Status Report-1985.

within government and from academic and scholarly users." Secondly, Slany insisted that "criteria of completeness and comprehensiveness of the official foreign affairs record which have been debated over recent years must be defined. The current definition of comprehensiveness has not satisfied academic users." He cautioned that, "without an agreement on the scope of" *FRUS*, "any program for publication will, however expensive, be hopelessly burdened with controversy." Finally, Slany warned that "drawing closer to currency will necessarily result in a larger proportion of documents denied declassification on national security grounds or because of current sensitivity," which would frustrate the general preference among *FRUS*'s consumers for "a more comprehensive series, even if published later, than for more selective volumes."<sup>110</sup> Slany recognized that accelerating *FRUS* would backfire unless the required compromises were "clearly explained, understood, and acknowledged within government and the academic community."<sup>111</sup>

As the Department transmitted Slany's report to Congress, HO completed the staff study on accelerating *FRUS* production ordered by Secretary Shultz in February.<sup>112</sup> The final staff study, submitted for Shultz's approval on October 10, 1984, provided detailed recommendations for action from HO, the CDC, the Foreign Affairs Information Management Center (FAIM), and the Publishing Services Division (FAIM/PS) to accelerate *FRUS* production to sustain a 30-year line. These recommendations reinforced the longstanding significance of *FRUS* by maintaining the close linkage between clearance of *Foreign Relations* compilations and the broader systematic review undertaken by the Department for records

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<sup>110</sup> This reflected the findings of a PA survey of *FRUS* users conducted in September 1982, which found that 64 percent preferred "later publication of a more comprehensive record" to "earlier publication of a less comprehensive record." See "Survey of Users of the *Foreign Relations* Series," October 1983, Department of State, HAC Lot File 96 D 292, Box 4, Correspondence-1983-Meeting.

<sup>111</sup> Slany, "Report by the Historian of the Department of State," July 1984, Department of State, 1984 P-Reels, P840134-2027 through 2058.

<sup>112</sup> The staff study synthesized two working groups' March 1984 analysis of different options for the size and scope of the series, the personnel required (both within and outside the Department) to meet the various production targets, and the desirability of augmenting *FRUS* with special supplementary volumes. In their reports to Slany, HO historians grappled with the trade-offs required between timeliness and comprehensiveness as they defined "low," "middle," and "high" options for every facet of *FRUS* production, from access, research, selection, and annotation to clearance procedures, editorial support, and publication formats. The working group recommendations reflected HO's recognition of the crucial importance of defining clear objectives and standards to guide the preparation of *FRUS* compilations and of enhancing coordination across bureaucratic lines to achieve them. When CDC received initial drafts, SR chief Hamilton explained that "[the studies] show the head of steam which Slany generated within his own boiler room and the time which HO has devoted to an essentially non-productive activity." He advised a colleague that "they may well be worth your skimming for more illumination on the state of thinking and the character of bureaucratic activity in HO." Sampson to Slany (with attached Patterson and Landa memorandum, March 9, 1984 and Smith and Painter memorandum, March 12, 1984), March 9, 1984 and Claussen, Mabon, Becker, Baehler, Keefer, and Sanford memorandum (with attached Sanford and Becker memorandum, March 9, 1984; Keefer memorandum; and 9 annexes), March 9, 1984 attached to Bill Hamilton to Henry Bardach, September 7, 1984, Department of State, CDC Lot File 95 D 113, Box 2, Staff Study 1984.

being sent to the National Archives. For HO, the study affirmed Slany's inclination to "redefine the scope and size of" *FRUS* to include "only the most important documents and policies and events in American foreign policy," to "introduce microform supplements ... to assure the publication of a wide range and variety of official records" notwithstanding the constraints on the printed volumes, to "adhere strictly ... to size limitations for the series," and to "limit the number of documents of foreign origin ... to facilitate declassification." For the CDC, the study recommended increased resources and enhanced coordination with HO. The study also proposed technological modernization and reformed procedures to streamline the Department's records management and declassification machinery. Finally, the study advocated forging an executive branch consensus "that the series *Foreign Relations of the United States* is the preferred and authoritative vehicle for public disclosure of the official foreign affairs record" and called for a new Presidential Directive to promote interagency cooperation. After the November 1984 HAC meeting focused on the staff study, Shultz approved its recommendations in January 1985.<sup>113</sup>

The Department began implementing the study's recommendations in June 1985, when Acting Assistant Secretary of State for Public Affairs Robert Smalley asked Shultz to request a Presidential Directive to facilitate interagency cooperation.<sup>114</sup> In September 1985, the NSC suggested revisions to the Department's proposed language to eliminate the "unintended appearance that the President was advocating disclosure of all information irregardless [sic] of national security and other considerations."<sup>115</sup> With "stylistic adjustments," HO and the CDC accepted the NSC revisions in October.<sup>116</sup>

The Presidential Directive, signed by Ronald Reagan on November 12, 1985, translated the transparency and accountability values ascribed to *FRUS* since the 19th century to conform to the altered national security context of the 1980s. Reagan ordered the Department of State to take the lead in ensuring that *FRUS* meet the 30-year line by 1990, affirming "that orderly and timely" publication of the series, which provided "the proper vehicle for systematic official disclosure of

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<sup>113</sup> Romberg through Dam to Shultz, October 10, 1984, Department of State, 985 P-Reels, P850114-0937 through 0941; *FRUS* Staff Study, October 1984, Department of State, CDC Lot File 95 D 113, Box 2, Staff Study 1984; minutes of 1984 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 4, Report-1984-Minutes; Shultz to May (and attached summary of the *FRUS* Staff Study), January 8, 1985, Department of State, 1985 P-Reels, P850114-0895 through 0908 (also attached to Slany to Kuehl, January 29, 1985, Department of State, HAC Lot File 96 D 292, Box 4, Correspondence-1984).

<sup>114</sup> Robert Smalley to Shultz (with attached draft Nicholas Platt to Robert McFarlane and draft Presidential Directive), June 18, 1985, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985. According to William Martin to Platt, September 24, 1985, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985, the Department sent its proposal to the White House on June 25.

<sup>115</sup> Martin to Platt, September 24, 1985, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985.

<sup>116</sup> George High to Platt, October 15, 1985, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985.

the major documentation regarding American foreign policy in its proper historical context," was "extremely important." The Directive qualified its endorsement that "the historic record when published should be as complete as possible" with explicit reference to "other directives on the release and publication of official information" (E.O. 12356) in addition to "the needs of national security and the expectation of confidentiality in the diplomatic process." Reagan instructed other agencies to cooperate with the Department of State by providing access to "properly cleared" HO historians and "according the necessary priority" to reviewing selected documents for declassification. Reagan also empowered the Secretary of State to convene interagency meetings to "review and improve cooperative procedures and plans to meet [the] 30-year publication timeframe." Finally, Reagan also required the Department of State to submit annual status reports on progress toward achieving the 30-year publication target.<sup>117</sup>

Taken together, the formation of the CDC, the 1980 re-review, and the acceleration initiative of the mid-1980s transformed *FRUS* from an instrument of responsible historical transparency into a vehicle for U.S. Government translucency. Although *FRUS* historians gained access to a wider range of records at Presidential Libraries in the mid-1970s, they encountered frustrating obstacles when they tried to declassify and publish the resulting compilations in the early 1980s. The Department of State's implementation of President Carter's executive order on classification and declassification strengthened opponents of transparency and caused unintended damage to the *Foreign Relations* series in 1980. Bruised by the re-review battle within the Department, HO retreated from confrontation over the Guatemala volume in 1981-1982 and embraced a compromise-laden acceleration plan in 1984 and 1985. The erosion of transparency between 1978 and 1985 set *FRUS* on a course passing through controversy and confrontation from 1986 to 1991.

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<sup>117</sup> Ronald Reagan to Secretary of State, Secretary of Defense, Secretary of the Treasury, Secretary of Commerce, Secretary of Agriculture, Director of Central Intelligence, Assistant to the President for National Security Affairs, Acting Archivist of the United States, and Public Printer, November 12, 1985, Department of State, 1986 P-Reels, P860055-0805 through 0806. At the 1985 HAC annual meeting, Slany predicted that the as-yet unsigned directive would "probably be the most important thing that has happened to the *Foreign Relations* series in ten years. It will produce a more effective clearance process; it will enable the Department to take the lead in publishing the foreign affairs record; and it will provide PA/HO with improved procedures and the leverage to ensure that the process moved forward." HAC members expressed skepticism, with Deborah Larson explaining that "the general perception in the presidential libraries was that President Reagan was not eager to release information. She could not see how the directive would have a beneficial impact if the president's attitude was well known." Later, Warren Kuehl confessed that "he could not understand how the Presidential Directive would accelerate the [clearance] process." See minutes of 1985 HAC meeting, pp. 5, 10, and 21, Department of State, HAC Lot File 96 D 292, Box 4, Minutes 1985.

## Chapter 10: “A Civil War in the Department,” 1986-1990

Joshua Botts

The acceleration effort undertaken between 1984 and 1988 stabilized the *FRUS* publication lag in the mid-1980s but left key issues unresolved. Between 1986 and 1989, HO published 26 volumes at an average publication line of 31 years. HO still faced obstacles to accessing highly-classified materials controlled by other agencies. Foreign governments continued to influence U.S. decisionmaking about the release of historical secrets. Most significantly, U.S. Government officials and the academic community still held discordant views about the scope of the series, which reflected incompatible positions about the nature of the U.S. Government transparency regime. The accelerated *FRUS* series embodied a compromise that resulted in translucency, rather than transparency. By the mid-1980s, HO found itself attempting to navigate a very narrow space between public expectations for openness and official demands for security. Could the Office produce volumes that the U.S. Government would be willing to release as an official publication, while also meeting public expectations for *FRUS*'s integrity? As the Department's relationship with the HAC deteriorated in the late 1980s, HO struggled to salvage a worsening *FRUS* problem.

As the Department pursued the *FRUS* acceleration plan between 1986 and 1989, the CDC—supported by Under Secretary of State for Management Ronald Spiers—grew increasingly hostile to the HAC's insistence that the Committee required broader access to classified material to assess the integrity of *Foreign Relations* volumes. As PA and HO efforts to forge a compromise failed, the Department's relationship with the HAC soured. After the *FRUS* volume documenting U.S. relations with Iran between 1951 and 1954 was released in 1989, readers denounced it as so incomplete and misleading that it constituted a “fraud.”<sup>1</sup> A major “*FRUS* problem” emerged early in 1990 after HAC Chair Warren Cohen resigned in protest when the Department's declassifiers abandoned an agreement for limited Committee access to classified documents. The Iran volume and Cohen's resignation exposed the Department's 1980s retreat from transparency just as the Cold War ended and many Eastern bloc countries opened long-closed records in an unprecedented fashion. Questioning U.S. Government credibility, the academic community, the news media, and, most consequentially, the U.S. Congress championed greater openness.

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<sup>1</sup> Bruce Kuniholm, “*Foreign Relations*, Public Relations, Accountability, and Understanding,” *Perspectives* (May-June 1990), <http://www.historians.org/perspectives/issues/1990/9005/9005NOTE1.cfm> and Claiborne Pell and David Boren, “Why US foreign-policy records are ‘a fraud’: Government agencies distort history by covering their tracks,” *Boston Globe*, May 27, 1990, p. A22.

## ***FRUS* Acceleration, 1985-1988**

Reagan's acceleration directive fostered U.S. Government-wide coordination of declassification procedures and scheduling. In advance of a February 11 interagency meeting chaired by Under Secretary Spiers,<sup>2</sup> HO and CDC honed the Department's strategy to meet the "1960 by 1990" objective. HO's task was easiest since only 12 volumes in the 1958-1960 awaited compilation; these volumes, Slany promised, would be complete by the end of 1988. The declassification workload was more substantial. CDC had to review 28 volumes between 1986 and 1990. Other agencies had to handle 34. Since the NSC waited until other agencies completed their reviews before beginning its own, it faced the largest clearance burden: 44 volumes in only 4 years. Even if all volumes were cleared, the Department and GPO had to push 50 through the printing process. Complicating this already formidable task, Slany sought to mitigate the size limitations imposed on printed volumes by producing 11 microfiche supplements that also required declassification. HO also wanted to bring a highly-visible subset of the series to a 21-year line by completing the *FRUS* volumes covering Vietnam during the 1960s by the 1990 publication deadline. All of the nearly 20 officials who attended the Spiers meeting, most of whom served as records managers and federal historians, agreed that the production targets proposed by HO and CDC could be achieved.<sup>3</sup>

To meet these production targets amidst tight Gramm-Rudman budgetary caps, HO tightened page limits for *FRUS* manuscripts. To lower the cost of producing the series, the Department and GPO contracted with a commercial printing firm to perform some *FRUS* editing and publishing tasks. These savings came with a "tradeoff between volume size and cost. Each additional page above 800 ... has a dollar cost associated with it." Imposing the new page limit on already-compiled volumes forced HO to "decompile" cleared manuscripts "to ensure that only the most important documents were included." To assuage fears that these cost constraints would decimate *FRUS*, HO emphasized the potential of relatively inexpensive microfiche supplements to make up for the shortfall. As HO's budget grew more strained in 1987, Slany proposed that microfiche bear more of the aggregate publishing burden. Although HAC members recognized the necessity of cutting *FRUS* production costs, they were anxious about the implications of narrowing space constraints and HO's increasing reliance on

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<sup>2</sup> See Shultz to Robert McFarlane, Frank Burke, John Poindexter, Malcolm Baldrige, Ralph Kennickell, Caspar Weinberger, James Baker, John Block, and William Casey, January 4, 1986, Department of State, 1986 P-Reels, P860055-0787 through 0804. These letters were transmitted only after Ronald Spiers approved Roger Feldman to Spiers, January 2, 1986, Department of State, 1986 P-Reels, P860045-0322 through 0323, which explained the resource implications of the steps outlined in Bernard Kalb through Spiers to Shultz, December 18, 1985, Department of State, 1986 P-Reels, P860055-0807 through 0810. Spiers approved the Feldman action memorandum on January 3 and Shultz approved the Kalb action memorandum on January 4.

<sup>3</sup> See *passim*, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985 and Charles Stuart Kennedy interview with Henry Bardach, March 12, 1996, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2007bar02>.

microfiche supplements to stay within its budget. They worried that both the comprehensiveness and the utility of the series was jeopardized by these “solutions.”<sup>4</sup>

The *FRUS* acceleration initiative forced transparency skeptics to offer rhetorical support to the principle of openness. In the fall of 1984, Director of Central Intelligence William Casey responded to a coalition of the AHA, the OAH, and the Society of American Archivists demanding “a commitment to maximum possible openness” with assurances that he too “admir[ed] the Department of State’s distinguished series” and “recognize[d] its important role in informing the American people about their government’s foreign policy.” Although Casey rejected their principle “when in doubt, declassify,” he promised that the CIA balanced “the need to protect our national security interests” with “the opposing equity—enlightenment of the American public.”<sup>5</sup> At the time, the CIA pursued this balance by securing from Congress a blanket exemption of its operational files from the Freedom of Information Act.<sup>6</sup> In exchange, the Agency promised to consult with academic

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<sup>4</sup> Slany to Kuehl, March 17, 1986 and Slany to High, September 30, 1986 in Department of State, HAC Lot File 96 D 292, Box 5, [Correspondence 1986]; Slany, HO status report, October 15, 1986, Department of State, HAC Lot File 96 D 292, Box 5, Status Report-1986; minutes of 1986 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes-1986; Petersen to Slany, February 4, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Report of the Committee-1986; and report of 1986 HAC meeting (attached to Perkins to Schultz, March 12, 1987), Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting 1987; Charles Redman to Spiers, June 2, 1987, Department of State, 1987 P-Reels, P870103-1398 through 1404 (and P870122-1080 through 1088); Slany, HO status report, December 16, 1987, Department of State, HAC Lot File 96 D 292, Box 5, [Status Report 1988]. Accelerating *FRUS* during the era of translucency strained relations within HO. In a spring 1988 complaint to the Department’s Inspector General, Deputy Historian Neal Petersen alleged that mismanagement, rather than budgetary constraints, led to the “decompilation” requirement. As Petersen explained, “the Historian’s Office is now telling the public that due to demands of PA and the Department the series must be cut and transferred in substantial part to a microfiche format. PA/HO contends that the pinch is such that volumes already compiled, edited, and declassified must be slashed on a crash basis. Completed work is being discarded on a massive basis. This is not to deny the seriousness of the Department’s budget crisis or the need for tight controls on all spending. The fact is, however, bad management and invalid priorities within PA/HO pose a greater threat to the series than external restrictions.” Regarding decompilation, Petersen described how, “in order to reduce the size of volumes over-compiled at his [Slany’s] direction, The Historian instructed the *FRUS* staff to remove large numbers of already-edited and cleared documents. The meticulous work of many years was wasted . . . . The cutting is being done on short notice with severe damage to substance . . . . This enormously wasteful process is The Historian’s answer to a problem he himself created by mismanaging the planning and compilation of *FRUS*, first as Editor, then as Historian.” See Neal Petersen memorandum, March 23, 1988, pp. 1 and 16, attached to Dillery to Spiers, August 4, 1988, Department of State, Bureau of Management, Under Secretary for Management Files, 1988 (Lot File 90 D 066) (henceforth M Chron Lot File 90 D 066), Box 6, Sept. 16-20, 1988.

<sup>5</sup> Nicholas Burckel to Casey, October 19, 1984 and Casey to Burckel, November 8, 1984 in CREST, CIA-RDP86M00886R002000100012-9.

<sup>6</sup> Congress passed the CIA Information Act, P.L. 98-477, in September 1984 after years of Agency efforts to secure relief from the “administrative and financial burden the FOIA places on the intelligence community.” See Richard Fairbanks to David Stockman, April 1, 1981, Department of State, 1981 P-Reels, P810075-1079; “Bill Summary & Status, 98th Congress (1983-1984),

experts to augment its systematic review program. In May 1985, Casey cited advice offered by these experts (several of whom were current or former HAC members) and acknowledged that “the *Foreign Relations* volumes ... are the appropriate and preferred vehicle for publishing finished intelligence and other documents relating to intelligence activities abroad.”<sup>7</sup> The Agency employed similar language in response to Reagan’s directive.<sup>8</sup> Although it stopped short of providing direct HO access to CIA files and ignored the issue of documenting covert operations, the Agency’s acknowledgement of *FRUS*’s special status as a vehicle for disclosure marked a rhetorical retreat from the restrictive posture of the late 1970s and early 1980s.

The acceleration effort also influenced the Department’s consultations with foreign governments regarding *FRUS* clearances. While the Department maintained its policy of expanded FGI consultations, the *FRUS* acceleration effort encouraged U.S. officials to elevate their priority within the broader range of U.S. diplomacy.<sup>9</sup> Although foreign government requests for continued protection of their information reinforced bureaucratic fears of releasing sensitive records, U.S. officials resisted foreign pressure when it threatened to upend agreed-upon *FRUS* production deadlines. The most significant of these requests for secrecy involved Japanese appeals to exclude documentation of several sensitive issues in *FRUS* volumes covering the 1950s. As Japanese diplomats explained, the Japanese media “pays a great deal of attention to U.S. *FRUS* publications and other releases which contain material pertaining to Japan.”<sup>10</sup> Despite obvious parallels with the foreign government concerns that the CDC cited to justify the 1980 re-review and expanded FGI consultations earlier in the decade, the Department’s declassification staff resisted Japanese pressures in 1986 and 1987. In part, their response reflected bureaucratic defensiveness: the old clearance system may have been flawed, but subsequent CDC reviews surely provided sufficient protection for

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H.R. 5164,” Library of Congress, Congress.gov website, <http://beta.congress.gov/bill/98th-congress/house-bill/5164>; National Security Archive website, “The CIA Information Act of 1984,” <http://www.gwu.edu/~nasarchiv/news/20030505/cia.htm>; Reagan signing statement, October 15, 1984, *The American Presidency Project*, eds. Gerhard Peters and John T. Woolley, <http://www.presidency.ucsb.edu/ws/print.php?pid=39243>; and attachments to McDonald to Slany, May 6, 1985, Department of State, CDC Lot File 95 D 113, Box 1, CIA General.

<sup>7</sup> Draft Director of Central Intelligence to Committees of Congress attached to McDonald to Slany, May 6, 1985, Department of State, CDC Lot File 95 D 113, Box 1, CIA General.

<sup>8</sup> [Name redacted – Director of Information Services] to Deputy Director for Administration and Chief, DCI History Staff, November 26, 1985, CREST, CIA-RDP88G00186R000901170001-7 and Casey to Shultz, January 21, 1986, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985.

<sup>9</sup> See, for example, Hamilton to Timothy Ramish, December 12, 1983, Department of State, CDC Lot File 95 D 113, Box 4, FRG; Bardach to Dave Lambertson, January 25, 1985, Department of State, CDC Lot File 95 D 113, Box 3, Australia: Pre-1985; H[enry] B[ardach] note, February 28, 1986, Department of State, CDC Lot File 95 D 113, Box 3, British Government; Secretary of State to All Diplomatic Posts, February 25, 1986, Department of State, SAS, 1986 STATE 057676.

<sup>10</sup> Toshio Tsukahira memorandum, August 1, 1985, Department of State, CDC Lot File 95 D 113, Box 3, Japan 1986 & Previous.

foreign government equities. The CDC also explained that the Japanese demarche jeopardized *FRUS* acceleration targets. Echoing Trask in 1980, Dwight Ambach, chief of the Systematic Review Division, complained that Tokyo's efforts to censor *FRUS* "rais[ed] an important question of principle: Can a foreign government exercise control over release of USG information. The answer clearly is no." He assured the Bureau of East Asian and Pacific Affairs that past declassification reviews had been "responsive" to "GOJ sensitivities" and that "no negative publicity" followed the release of earlier volumes despite Japanese fears.<sup>11</sup> In meetings with Japanese Embassy officials in May and August 1987, Ambach promised to tweak declassification guidelines and explore the possibility of "re-checking" material released at the National Archives, but "made clear" that the Department "was proceeding with 1955/7 and 1958/60 *FRUS*."<sup>12</sup> Ambach's stance notwithstanding, unforeseen challenges prevented the release of these two volumes until 1991 and 1994.<sup>13</sup>

Despite early progress toward meeting production targets in 1986, the government-wide acceleration plan collapsed in 1988 when an unpredictable bottleneck in the declassification system brought the entire *FRUS* production process to a standstill. Although HO met its compiling targets and the CDC and other agencies generally met their clearance deadlines, the NSC had to stop reviewing *FRUS* manuscripts in 1987 when the Iran-Contra scandal monopolized its declassification resources.<sup>14</sup> The NSC resumed reviewing in 1988, but at a slow pace.<sup>15</sup> Nearly half of the accelerated volumes planned for publication by 1990 missed the 30-year line.

### **"A Burden for the Department": Debating the HAC, 1986-1989**

As HO accelerated *FRUS* production between 1986 and 1990, relations between the Department and the HAC grew increasingly adversarial. The late 1980s clash between the HAC and the CDC illustrated the more general polarization between champions of transparency and guardians of security in American society as the

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<sup>11</sup> Dwight Ambach memorandum (and attached memoranda and talking points), April 14, 1987, Department of State, CDC Lot File 95 D 113, Box 3, Japan 1987-.

<sup>12</sup> Ambach meeting notes, May 19, 1987 and August 19, 1987, Department of State, CDC Lot File 95 D 113, Box 3, Japan 1987-.

<sup>13</sup> See *passim*, Department of State, CDC Lot File 95 D 113, Box 3, Japan 1986 & Previous and Japan 1987-.

<sup>14</sup> For the initial optimism, see Shultz to Reagan, April 30, 1987 and Colin Powell to Shultz, May 6, 1987 in Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985. For the difficulties with NSC clearances, see Melvyn Levitsky to Carlucci, August 7, 1987, Department of State, 1987 P-Reels, P870125-0632 through 0633; Grant Green to Levitsky, August 26, 1987, Department of State, 1987 P-Reels, P870143-2211; and Levitsky to Carlucci, September 9, 1987, Department of State, 1987 P-Reels, P880041-1389; High to Redman, April 5, 1988, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985; and Levitsky to Powell, April 13, 1988, Department of State, 1988 P-Reels, P880099-1178.

<sup>15</sup> Redman to Shultz, June 15, 1988, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985 and Levitsky to Powell (with attached report to Reagan, June 1988), June 24, 1988, Department of State, 1988 P-Reels, P880115-1826 through 1829.

Iran-Contra scandal exacerbated public skepticism of the integrity of the U.S. Government. The HAC's feud with the CDC reflected fundamental disagreements about authority, responsibility, and accountability for the *FRUS* process. Because the HAC claimed authority to ascertain whether *FRUS* provided an objective and comprehensive account of U.S. foreign policy, Committee members demanded access to documents withheld in whole or in part from the series. The HAC considered the Department as a whole responsible for producing *FRUS* and held the entire Department accountable for maintaining its reliability and utility. The CDC bitterly opposed HAC attempts to insert itself into the declassification process. CDC officials considered the HAC mandate limited to affairs under the jurisdiction of the Bureau of Public Affairs. Despite PA and HO efforts to broker a compromise between insistent academics and resentful declassifiers, relations between the HAC and the Department worsened. As HO and PA lobbied Under Secretary Spiers to forge a compromise, officials from CDC and Management Operations (M/MO; later Management Policy, M/MP, and Financial and Management Policy, M/FMP) campaigned to neutralize the HAC. A "civil war within the Department" erupted over whether to placate or terminate the Committee.<sup>16</sup> The contest climaxed in early 1990 when HAC Chair Warren Cohen resigned just as media and congressional criticism of the Iran volume peaked. The resulting "*FRUS* problem" forced the Department to wage its campaign for subordinating transparency to security in a much less hospitable environment.

The *FRUS* acceleration effort encouraged the HAC to evaluate how security and budgetary constraints affected the series. Although concerned about HO's "decompilation" of volumes to meet cost-driven page limits and its growing reliance on microfiche supplements, the HAC focused its attention on the CDC's declassification decisions. The Department rejected HAC proposals to appoint a representative of the academic community to participate directly in the clearance process and serve as an "ombudsman" for U.S. Government transparency or provide a public report describing the clearance process in 1985 and 1986.<sup>17</sup> In advance of the 1986 HAC meeting, Slany worried that CDC intransigence over the Committee's access to classified documents would encourage the HAC to complain about excessive secrecy and make it impossible to "assure the credibility of the Department's publication."<sup>18</sup>

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<sup>16</sup> Slany to High, August 5, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Membership (1989-1990).

<sup>17</sup> Minutes of 1985 HAC meeting, pp. 18-21, Department of State, HAC Lot File 96 D 292, Box 4, Minutes 1985. Instead of a public report, John Burke approved Slany's request to share with the Advisory Committee the CDC's response to the HAC's draft annual report for 1985, which elaborated on his presentation at the November meeting and which Slany described to HAC Chair Warren Kuehl as "the most detailed report about [the CDC's] policies and activities that has been put on paper." See John Burke to Slany, January 16, 1986 attached to Slany to Kuehl, January 22, 1986, Department of State, HAC Lot File 96 D 292, Box 4, Status Report-1985 and Slany to Kuehl, March 17, 1986, Department of State, HAC Lot File 96 D 292, Box 5, [Correspondence 1986].

<sup>18</sup> Kuehl to Slany, September 12, 1986; Slany to High, September 30, 1986; and Slany to Kuehl, October 16, 1986 in Department of State, HAC Lot File 96 D 292, Box 5, [Correspondence 1986].

At the HAC meeting in November, the CDC failed to placate the HAC. With the acceleration schedule projecting output of “more than 50 volumes ... in the next four years.” Slany emphasized the need for pre-publication review to provide early warning if “volumes were flawed in some serious way.” The Committee shared Slany’s objective, but insisted that a meaningful assessment of the series had to investigate “deletions made during the declassification process to determine the accuracy of the remaining record to be published.”<sup>19</sup> In the afternoon session, a team of CDC officers and declassifiers briefed the committee on CDC operations and its clearance decisions for four *FRUS* volumes. Instead of satisfying the HAC, the briefing fueled its demands, both to examine excised documents and to improve editorial practices for alerting readers to deleted material. After “an impassioned exchange” with members of the HAC, CDC reviewer William Galloway fumed that “historians would never be satisfied with the government’s actions or what could be revealed about them” and insisted that “the government must have the last word.” Galloway’s adversarial tone prompted Deputy Assistant Secretary for Public Affairs George High to intervene and explain that, “in the post-Vietnam era[,] the public was not wholly trustful of the government and that it behooved those in public service to be as forthcoming as possible in terms of openness about their work.”<sup>20</sup>

The 1986 HAC meeting set Department officials and Committee members on a collision course. The Committee’s draft report, submitted to HO in February 1987, warned that “we cannot report to our colleagues that *Foreign Relations* is, as historically it proudly has been, as complete and open a record as possible. We hope so, but we cannot be sure.”<sup>21</sup> Deputy Historian Neal Petersen presciently warned that the HAC “nipped very hard on CDC, so hard that it might impair our functional relations with that office, or cause some in the Department to wonder about the Committee’s continued usefulness.”<sup>22</sup> On March 12, Bradford Perkins (Kuehl’s successor as HAC chair) sent Secretary Shultz a slightly revised version of the report and requested an appointment to discuss the HAC’s concerns.<sup>23</sup>

As Petersen feared, the 1986 HAC report sparked conflict within the Department. The struggle pitted HO and PA against the CDC and officials in M and escalated from a debate over the HAC’s access to classified information to threaten

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<sup>19</sup> Minutes of 1986 HAC meeting, p. 7, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes – 1986.

<sup>20</sup> Draft minutes of 1986 HAC meeting (with Ambach comments), pp. 10-12, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes—1986. Compare to Ambach, classified appendix to minutes of 1986 HAC meeting, November 6, 1986, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes—1986.

<sup>21</sup> Bradford Perkins to Slany (with attached draft Perkins to Schultz and draft report of 1986 HAC meeting), January 17, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Report of the Committee – 1986. Perkins’s cover letter to Slany stated that “a few of the [published *FRUS*] volumes raise the question whether or not a full and faithful rendering of the record has been presented.”

<sup>22</sup> Petersen to Slany, February 4, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Report of the Committee—1986.

<sup>23</sup> Perkins to Shultz (with attached report of 1986 HAC meeting), March 12, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting 1987.

the HAC with termination by the fall of 1987. At the end of March, Under Secretary for Management Ronald Spiers affirmed to Perkins that the HAC's views were "a key element" in ensuring that the *FRUS* acceleration effort did not erode the "long standing accuracy and completeness of the series" and recognized the continued value of the academic community's "candid advice and vigorous support" for *FRUS*. He agreed to meet with Perkins in June 1987.<sup>24</sup>

Conflict between HO and the CDC shaped planning for the Spiers-Perkins meeting throughout the spring. Dwight Ambach attributed HAC criticism to "their perceived need to demonstrate ... that they are vigorously pursuing academic community interests [and] ... a lack of realism." "The most useful role the Committee could play," he insisted, "would be to advise HO on the composition of future *FRUS* volumes and selection of topics, leaving details of compilation and clearance to historians and declassifiers."<sup>25</sup> Slany criticized Ambach's guidance as "painfully defensive about the Advisory Committee's recent report and adding enough inaccuracies to almost guarantee that the Perkins meeting will be a waste of time." He explained that the Committee would only endorse the Department's acceleration plan if it could assess the documents removed from volumes by HO or withheld by CDC.<sup>26</sup> The final briefing memorandum to Spiers outlined PA and CDC options echoing starkly divergent views of the role the Committee should play. PA suggested that the HAC receive access to the requested information to evaluate the integrity and comprehensiveness of *FRUS*. CDC advised Spiers to "reiterate ... the Department's determination to maintain the quality and comprehensiveness of the volumes, without offering access to classified information." The CDC wanted the HAC to trust, but not verify.<sup>27</sup>

Although Spiers's meeting with Perkins seemed to enable compromise between the HAC and the Department, officials in M and CDC co-opted the follow-up process. The HAC's critics shifted the intra-Departmental debate away from determining the appropriate level of access for the Committee and toward determining whether to continue the HAC's existence. After meeting with Perkins, Spiers decided to implement, on a trial basis, PA's recommendation to give the HAC access to still-classified materials denied clearance for publication in *FRUS* and solicit HAC comments on "proposed written declassification guidelines." At the same time, however, he called upon PA, CDC, and the Department's legal staff to work with M/MO (Management Operations) to "review ... the activities and membership of the [HAC] to ensure that" the HAC was "fulfilling its purpose of

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<sup>24</sup> Spiers to Perkins, March 30, 1987 and Redman to Spiers, March 25, 1987 in Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting 1987.

<sup>25</sup> Draft Donald Bouchard to Spiers, [no date – drafted May 15, 1987] attached to Ambach to Slany, May 21, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting 1987.

<sup>26</sup> Slany to High (with attached draft Redman to Spiers and talking points), May 27, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting 1987.

<sup>27</sup> Redman to Spiers, June 2, 1987, Department of State, 1987 P-Reels, P870103-1398 through 1404. No record of the Perkins-Spiers meeting has been found.

providing advice, ideas, or recommendations to the Department” and determine whether its “membership [was] balanced in terms of the points of view represented and the functions to be performed.” Spiers supported compromise, but enabled the HAC’s critics in the Department to undermine the Committee’s legitimacy.<sup>28</sup>

During the rest of the year, HO scrambled to defend the HAC against MO and CDC initiatives before the 1987 annual meeting. Despite Slany’s warnings that “fundamental changes in the composition of the Committee would have serious negative consequences for the Department,”<sup>29</sup> Management Operations staff<sup>30</sup> recommended limiting the HAC’s role, broadening its membership, and intensifying Department management over its operations. MO accepted CDC contentions that the HAC “functioned to a considerable degree as a special interest pressure group” lobbying for “professional academic interests ... in disclosure matters [that] are in conflict with government security concerns.” This advocacy, MO warned, “pose[d] unacceptable potential risks to national security and the conduct of foreign relations.” Moreover, MO suspected that the HAC “exacerbated ... the normal healthy differences between A/CDC and PA/HO.” While it concluded that terminating the HAC would be “premature at this time,” MO recommended against “having an advisory committee second guess [the Department’s] informed judgments on declassification.”<sup>31</sup> Slany resisted MO’s analysis. He insisted in October that “the Committee’s role in presenting the outlook of declassification ‘consumers’ is valid and deserves to be strengthened.”<sup>32</sup> In November, Slany accused “Department critics of the Committee and the acceleration of the *FRUS* series” of exploiting the HAC controversy to undermine HO. He accepted that “the present controversy between PA/HO and A/CDC is probably unavoidable” but had “the virtue, if kept within bounds, of providing the Department with nearly automatic control limits to both openness and secrecy.” Maintaining the HAC and devising “mutually agreeable procedures for briefing and limited access to classified

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<sup>28</sup> MO explained that “upon completion of the review, conclusions and recommendations will be presented to Mr. Spiers in a decision memorandum.” See George Moose to Bouchard, Redman, and Abraham Sofaer, July 28, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee M/FMP Proposals.

<sup>29</sup> Slany to High, July 21, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee M/FMP Proposals.

<sup>30</sup> According to an oral history interview of Carl Dillery, the Deputy Director of Management Operations (and the official responsible for MO’s coordination of the HAC review), MO existed to “provide [M] with a little staff so that he could have the horse power to study issues and especially those things that went across bureaus” and so that “he had somebody else who knows something about [a given issue] to bounce [a Bureau request] off and get an independent and nonvested opinion.” See Charles Stuart Kennedy interview with Carl Dillery, March 2, 1994, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004dil02>.

<sup>31</sup> Dillery to High, Slany, Ambach, Hamilton, and Dennis Gallagher (and attached draft memorandum), October 1, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee M/FMP Proposals.

<sup>32</sup> Petersen to Slany, October 2, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Correspondence-1988.

information," HO believed, provided the best means for "the intelligent continuation of this balance."<sup>33</sup>

The impasse over the HAC within the Department alarmed Committee members. When the unresolved internal debate forced the Department to postpone the Committee's 1987 meeting, Perkins warned Slany that "several of your Indians" on the Committee "are restive and are tempted to stray off the reservation" by undertaking a mass resignation to publicize their concerns about the series's integrity. The threat of a public backlash led the Department to defer decisions about the HAC's future until after its next meeting, rescheduled for January 1988.<sup>34</sup>

At the delayed meeting, both sides worked to defuse tensions. Deputy Assistant Secretary High outlined the Department's continuing efforts to respond to the HAC's concerns and steered discussion toward editorial matters that would ease CDC anxieties. HAC members expressed willingness to accept any method for declassifying *FRUS* as long as the Committee had a "mechanism to verify the accuracy and comprehensiveness" of volumes. CDC reviewers again offered detailed, frank, oral briefings about their reviews of specific volumes. This time, Committee members "applauded" the declassifiers' "forthcoming briefings." After praising a "most useful and informative" dialogue with a CDC reviewer, Committee member Robert Dallek urged the CDC to recognize the "extraordinary cynicism in the American public about U.S. foreign policy" and "the need for [public] consensus and support."<sup>35</sup> Committee members pronounced the meeting "a step forward."<sup>36</sup> In its annual report for 1987, the Committee characterized the detail of CDC's briefings as "unprecedented," enabling members to learn "a great deal about the general criteria used by the CDC." The report nevertheless requested that "this method of mutual education and reassurance ... be further developed" to assure that the Committee "received enough information to meet [its] responsibilities."<sup>37</sup>

The era of good feelings, however, lasted only a few months. In the spring of 1988, the CDC acted to undermine HO (and deflect responsibility for *FRUS* delays) by accusing its leadership of mismanaging the series.<sup>38</sup> CDC officials also

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<sup>33</sup> "Review of Advisory Committee on Historical Diplomatic Documentation," revised by Slany, November 2, 1987 attached to Slany to High, November 2, 1987, Department of State, HAC Lot File 96 D 292, Box 5, Correspondence-1988.

<sup>34</sup> Perkins to Slany, October 15, 1987 and chronology in Slany through High to Redman, May 4, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Correspondence-1988.

<sup>35</sup> Minutes of January 1988 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 5, Minutes-1987.

<sup>36</sup> Petersen memorandum, January 11, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Correspondence-1988.

<sup>37</sup> Report of January 1988 HAC meeting attached to Perkins to Shultz, February 19, 1988, Department of State, HAC Lot File 96 D 292, Box 5, 1988-Advisory Committee Report.

<sup>38</sup> Kenneth Hartung to High, April 26, 1988 attached to Machak to Robert Johnson, May 8, 1990 and draft Johnson to G[eorge] Alfred Kennedy, May 9, 1990, Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990. CDC accusations followed on the heels of Deputy Historian Neal Petersen's March 23, 1988 charges of waste and mismanagement in HO under Slany's

transgressed bureaucratic channels by attempting to forge an independent “new dialogue” with HAC Chair Perkins. Amidst deadlock within the Department, Slany briefed Assistant Secretary of State for Public Affairs Charles Redman that “CDC has persuaded M/MO that [the HAC] has become obtrusive and needs to be reined in and restructured.” If this judgment held, he warned, Committee members would conclude that their “usefulness is near an end.” He predicted that the HAC would “probably resign—with some dudgeon” if the deadlock continued.<sup>39</sup>

The HAC conveyed exactly this intention, along with its complaints about the CDC, to Congress. On May 20, Page Putnam Miller, the Director of the National Coordinating Committee for the Promotion of History (an advocacy and lobbying group created by professional historical associations in the early 1980s), wrote to Senate Intergovernmental Affairs Committee Chair John Glenn (Democrat, OH). She solicited congressional assistance to ensure that *FRUS* “adhere to the thirty year time line established by President Reagan and that these volumes present as complete and open a record as possible.” Miller alleged that weak oversight allowed the CDC to “function [in] an extremely slow and cautious manner.” She confided that HAC members, “frustrated that they are being used to rubber stamp and not to advise, are considering resigning en masse” and suggested that “some indication of congressional concern about this problem could be most helpful.” Arguing that “scholars who write contemporary history are a valuable national resource,” Miller concluded that “it is in the best interest of the country to have its contemporary history written on the basis of as much open, nonprivileged information as possible.”<sup>40</sup> As a result of Miller’s letter, Committee on Intergovernmental Affairs staff requested a briefing from CDC officials in the summer of 1988. Until 1990, though, Congress remained passive.<sup>41</sup>

As the academic community lobbied Congress, the CDC convinced Under Secretary Spiers to veto HAC access to classified documents or declassification criteria. When M, MO, and PA agreed to share additional classified information with the HAC in advance of a June 14 meeting between Redman and Perkins, the CDC appealed to Spiers. The Department’s declassifiers attributed the HAC’s intransigence to HO, noting that “eight years ago [Trask] used the HAC (and supporters in Congress) to lobby against the Department’s declassification program after [the coordination] function shifted from HO to CDC . . . . The Department was embarrassed, and suffered.” CDC officials warned Spiers that “further accommodation . . . will only make a bad situation worse for the Department” and

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direction to the Inspector General, although the nature of the complaints differed in the two cases. See Petersen memo, March 23, 1988 attached to Dillery to Spiers, August 4, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

<sup>39</sup> Slany through High to Redman, May 4, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Correspondence-1988.

<sup>40</sup> Page Putnam Miller to John Glenn, May 20, 1988 attached to Dillery to Spiers, August 4, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

<sup>41</sup> Dillery to Spiers, August 4, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

predicted “that the Department will suffer again” unless the HAC accepted that it must “serve the Department’s expressed needs rather than the interests of the academic organizations it represents.”<sup>42</sup> The week before Redman’s meeting with Perkins, Spiers revised his guidance to Redman to accord with CDC preferences.<sup>43</sup>

The CDC received further reinforcement for its position on the eve of Redman’s meeting. On June 13, Slany informed PA that HAC member Deborah Larson made comments at a SHAFR panel (on which a CDC reviewer also participated) that “may have come up to the line of disclosing classified information, or ... may have actually passed over it.” Slany urged Redman to convey to Perkins at his meeting that “Prof. Larson’s public discussion of the contents of an oral declassification briefing works against the Committee’s expectations to access to still-classified documents.”<sup>44</sup> During their June 14 meeting, Redman informed HAC members Perkins and Warren Cohen that the Department would not grant the level of access requested by the Committee. Redman declared that “the Committee’s concerns about the Department’s declassification procedures cannot be allowed to become an investigative effort.” Consigned to the defensive by Larson’s indiscretion, Perkins and Cohen agreed that the Department “should have the chance to make a good faith effort” to satisfy the HAC’s requirements within the framework of oral CDC briefings.<sup>45</sup> Despite the HAC’s frustration over having to “operate in the dark,”<sup>46</sup> it was prepared to see if the Department’s refinements to existing consultative mechanisms could work effectively before taking public action.

In the aftermath of Redman’s meeting with Perkins and Cohen, the Department prepared to crack down on the HAC. Immediately after the meeting, Slany was hopeful that “the dust has settled a bit” from “a bad patch—civil war in the Department over the role of the Advisory Committee and revolt among the Committee members.”<sup>47</sup> Slany’s optimism was misplaced. Despite the HAC’s

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<sup>42</sup> Richard Faulk to Spiers, June 2, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting-1988.

<sup>43</sup> Spiers to High and Hartung, June 9, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Perkins, Bradford Meeting-1988.

<sup>44</sup> Slany through High to Redman (and attached Noring memorandum, June 13, 1988), June 13, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Perkins Bradford Meeting-1988. After Redman’s meeting with Perkins and Cohen, High reported to MO and CDC that Larson had resigned from the Committee. See High to Dillery, Hartung, and Ambach, June 23, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Perkins Bradford Meeting-1988.

<sup>45</sup> Memorandum of conversation between Perkins, Warren Cohen, Redman, High, and Slany, June 14, 1988 (attached to High to Dillery, Hartung, and Ambach, June 23, 1988), Department of State, HAC Lot File 96 D 292, Box 5, Perkins Bradford Meeting-1988. See also Slany’s handwritten meeting notes and Slany through High to Redman (with attached talking points), June 13, 1988 in Department of State, HAC Lot File 96 D 292, Box 5, Perkins Bradford Meeting-1988.

<sup>46</sup> See, for example, Warren Cohen’s concluding remarks in his review of *Foreign Relations of the United States, 1952-1954*, Vol. XII, Pt. 2, East Asia and the Pacific in *Journal of American History* (December 1988), pp. 1027-1028.

<sup>47</sup> To sustain the constructive trajectory, he advised PA to begin laying the groundwork to implement some of the MO suggestions by “sounding out the American Economics Association and the Society of American Archivists on their willingness to join the Committee.” If this was undertaken

willingness to compromise, Spiers was tired of the protracted debate over its role. In early July, he decided that of the “whole area” of the relationship between the CDC, HO, and the HAC “needs review . . . . Right now it is entirely unsatisfactory & I don’t trust any of the present players fully. We need to look at objectives, procedures & resources” to determine the future of the Department’s *FRUS* program. Spiers asked Carl Dillery, a trusted troubleshooter and deputy chief of MO, for advice.<sup>48</sup>

A month later, Dillery counseled Spiers to “return the [Committee] to a useful, constructive role.” He portrayed the Advisory Committee as a “pressure group” reflecting a “‘publish or perish’ academic environment” that “presented [Committee members] a clear conflict between their advisory duties and their own professional interests, and put them in an adversarial relationship with those responsible for safe-guarding national security information.” Dillery suggested that the Department revise the HAC charter to proscribe its “virtual obsession with the issue of declassification,” remove its “PR function,” and broaden its membership “to . . . promote challenge and debate rather than self-serving unanimity in the HAC meetings.” Since “academicians have no special experience to qualify for second guessing bureau desk officers or CDC professionals” on clearance decisions, Dillery saw no reason to expand the Committee’s access to classified material. To emphasize the stakes of the Department’s decisions regarding the HAC, Dillery cited Miller’s letter to Glenn as “an indication of how far the committee is willing to go in confronting the Department.” Noting complaints to the Inspector General about Slany’s mismanagement lodged by Deputy Historian Neal Petersen, he also wondered whether the Department should conduct an Inspector General investigation or initiate “a change in management direction” to prevent troubles within HO from “undercut[ting] efforts to correct the HAC’s relationship with the Department.”<sup>49</sup> Just as the CDC employed criticism of Slany’s management of HO to retaliate against his support for the HAC, Dillery used Petersen’s complaints to undercut the HO/HAC position. Spiers approved Dillery’s recommendations.<sup>50</sup>

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alongside “careful preliminary discussions . . . with the existing organizations represented,” PA could placate critics of the HAC within the Department by broadening its scope without alienating existing constituencies. See Slany to High, August 5, 1988, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Membership (1989-1990).

<sup>48</sup> R[onald Spiers] to Mary [Ryan], July 7, 1988 and Ryan to Dillery, July 11, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

<sup>49</sup> Dillery to Spiers, August 4, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988. The Inspector General did not undertake an investigation of HO in 1988, though its 1990 report on PA concluded that “it is time for far greater bureau oversight of and support for the historian’s office.” The inspection identified “serious management problems in PA/HO,” including “trouble engaging in prior planning, meeting deadlines, utilizing staff efficiently, and communicating both within HO and with other offices.” These deficiencies sapped staff “trust and esprit . . . causing [HO] to register the lowest morale in the entire bureau.” See “Report of Inspection: The Bureau of Public Affairs,” October 1990, Department of State, ISP/I-91-2.

<sup>50</sup> R[onald Spiers] to Larry [Grah], August 4, 1988 and Grah to Dillery, August 10, 1988 in Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

In September 1988, Spiers implemented Dillery's plan.<sup>51</sup> Spiers expressed concern to Redman that continuing disagreement with the HAC "could pose serious public relations problems for the Department" and doubt that "further efforts to satisfy the committee's requests ... will solve the problem." He advised PA to focus the HAC's attention on "substantive issues directly related to the content of the *FRUS* volumes," ensure that the Committee served the Department, and broaden its membership to prevent it from acting as "a special interest pressure group." Spiers asked Redman to cooperate with MO to revise the Committee's charter in advance of the upcoming November HAC meeting.<sup>52</sup> In response, Redman emphasized the progress made since the January meeting to satisfy "the legitimate concerns of [the] Committee," which included "assuring the diplomatic history community of the Department's commitment to an accurate, objective, and comprehensive historical record." This responsibility gave the HAC "a legitimate interest in declassification procedures."<sup>53</sup>

Over the next two months, the Department temporized. In October, PA succeeded in deferring an MO-requested Inspector General investigation of the HAC "pending conclusion of ongoing discussions."<sup>54</sup> On November 8, Dillery reported to Spiers that, after two months of work, his staff and PA "have been unable to agree on a set of charter revisions and a strategy for achieving our objectives with the committee." During that time, however, Dillery had been "persuaded" by "PA's strong view ... that the effort to change the charter would be counter-productive and politically embarrassing." Rather than risk public relations problems, Dillery advised Spiers to take a wait-and-see approach. If PA followed through on taking a "more assertive management role," and if parallel CDC efforts cultivated academic community confidence in its activities, Dillery hoped, "we may have been through the worst of Committee abuse of its position." Nonetheless, he urged Spiers to give Redman a "pointed reminder of his responsibility to manage the HAC in a way which will minimize abuses."<sup>55</sup> For its part, the CDC counseled Spiers to reject Redman's assurances and to disabuse the HAC's pretensions to "review of the Department's declassification activities."<sup>56</sup>

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<sup>51</sup> Dillery to Spiers, September 15, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

<sup>52</sup> Spiers to Redman, September 16, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 16-20, 1988.

<sup>53</sup> Redman to Spiers, September 23, 1988, Department of State, M Chron Lot File 90 D 066, Box 6, Sept. 26-30, 1988 and Redman through Dillery to Spiers, November 2, 1988, Department of State, M Chron Lot File 90 D 066, Box 7, Nov 7-10, 1988.

<sup>54</sup> Chronology attached to Slany through Kim Hoggard and Kennedy to Margaret Tutwiler, March 2, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Correspondence & Memos.

<sup>55</sup> Dillery to Spiers, November 8, 1988, Department of State, M Chron Lot File 90 D 066, Box 7, Nov 7-10, 1988.

<sup>56</sup> Sheldon Krys to Spiers, November 14, 1988, Department of State, M Chron Lot File 90 D 066, Box 7, Nov. 14-16, 1988.

Spiers followed Dillery's wait-and-see recommendation, renewing the Committee's charter<sup>57</sup> without major changes on November 10. In doing so, he asked PA to "manage the Committee with more purpose and persistence than has perhaps always been the case." He warned that the Committee's last report "provided ample evidence that the status quo is unsatisfactory" and urged PA and HO "to tell the Committee exactly what you want from it." Spiers concluded ominously: "I am prepared to revoke the Committee's charter at any time should its activities pose a burden for the Department as a whole which can no longer be justified by the benefits PA receives from its continued existence."<sup>58</sup> Although Spiers preferred to avoid a messy conflict with the HAC, he would not concede the Committee's competence to assess declassification decisions.

Between November 1988 and November 1989, the HAC enjoyed a well-timed rapprochement with the Department. At the December 1988 annual meeting, Warren Cohen, the new HAC chair, noted that the Committee disagreed with the Department about the scope of its mandate. However, he agreed "to set [access issues] aside to concentrate on the pressing issues confronting the *Foreign Relations* series as it moves into the 1960s . . . . He and the Committee felt a new spirit of cooperation on all issues, and they were generally encouraged."<sup>59</sup> Dillery reported to Spiers that PA "did a good job at the annual HAC meeting" and forecasted that "this potentially controversial situation has cooled off a bit at least for the time being."<sup>60</sup> The HAC's subsequent report maintained that only full access to excised and denied documents would "restore full trust and credibility," but proclaimed that "the Committee is prepared to try" by continuing to rely upon the CDC's "detailed and helpful briefings."<sup>61</sup> After the transition in PA leadership following George H.W. Bush's victory in the 1988 Presidential election, Slany urged the new Assistant Secretary for Public Affairs, Margaret Tutwiler, and High's successor as Senior Deputy Assistant Secretary of State, Kim Hoggard, to broaden the HAC membership by inviting the American Economics Association, the Society of American Archivists, and the International Studies Association to join the Committee. Slany hoped this

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<sup>57</sup> Following general Department procedures for its advisory committees, the HAC's charter must be renewed every two years. This usually occurs as a routine matter that involved no substantive changes.

<sup>58</sup> Spiers to Redman, November 10, 1988, Department of State, 1989 P-Reels, P890058-1591. The renewed charter can be found in Department of State, HAC Lot File 96 D 292, Box 5, 1988-Charter (Advisory Committee).

<sup>59</sup> Minutes of December 1988 HAC meeting, Department of State, HAC Lot File 96 D 292, Box 5, 1988-Minutes of the Advisory Comm.

<sup>60</sup> Dillery to Spiers, December 21, 1988, Department of State, M Chron Lot File 90 D 066, Box 8, Dec. 19-21, 1988. See also Redman to Spiers, December 15, 1988, Department of State, M Chron Lot File 90 D 066, Box 8, Dec. 7-16, 1988.

<sup>61</sup> Report of December 1988 HAC meeting, Department of State, 1989 P-Reels, P890097-1170 through 1173 attached to Cohen to James Baker, March 7, 1989, Department of State, 1989 P-Reels, P890097-1168 through 1169.

would satisfy Dillery's request to expand the HAC's membership.<sup>62</sup> Slany's new superiors approved his plan and, in the summer of 1989, successfully lobbied M/MP to appeal an Office of Management and Budget recommendation to terminate the HAC as part of a general initiative to eliminate unnecessary federal advisory bodies.<sup>63</sup>

In the run-up to the HAC's 1989 annual meeting, Slany urged Deputy Assistant Secretary of State for Public Affairs George Kennedy to participate as fully as possible so he could "set the tone of what the Department wants from the Committee." In that vein, Slany briefed Kennedy on the CDC's longstanding "sharp conflict with the Advisory Committee." He observed that "these relations have improved over the last six months, thanks to some of the declassification leaders, but the management of the issue requires constant attention."<sup>64</sup> In fact, FPC (the Office of Freedom of Information, Privacy, and Classification Review—the CDC's bureaucratic successor after the summer of 1989) efforts to improve relations with the Committee proved disastrous at the upcoming meeting. According to HO's later reconstruction of events, the acting head of FPC, Eugene Bovis, had offered some degree of access to secret Department of State documents withheld from *FRUS* during the summer.<sup>65</sup> Unfortunately, one of Bovis's deputies scuttled this tentative resolution to the HAC-Department feud. "Mr. [Richard] Morefield, the principal action officer on the declassification of *Foreign Relations* volumes," Slany later reported, "decided that he after all did not have authority to release classified documents to Committee chairman Cohen or anyone else on the Committee" despite their security clearances.<sup>66</sup> The resulting confusion "jeopardized the positive

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<sup>62</sup> Slany through Hoggard to Tutwiler, June 1, 1989, Department of State, Bureau of Public Affairs, Front Office Files, 1989-1990 (Lot File 93 D 287) (henceforth PA Lot File 93 D 287), Box 1, *FRUS-Advisory Committee 1990 Activities & Members*.

<sup>63</sup> Slany through Hoggard to Tutwiler (with attached draft Tutwiler to Dillery, July 20, 1989; Susan Tait to All Advisory Committee Executive Secretaries, [no date]; Bill McQuaid to Committee Management Officers, and review of HAC, June 27, 1989), July 20, 1989 and Slany through Hoggard to Tutwiler (with attached revised draft Tutwiler to Dillery, July 26, 1989), July 25, 1989 in Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee M/FMP Proposals.

<sup>64</sup> Slany to Kennedy, October 6, 1989, Department of State, PA Lot File 93 D 287, Box 1, *FRUS-Historical Advisory Committee 1989*.

<sup>65</sup> Chronology attached to Slany through Hoggard and Kennedy to Tutwiler, March 2, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Correspondence & Memos. A slightly earlier HO attempt to reconstruct CDC/FPC promises to Cohen was more guarded, reporting that, according to Bovis, "the tone of the [August] meeting was conciliatory but no commitment was made at that time to show the Committee the documents." See Glennon to Kennedy, February 20, 1990, Department of State, PA Lot File 93 D 297, Box 1, *FRUS-Advisory Committee 1990 Activities & Members*.

<sup>66</sup> According to a later account, Morefield and the FPC "determined" some time in the fall of 1989 "that for the Department to give permission [for the HAC to see classified documents], three criteria had to be met: the Committee's need to know had to be established; the Committee's level of security clearance had to be defined (the Committee has only a Secret clearance); the question of other agency permission for the Committee to look at non-DOS documents had to be pinned down." The FPC concluded "that there was insufficient time before the November 1989 meeting to obtain for the Committee a Top Secret clearance or to secure other agency clearances to see non-DOS documents.

dialogue” that had arisen between the Department and the Committee in advance of a pivotal HAC meeting.<sup>67</sup>

### **The *FRUS* Problem: The Iran Volume and Warren Cohen’s Resignation**

The Iran, 1951-1954 volume<sup>68</sup> demonstrated how the erosion of transparency and the subsequent compromises made to accelerate *FRUS* production jeopardized the integrity and purpose of the series during the 1980s. Coupled with the fallout from Warren Cohen’s resignation in 1990 (discussed below), the Iran volume illustrated a “*FRUS* problem” that inspired the academic community, the media, and Congress to act to renegotiate responsible historical transparency and defend the *Foreign Relations* series in 1990 and 1991.

The Iran volume presented two separate but interrelated challenges that highlighted HO’s untenable position in the 1980s. First, Anglo-American consultation and collaboration in addressing challenges posed to Western security and economic interests in Iran had grown so close in 1952 and 1953 that it was impossible for *FRUS* compilers to document U.S. policy without including British equities. Secondly, this cooperation culminated in a publicly-known covert operation that the United States Government did not want to officially acknowledge. The sensitivity of relations with Iran during and after the Islamic Revolution of 1978-1979 exacerbated both of these problems. Policies to protect intelligence activities and records containing sensitive foreign government information made it impossible for the Department of State and the U.S. Government to publish an Iran volume that conformed to *FRUS* standards for responsible historical transparency.

Shortly after Department historians compiled the 1951 and 1952-1954 Iran volumes, diplomatic considerations complicated their clearance and publication. The 1952-1954 compilation was completed by the end of 1976 and HO submitted it for Department clearance in the summer of 1978.<sup>69</sup> Amidst the turbulent strikes and mass protests that gripped Iran in the autumn of 1978, U.S. officials confided to British policy planners that “State Department records for the years between 1952 and 1954” were under review for release, “with possibly damaging consequences for the UK as well as the Shah.” Henry Precht, the Department of State country director

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Therefore, at best the Committee could see only DOS documents which were Secret or Confidential.” See Glennon to Kennedy, February 20, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members. Morefield was one of the hostages taken at the U.S. Embassy in Tehran in 1979.

<sup>67</sup> Noring to Slany, October 31, 1989, NARA, RG 59, Entry UD-WX-595: Bureau of Public Affairs, Office of the Historian, *FRUS* Clearance Files, 1945-1957 (96 D 068) (henceforth *FRUS* Clearance Lot File 96 D 068), Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder) and Slany to Hoggard, November 21, 1989, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Historical Advisory Committee 1989.

<sup>68</sup> *Foreign Relations of the United States, 1952-1954, volume X, Iran, 1951-1954* (Washington, D.C.: Government Printing Office, 1989).

<sup>69</sup> M. P[aul] C[laussen] note, March 26, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian’s Office 1979.

for Iran, warned that the documents, “if released[,] ... would [have] some very embarrassing things about the British in them.”<sup>70</sup> Precht promised the British that he would “continue to sit on the papers” and HO agreed to defer “final” clearance of the Iran compilation until “mid-1979.”<sup>71</sup>

Near the end of the year, British diplomats consulted directly with HO historians about the *FRUS* declassification process. John Glennon (then the Associate Historian for Asia, Africa, and the Pacific) and Paul Claussen (then the Chief of the African and Southwest Asian Group) confirmed that, under existing procedures, only British-origin documents would be cleared with London before publication. Any U.S. documents containing British information would be reviewed for release by U.S. officials. The HO memorandum of conversation noted assurances that “*Foreign Relations* volumes were not regarded as ‘scoops’ by reporters interested in sensational developments.” In contrast, the British account of this December meeting emphasized the various veto points that could be leveraged to delay the release of the 1952-1954 Iran documents.<sup>72</sup> Shortly after the 1979 hostage crisis began, the Department postponed clearance review of both the 1951 and 1952-1954 Iran volumes.<sup>73</sup>

After the release of the American hostages in January 1981, the Department resumed mandatory and systematic clearance reviews of Iran-related materials, including the two postponed *FRUS* compilations. Henry Precht co-drafted clearance guidelines that Deputy Assistant Secretary of State for Near Eastern Affairs (NEA) Peter Constable forwarded to Clayton McManaway and CDC on February 10, 1981. The first of NEA’s guidelines was “no release of documents that would reveal intelligence sources, methods, plans or operations.” NEA also identified specific goals for *FRUS*. Noting that “a simplified and distorted version of the events of this period has become political dogma in Iran and elsewhere,” the guidelines expressed hope that “the release of the full diplomatic record would help provide a better balance in accounts of our role.” Reflecting Precht’s earlier conversations with the British, however, NEA advised that “it will be essential to cover our dealings with the British. To exclude the story of US-British cooperation on Iran

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<sup>70</sup> Summary record of British-American planning talks and B.L. Crowe memo, October 12, 1978, Documents 22 and 23 in Byrne, NSA Electronic Briefing Book 435, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB435/docs/Doc%2022%20-%20October%2010-11.pdf> and <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB435/docs/Doc%2023%20-%20October%2012.pdf>. We are indebted to Malcolm Byrne for sharing these documents with the Office of the Historian in 2011.

<sup>71</sup> M. P[aul] C[laussen] note, March 26, 1979, NARA, RG 59, PA Lot File 82 D 297, Box 6, The Historian’s Office 1979.

<sup>72</sup> Richard Muir to Robin Gorham, December 22, 1978, Document 33 in Byrne, Electronic Briefing Book 435, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB435/docs/Doc%2033%20-%20December%2022.pdf>; memorandum of conversation among Muir, H. L. Dufour Woolfley, Glennon, and Claussen, December 21, 1978, NARA, RG 59, Kogan Papers Lot File 83 D 230, Box 2, Foreign Gov. Inf: Great Britain. We are indebted to Byrne for sharing the British document with the Office of the Historian in 2011.

<sup>73</sup> Baehler to Trask, June 13, 1980, Department of State, *FRUS* Clearance Lot File 04 D 114, Box 3, Dissent Channel Package (1980).

will not give a true picture of US decisions. We suggest that the Department consult with the FCO [U.K. Foreign and Commonwealth Office] to work out practical arrangements for possible release of documents from this record."<sup>74</sup> Although NEA professed eagerness to release the "objective" history of U.S. relations with Iran, its declassification guidelines and insistence on coordinating with British officials who had already expressed misgivings about the planned volumes prevented the release of documentation concerning some of the key activities undertaken by the U.S. Government in Iran between 1951 and 1954.

Anglo-American declassification consultations took place in July 1981 under the procedures for clearing FGI established in the aftermath of the 1980 re-review. In a meeting with British diplomats and declassification reviewers, CDC and EUR officials explained that, in their review of the Iran compilations for 1951 and 1952-1954, "we are concerned partly about the possible impact on our relations with Iran in the future. But even more than that, we are concerned to avoid possible ill effects on our close relationship with the UK." Echoing the NEA guidelines, they admitted "it would be virtually impossible to give a fair and comprehensive report on our own role without revealing the British role as well. Given the closeness of our liaison during this period, coupled with ubiquitous evidence of our disagreements," the U.S. participants hoped consultation would allow both countries to protect contemporary interests and relationships. The Americans invited their British counterparts to veto publication of material that the Department already knew London preferred not to see published.<sup>75</sup> The British obligingly reported that they were "reviewing the records of this era with extreme care" and agreed that, "in this case, it is clear that records of sensitive discussion among officials of the two countries must be withheld beyond the thirty-year line."<sup>76</sup>

As Department officials met with the British, HO worked to complete the volume. In the spring of 1981, HO proposed declassification of additional documents obtained from the CIA.<sup>77</sup> In the summer of 1982, the CDC updated Glennon that declassification was "held-up" by "UK sensitivity, UK docs, UK fgi."<sup>78</sup> At the end of 1982, HO combined the 1951 and 1952-1954 Iran compilations so that publication of the 1952-1954 Egypt compilation could move forward.<sup>79</sup> In January 1983, the CDC

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<sup>74</sup> Peter Constable to McManaway, February 10, 1981, Department of State, 1981 P-Reels, P810069-1519 through 1520 attached to Tracy through Richard Kennedy to Walter Stoessel, April 2, 1981, Department of State, 1981 P-Reels, P810069-1517 through 1518.

<sup>75</sup> Pickering talking points, July 13, 1981 attached to McManaway to Eagleburger, July 24, 1981, Department of State, CDC Lot File 95 D 113, Box 4, UK 1.

<sup>76</sup> Memorandum of conversation among Blayney, Carrick, McManaway, Pickering, Campbell, and Galloway, July 13, 1981 attached to McManaway to Eagleburger, July 24, 1981, Department of State, CDC Lot File 95 D 113, Box 4, UK 1.

<sup>77</sup> Baehler to Pickering, March 31, 1981, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>78</sup> [John] P G[lennon] note, July 28, 1982, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>79</sup> Slany to Margie Wilber, December 23, 1982, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

denied clearance of the supplemental documents from CIA “because they reveal sensitive intelligence activities, sources, and methods.”<sup>80</sup> Just days afterward, the CDC forwarded 139 other documents to the British Embassy for clearance decisions. The package included the CDC’s proposed excisions and denials “as a means of suggesting the margins of our criteria.”<sup>81</sup>

While the Department solicited official British views, HO staff crossed the Atlantic to investigate released British records. Historian Nina Noring confirmed that documenting U.S. policy toward Iran from 1952 to 1954 required telling the British story. “Even before the Brits were kicked out of Iran,” she explained, “the 2 countries were working almost as 1 team to resolve the oil dispute, with numerous documents being passed back & forth, joint reports being written by the 2 Ambassadors in Tehran, with the result that many US docs were incomprehensible w/out seeing Brit docs.” Noring described the British records as “looking at the same thing from the other side of a mirror.”<sup>82</sup> In April, HO passed along the material gathered at the Public Records Office to the CDC in the hope it would “prove useful” as the Department completed its declassification review.<sup>83</sup>

The CDC’s preliminary review, completed in August 1984, gutted the volume. CDC denied clearance to “a good deal of substance ... particularly re[garding the] Mossadeq ouster.” HO analysis indicated that “many [excisions] appear to be short passages & relate to Br[itish] fgi matters.” In total, the CDC denied 28 documents and excised another 83. The CDC decision, Glennon concluded, “requires a long look in context of all the galleys as to whether we feel enough is left to go ahead.”<sup>84</sup> Noring agreed that “some of the denials & excisions were excessive.”<sup>85</sup> Responding to an inquiry from John Lewis Gaddis, a leading Cold War historian, who asked “if [the Iran volume] would go the way of the Guatemalan volume” at the November HAC meeting, Glennon responded “one would find more in it than the Guatemalan volume but not everything a historian would want” and that “the deletions ... were

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<sup>80</sup> Floweree to Baehler, January 7, 1983, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>81</sup> Floweree to Gomersall, January 11, 1983, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder). The British response, “U.K. Foreign Office (Blayney) letter dated November 10, 1983 to Stephen Gomersall, U.K. Embassy,” referenced in the final CDC clearance memorandum, has not been found. See Morefield to Slany, September 20, 1988, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>82</sup> Nina [Noring] to John [Glennon], February 15, 1984, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>83</sup> Glennon to Hamilton, April 26, 1984, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>84</sup> J[ohn] P G[lennon] note, August 9, 1984 and Bardach to Slany (with attached lists of deletions), August 10, 1984 in NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>85</sup> J[ohn] P G[lennon] note, October 5, 1984, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

made largely because of information obtained from Great Britain.”<sup>86</sup> HO scored a small victory when the CDC restored two publicly-available documents to the compilation in February 1985, but the volume remained woefully incomplete.<sup>87</sup> After interagency clearances delayed by the NSC’s Iran-Contra bottleneck were completed in the summer of 1988,<sup>88</sup> the Department conducted a final review of the manuscript using the same guidelines that NEA forward to the CDC in 1981.<sup>89</sup> HO accepted the clearance decisions on September 20, “before anything happened to close the ‘window of opportunity.’”<sup>90</sup>

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<sup>86</sup> Minutes of 1984 HAC meeting, p. 13, Department of State, HAC Lot File 96 D 292, Box 4, Report-1984-Minutes.

<sup>87</sup> Suzanne Coffman to Glennon, December 27, 1984; Slany to Bardach, January 11, 1985; and Bardach to Slany, February 4, 1985 in NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder). Since *FRUS* had never acknowledged, let alone documented, a covert operation, the concept of a “traditional” standard of comprehensiveness remained ambiguous in the 1980s. Although the Guatemala and Iran volumes were unarguably incomplete, security-minded officials could credibly claim that they provided the traditional scope of documentation.

<sup>88</sup> In September 1985, the CDC submitted 36 pages of material to the CIA. The Agency completed its review by the end of November. In early December, CDC forwarded 25 documents for the period 1952-1954 to the NSC to supplement the 20-document 1951 Iran compilation that had already been transmitted to the NSC. While awaiting NSC clearance, Glennon “decompiled” the entire Iran, 1951-1954 volume in January 1987 to make “cuts necessary to bring [it] to agreed length of 1000 pages” for optimal GPO processing. The NSC did not respond until the summer of 1988, when it made additional excisions to four documents to remove “very sensitive” information and protect issues “currently under review and/or discussion.” In response to HAC criticism of the volume after it was released, Glennon implied that the CIA review eliminated material (provided by the Agency) that corroborated Kermit Roosevelt’s account of the covert operation against Mossadeq in *Countercoup: The Struggle for the Control of Iran* (New York: McGraw-Hill, 1979), but released CIA records do not clarify whether informal consultations with the CDC helped guide the Department of State excisions before documents were submitted for CIA clearance in September 1985. In any event, the 1981 NEA guidelines and the CIA’s discussions about release policies with CDC reviewers in 1981-1982 left little room for intelligence equities to survive the Department review. See J[ohn] P G[lennon] note, September 18, 1985 and [name redacted] to Ambach, November 26, 1985 in NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder) (also in CREST, CIA-RDP87-00181R000100050004-9); [name redacted—Director of Information Services] to Deputy Director for Administration and Chief, DCI History Staff, November 26, 1985, CREST, CIA-RDP88G00186R000901170001-7; Ambach to Reger, December 5, 1985; John Glennon note, January 5, 1987; and Nancy Menan to Morefield, July 21, 1988 in NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder); and minutes of 1989 HAC meeting, p. 18, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes—1989-1990 and Slany to MacDonald [sic], August 17, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Correspondence & Memos.

<sup>89</sup> Morefield to Richard Murphy, August 4, 1988 and Morefield to Slany, September 20, 1988 in NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder).

<sup>90</sup> Slany to Morefield, September 20, 1988, NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder) and Slany to MacDonald [sic], August 17, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Correspondence & Memos.

To the consternation of the HAC, HO did not follow the precedent of the Guatemala volume by including a disclaimer in the incomplete Iran volume. In its 1988 report to the Secretary of State, the HAC had registered its “uneasiness about how well the series will represent the reality of American foreign relations when the bulk of covert actions ... is omitted.” When documentation of a significant covert operation could not be printed in a *FRUS* volume, the HAC demanded, “at [a] minimum, ... a disclaimer in the published volume indicating that operations beyond the purview of the Department ... were involved.” The HAC warned that “to do less would approach fraud—and subvert the credibility of the series.”<sup>91</sup> After the HAC criticized the volume in November 1989, Glennon explained that “there was a question as to whether we could clear a meaningful disclaimer.”<sup>92</sup> There is no evidence, however, that HO tried to do so. Glennon later rationalized that “the very mention of covert action in any disclaimer [would have become] itself non-declassifiable.”<sup>93</sup> The fateful volume lacked any editorial warning that significant material had been withheld when it was released on June 19, 1989.<sup>94</sup>

The Iran, 1951-1954 *FRUS* volume exposed all the compromises made to adapt to the erosion of transparency and accelerate the series during the 1980s. Between 1978 and 1984, Department officers in geographic bureaus and the CDC made judgments about the sensitivity of historical documents and the necessity of consultation with the British that eviscerated the Iran volume. The Department’s self-censorship exemplified, but also obscured, the restrictive impulses toward historical transparency that prevailed throughout the U.S. Government. During the 1980s, declassification reviewers in other federal agencies such as the CIA, Department of Defense, and NSC did not have to apply a very heavy hand to sanitize documents already excised by State reviewers. At the same time, the Department’s transfer of the interagency declassification coordination function from HO to the CDC in 1981 left *FRUS* historians and the HAC uninformed about who made critical decisions. After blame settled—incorrectly—on the CIA, HO and the HAC misapprehended the source of the problems they encountered during the 1980s and attached unrealistic hopes to the solutions devised in 1991.

The Historian’s Office shared responsibility for the Iran volume debacle. *FRUS* historians could have been more assertive in their efforts to promote greater

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<sup>91</sup> Report of the 1988 HAC meeting, Department of State, 1989 P-Reels, P890097-1170 through 1173 attached to Cohen to Baker, March 7, 1989, Department of State, 1989 P-Reels, P890097-1168-1169.

<sup>92</sup> Minutes of 1989 HAC meeting, p. 19, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes – 1989-1990.

<sup>93</sup> John Glennon memo, January 5, 1990 attached to J[ohn] P G[lennon] to W[illiam] Z S[lany], March 7, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Warren Cohen Resignation.

<sup>94</sup> Morefield to Glennon, May 25, 1989; Slany to Michael Privitera (with attached volume summary), June 15, 1989; “PR No. 117,” June 15, 1989 in NARA, RG 59, *FRUS* Clearance Lot File 96 D 068, Box 6, *FRUS*, 1952-1954, Vol. X, Iran (clearance folder) and Secretary of State to All Near Eastern and South Asian Diplomatic Posts and U.S. Embassy London, June 19, 1989, Department of State, SAS, 1989 STATE 193721.

openness in the 1980s. They should have recognized that the Iran volume was too incomplete to be published without damaging the series's reputation, consulted with stakeholders across the government and the academic community, and devised alternatives to releasing an unacceptable volume. Instead, HO pursued the tantalizing prospect of accelerating *FRUS* offered by the staff study and the Presidential directive. By the mid-1980s, Department of State historians embraced a program of publishing incomplete volumes to improve the timeliness of the series. Their efforts to satisfy the academic community's demands to accelerate the series incrementally compromised the integrity of *Foreign Relations* and helped to spark the crisis that gripped *FRUS* in 1990 and 1991.

That crisis began on November 16, 1989, one week after the fall of the Berlin Wall.<sup>95</sup> The fateful 1989 annual HAC meeting began smoothly. At the outset of the first session, Warren Cohen "thanked Mr. Bovis and Mr. Morefield for being cooperative in past misunderstandings regarding the classification/ declassification procedures." The FPC's briefing during the afternoon session also proceeded smoothly until Cohen "asked if he could see the documents which were described in this session, those that were not Top Secret or other-agency documents." Morefield responded negatively. He reported that "the Committee had only Secret clearances, and most of these documents were Top Secret and non-Department of State documents. All the Committee would be able to see were just a few of the least impressive [documents] and he was not sanguine that they could see even these." Cohen immediately objected that HDR's response violated "the bargain that had been struck with the Department" and "stressed that the integrity of the series demanded that the Committee insist on seeing these deletions." Morefield ultimately refused to provide the HAC access to any denied materials during the meeting.<sup>96</sup>

The Iran volume provided a stark backdrop for Cohen's outrage at the FPC's refusal to allow the HAC to assess the integrity of the series. The volume's failure to document U.S. involvement in the overthrow of Mossadeq was exactly the kind of damaging gap in *FRUS*'s comprehensiveness that the HAC had worried about since the implementation of the acceleration plan in 1986. The volume's publication redoubled the Committee's determination to play a stronger role in assessing volumes before publication, either to urge HO to delay incomplete volumes until more favorable clearance decisions could be secured or to insist that they include disclaimers that could provide marginal protection for the general reputation of the

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<sup>95</sup> For a survey of U.S. foreign policy from 1989 to 2001, see Derek Chollet and James Goldgeier, *America Between the Wars, From 11/9 to 9/11: The Misunderstood Years Between the Fall of the Berlin Wall and the Start of the War on Terror* (New York: PublicAffairs, 2008).

<sup>96</sup> Minutes of 1989 HAC meeting, pp. 3-13, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes—1989-1990. See also Slany's post-meeting report to PA, where he reported "the current declassification leadership first sought to avoid acknowledging the information agreement with Prof. Cohen, then suggested that the Committee's security clearance was incomplete, and finally explained that it lacked authority to provide the expected access." Slany through Kennedy to Hoggard, November 22, 1989, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Historical Advisory Committee 1989.

series. The FPC's retreat from the muddled assurances that it had offered Cohen during the summer could not have been more disastrously timed.

The day after Morefield refused to share classified documents with the Committee, the HAC assessed the Iran volume. The Committee commissioned Bruce Kuniholm, an Iran expert who served in the Department's Policy Planning Staff in 1979-1980 before he became a professor of public policy and history at Duke, to review the volume. Kuniholm "concluded that the publication of ... a seriously misleading account of U.S. relations with Iran at a critical juncture constituted 'something like fraud' by the Department of State." He thought the Iran volume "called into question the credibility as well as the purpose of the series." The HAC "generally applauded and concurred in ... Kuniholm's assessment of the volume." Cohen "agreed that the volume was badly flawed" and worried "about the impact on the series as a whole of publishing obviously misleading accounts." Committee member Ronald Spector raised "a fundamental decision for the Department: whether or not to claim [*FRUS*] is a complete record of U.S. foreign policy." Cohen concluded that the Committee "had to let the Secretary know that this was a serious problem which was undermining the series. The purpose of the series is to give the American people an accurate record of U.S. foreign policy. It is essential to warn the reader that important aspects are not included."<sup>97</sup>

The "civil war in the Department" precluded effective damage control as the *FRUS* problem exploded into public view during the spring of 1990. In an attempt to preempt Department critics eager to retaliate against the Committee's criticisms, Slany reported that the "meeting ... was the most useful, businesslike, efficient, and least contentious session of this decade."<sup>98</sup> Within HO, however, he recognized that he and his staff had to "undertake important new initiatives in the *Foreign Relations* series" to address inevitable controversy. By the end of the month, Department historians were working to include more detailed information about editorial methodology and declassification procedures in published volumes, develop "a workable action plan ... to meet the substantial academic criticism of the ... Iran volume," and find ways to incorporate disclaimers in other problematic volumes.

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<sup>97</sup> During the HAC meeting, Glennon defended the volume, arguing that "the volume does contain good material" and that "the Guatemala compilation was far less complete than the Iran volume." When Kuniholm published an expanded version of his criticism of the Iran volume in the spring of 1990 (after Cohen's resignation from the HAC), he concluded "the misleading impression of U.S. non-involvement conveyed in the pages of the volume constitutes a gross misrepresentation of the historical record sufficient to deserve the label of fraud." See minutes of 1989 HAC meeting, pp. 16-20, Department of State, HAC Lot File 96 D 292, Box 5, Advisory Committee Minutes—1989-1990 and Bruce Kuniholm, "Foreign Relations, Public Relations, Accountability, and Understanding," *Perspectives* (May-June 1990), <http://www.historians.org/perspectives/issues/1990/9005/9005NOTE1.cfm>.

<sup>98</sup> Slany through Kennedy to Hoggard, November 22, 1989, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Historical Advisory Committee 1989.

HO also redoubled its efforts to persuade Department officials to grant the HAC access to classified documents.<sup>99</sup>

Despite growing HO and PA concerns, FPC rebuffed initiatives to satisfy HAC demands. Instead, FPC advised HO to try new approaches to cultivate academic support for *FRUS*, including a “major outreach effort by all HO historians” and a new Presidential directive endorsing *FRUS*.<sup>100</sup> Experience had taught FPC that “there is no reason to believe that giving in to the HAC’s demands ... would help relations” since “each concession by the Department has only led to new requests ... and to bad feelings which detract from ... positive accomplishments.”<sup>101</sup> FPC’s suggestions, and HO and PA responses, centered upon immediate problems, like bureaucratic confusion and avoiding serious damage from academic criticism. Neither side addressed the core issues that perpetuated the intra-Departmental feud and the HAC’s exasperation.<sup>102</sup>

By early 1990, the Department could no longer evade its fundamental disagreement with the HAC. Department declassifiers and management staffers regarded any Committee involvement in declassification policy as illegitimate. They also insisted that *FRUS*—and the historical record—had to conform to security requirements established by Presidential order, statute, and Departmental

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<sup>99</sup> Slany to Kennedy (with attached Slany to Glennon, Rita Baker, David Herschler, and Elaine McDewitt, November 27, 1989), November 30, 1989, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Historical Advisory Committee 1989.

<sup>100</sup> Regarding the outreach effort, Slany informed PA that the FPC proposal ignored an uncomfortable fact: “the main source of negative comment about Department declassification probably comes from PA/HO staff,” which he “very strictly controlled ... to prevent a worsening of the reputations of the Department declassifiers.” Slany also reported that the proposed Presidential directive was “the best of the proposals, providing we take the occasion to modernize and reduce the process of preparing and publishing *Foreign Relations* volumes into a realistic undertaking.” This would require a “detailed Staff Study ... that defines the full range of implications, especially resources, for the modernized, slimmed down, and accelerated *Foreign Relations* series.” This reaction to the Presidential directive suggestion is telling. After hearing Kuniholm denounce the Iran volume as a fraud in November—but before the avalanche of criticism that followed Cohen’s resignation in February—Slany still prioritized improving the timeliness of the series over ensuring its comprehensiveness and integrity. See Slany to Kennedy, January 9, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Warren Cohen Resignation.

<sup>101</sup> Memo attached to Robert Carr to Kennedy, [no date], Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Warren Cohen Resignation.

<sup>102</sup> On January 24, Slany predicted that “Cohen is likely to resign,” to “place an op-ed piece in the *New York Times* or similar newspapers,” and to “rally academic representatives to make contacts with Congressmen or their staff members.” He anticipated, incorrectly, that a vigorous Department “counter effort” focusing on the “current status of the *Foreign Relations* series and the importance of plans for its future can largely defuse the worst of the criticisms.” He expected “the damage to the Department or [*FRUS*] by such public airing of Prof. Cohen’s dispute with the declassifiers will probably be greater within the Department than outside” since “the declassifiers may see Prof. Cohen’s complaints and concerns as a justification for less rather than more effective efforts to inform the Advisory Committee about the essential soundness of Department declassification procedures.” See Slany through Kennedy and Hoggard to Tutwiler, January 24, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members.

regulations that they purported left no room for subjective judgments. PA, HO, and the HAC rejected this conception. Although they agreed that legitimate security concerns should determine what and when information could safely be released, HO and the HAC rejected that such determinations could be made arbitrarily, without regard for the integrity of the official U.S. Government record of its foreign policy. They also insisted that responsible historical transparency required outside oversight and advice. No middle ground remained between these two diametrically opposed positions.

After months of futile efforts to persuade the Department to live up to its agreement to share classified documents with the Committee,<sup>103</sup> Warren Cohen publicly resigned as HAC chair on February 15, 1990. He informed Secretary of State James Baker that “the Department has reneged on the agreement I spent two years negotiating and undermined my credibility with the professional organization[s] to whom I report. The entire process by which the committee attempts to serve the Department by insuring the integrity of the historical record has been brought into question.” Recent developments convinced Cohen that “the *Foreign Relations of the United States* series, the most respected diplomatic record in the world, has been compromised—and the Committee has been denied the means to remedy the situation.” Under such circumstances, neither he nor the other members of the Committee could “protect the integrity of the series, the reputation of the Department, or testify to the concern of this administration for providing an honest historical record.” In an attached explanatory note summarizing the dispute over the HAC’s access to classified information and explaining “the importance of providing for the credibility of the *FRUS* series, already compromised by the recent Iran volume,” Cohen questioned, “in the absence of an acceptable response from the Department, ... not only the continuation of the Advisory Committee—which some in the Department would eliminate happily—but also of a *Foreign Relations* series, the integrity of which can no longer be assured.”<sup>104</sup> Cohen’s resignation soon generated considerable academic, media, and congressional criticism of the Department.

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<sup>103</sup> See *passim*, Department of State, CDC Lot File 95 D 113, Box 2, Warren Cohen Resignation; *passim*, Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990; *passim*, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Historical Advisory Committee 1989 and *FRUS*-Advisory Committee 1990 Activities & Members; and *passim*, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Warren Cohen Resignation.

<sup>104</sup> Cohen to Baker (with attached note), February 15, 1990, Department of State, 1990 P-Reels, P900159-0985 through 0986. Blanche Wiesen Cook echoed Cohen at the AHA annual meeting in 1990, when she entreated listeners, “if we care about [*FRUS*], if we think it important to continue ... we have very narrow choices. We must insist on its integrity and we must work for guidelines to postpone publication until the record can be complete and accurate. Otherwise we acknowledge that it is time to wave goodbye to a historical anachronism: Truth in the telling of our international relations.” See Blanche Wiesen Cook, “U.S. Foreign Relations History—Is There a Future At All? A Retrospective View,” *Perspectives*, November 1991, <http://www.historians.org/perspectives/issues/1991/9111/9111VIE.cfm>.

Amidst the earliest rumblings of these pressures—but before Congress proposed legislation to provide a statutory mandate for both the *Foreign Relations* series and the HAC—Carl Dillery solicited guidance from the Department’s Office of the Legal Adviser (L) to support a renewed effort to terminate the Committee. “In addition to recording continuing management problems,” he informed L that “the minutes [of the 1989 HAC meeting] also raise the possibility of legal issues.” Dillery implied that the Committee members’ “professional interests,” specifically in “the earliest and fullest publication of documents,” constituted a “conflict of interest” given the “security responsibilities of the State Department and other U.S. government agencies.” He also used HO’s past arguments that the HAC served an important public relations function against the Committee by asking whether the public dissemination of HAC “discussion ... in which the members agreed that one *FRUS* volume was ‘something like fraud’” promoted Department objectives. Dillery promised to employ L’s views “in making recommendations on the future of the committee.”<sup>105</sup>

Dillery badly misjudged the Department’s freedom to maneuver against the HAC in 1990. Cohen’s resignation and criticism of the Iran volume garnered more public attention for *FRUS* than the series had received since the release of the Yalta Papers in 1955. Unlike the Yalta episode, the publicity surrounding *FRUS* in 1990 transcended partisan divisions. The furor also reflected the success of academic initiatives to shape public discourse. The Department’s initial responses to critical letters, editorials, articles, and resolutions reflected the erosion of transparency during the previous decade; Department officials remained reactive, defensive, and discordant with mounting public skepticism about government secrecy.

The academic community supplied the first wave of criticism of the Department. In March, the OAH, SHAFR, the NCCPH, and the AHA adopted a joint resolution expressing concern about “changes during the last decade in the editorial review process for handling sensitive material” that caused an “appalling increase in the amount of incomplete and deleted documents” in recent *FRUS* volumes. The resolution urged the Department to empower the HAC and “restore the integrity” of the series.<sup>106</sup> The OAH forwarded the resolution to the Department and Congress in April and requested a meeting with Secretary of State James Baker to discuss the “serious plight” of *FRUS*.<sup>107</sup> The Society for History in the Federal Government

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<sup>105</sup> Dillery to James Thessin, [no date] attached to Slany through Kennedy and Hoggard to Tutwiler, March 2, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Correspondence & Memos. Another copy of Dillery’s memorandum bears the handwritten date March 1, 1990. See Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members.

<sup>106</sup> “Resolution on Integrity of the *FRUS* Documentary History,” approved March 22, 1990 (OAH Executive Board and SHAFR Council), March 23, 1990 (NCCPH Policy Board), and March 30, 1990 (AHA Research Division), published in *Perspectives* (May-June 1990), <http://www.historians.org/perspectives/issues/1990/9005/9005NOTE3.cfm>.

<sup>107</sup> Arnita Jones to Baker (with attached resolution), April 12, 1990, Department of State, 1990 P-Reels, P900159-0982 through 0984.

(SHFG) endorsed the joint resolution in May, arguing that the declining reliability of *FRUS* presented “a sad commentary on the manipulation of history for the sake of contemporary political concerns.”<sup>108</sup>

Journalists soon magnified academic complaints about the “*FRUS* problem.” On April 4, the *Chronicle for Higher Education* published an article highlighting historians’ criticisms of the *Foreign Relations* series and broader U.S. Government policies on declassifying historical documents.<sup>109</sup> Two weeks later, the *Washington Post* quoted many of the same figures making many of the same arguments in an article noting the “odd” coincidence of a “worsening ... dispute” over transparency in the United States amidst unprecedented openness and accountability across Eastern Europe and the Soviet Union.<sup>110</sup> The *Washington Post* article inspired numerous questions about the U.S. Government’s declassification policies at Assistant Secretary Tutwiler’s daily press briefing on April 16. Although she agreed “in principle” with suggestions that declassification policies could be reformed “at a time when the Soviet Union is opening up,” Tutwiler insisted that “it is not as easy as just waving a magic wand and saying, ‘Let’s change it.’”<sup>111</sup> On April 22, the National Public Radio news program “All Things Considered” featured an interview with Warren Cohen about the Iran volume and the HAC’s lack of access.<sup>112</sup> Cohen also wrote an op-ed entitled “Historygate” in the May 8 edition of the *New York Times*, requiring Tutwiler to endure another round of questions.<sup>113</sup> The *New York Times* followed up on Cohen’s piece with an editorial that characterized the Iran volume as “‘Hamlet’ without the Prince of Denmark—or the ghost,” criticized the Department’s “putting out history in the old Soviet mode,” and urged Baker to “restore the integrity of its much valued series on American diplomacy.”<sup>114</sup> Even after Congress introduced legislation to govern *FRUS* in May, Cohen continued his public “tempest” in the summer and fall with articles in the *Foreign Service Journal* and *World Monitor*.<sup>115</sup>

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<sup>108</sup> William Dudley to Baker, May 15, 1990, Department of State, 1990 P-Reels, P900115-0154 through 0155.

<sup>109</sup> Karen Winkler, “Historians Criticize State Department for ‘Distortions’ and ‘Deletions’ in Its Record of U.S. Foreign Policy,” *Chronicle of Higher Education*, April 4, 1990, pp. A6 and A12.

<sup>110</sup> Al Kamen, “Historians Say Secrecy Distorts Foreign Policy Chronicle,” *Washington Post*, April 16, 1990, p. A13.

<sup>111</sup> Department press briefing, April 16, 1990, pp. 13-15, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Warren Cohen Resignation.

<sup>112</sup> H[arriet] D S[chwar] memo, April 23, 1990 attached to Slany to Kennedy, April 24, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members.

<sup>113</sup> Warren Cohen, “At the State Dept., Historygate,” *New York Times*, May 8, 1990, p. A29 and Department press briefing, May 8, 1990, pp. B-2-4, Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990.

<sup>114</sup> “History Bleached at State,” *New York Times*, May 16, 1990, p. A26.

<sup>115</sup> Warren Cohen, “Gaps in the Record: How State has allowed history to be incomplete,” *Foreign Service Journal*, August 1990, pp. 27-29 and Warren Cohen, “Stop Falsifying U.S. History,” *World Monitor*, October 1990, pp. 14-17. George Kennedy characterized Cohen’s publicity campaign as a “tempest ... to embarrass the Dept. and PA” on March 29. See George [Kennedy] note to V

At first, academic and media criticism did little to spur high-level Departmental action to reverse the past decade's erosion of transparency. PA managed the Department's public response through HO. Slany tried to assuage concerns from the academic community with expanded outreach to professional societies at the OAH, SHAFR, and AHA annual meetings as well as informal briefings emphasizing the Department's efforts to forge a compromise with the HAC.<sup>116</sup> Although he characterized Cohen's actions as "ill advised," Slany also suggested that PA should atone for the Department's inattentiveness to the "gravity or urgency of the concerns" by meeting with aggrieved historians.<sup>117</sup> Slany's responses to press inquiries emphasized the mounting challenges facing the series and the Department's initiatives to ensure the quality and timeliness of *FRUS* volumes covering the Eisenhower era.<sup>118</sup> In May, Slany recommended that PA highlight the release of the *FRUS* volume on the 1956 Suez crisis, whose large size, documentation of "major intelligence operations," and "expanded preface" could "be seen as the Department's partial response to the recent expressions of concern" about the series.<sup>119</sup>

Departmental attention to its *FRUS* problem broadened only when the media joined scholars in criticizing *FRUS* in mid-April. To address the April 16 *Washington Post* article, FPC/HDR suggested defending the "highly creditable" *FRUS* series and explained why the HAC's security clearances were insufficient for the kind of access demanded by Cohen and his supporters. Tutwiler ignored their advice

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K[im] H[oggard], March 29, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members.

<sup>116</sup> Slany to Kennedy, March 29, 1990 and Slany through Kennedy to Hoggard, April 12, 1990 in Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members and Slany to Kennedy, June 1, 1990, Department of State, PA Lot File 93 D 287, Box 1, *PA-Foreign Relations Series 1990*.

<sup>117</sup> Slany through Kennedy and Hoggard to Tutwiler, April 25, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members. Tutwiler's response to the OAH reflected Slany's recommendation to offer to meet with a delegation, though no such meeting took place. See Tutwiler to Jones, April 27, 1990, Department of State, 1990 P-Reels, P900159-0979 through 0980 and Page Putnam Miller, "The Integrity of the U.S. Department of State's Historical Series Is At Stake," *Government Publications Review*, July-August 1991, pp. 317-323. See p. 321.

<sup>118</sup> Slany through Kennedy to Hoggard, April 12, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*-Advisory Committee 1990 Activities & Members and Slany to Kennedy, April 23, 1990, Department of State, PA Lot File 93 D 287, Box 1, *PA-FRUS: Media 1990*.

<sup>119</sup> Slany to Kennedy, May 16, 1990, Department of State, PA Lot File 93 D 287, Box 1, *PA—FRUS: Publications 1990*. See also Department press briefing, May 18, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Warren Cohen Resignation. The expanded coverage of intelligence activities in the 1990 Suez crisis volume followed special efforts undertaken by CDC reviewer (and former Deputy Assistant Secretary of State for Near Eastern Affairs) Sidney Sober in 1982 to coordinate the release of information about Robert Anderson's mission to the Middle East. See [name redacted—Administration Branch, Classification Review Division] memorandum, January 20, 1982, CREST, CIA-RDP85B00236R000400030017-0.

when she agreed with reporters that declassification policy could be liberalized.<sup>120</sup> The declassifiers were more effective in pressing their views in the Department's response to the May 16 *New York Times* editorial. Their reply, drafted before the introduction of *FRUS* legislation in the Senate, explained that the Department's transparency program "provided richness and detail about United States foreign policy to historians, political scientists, and interested citizens unmatched by any other government." It also argued that "even after 30 years, many foreign policy issues remain remarkably alive and tied to present activities." Without careful review and judicious constraints on openness, "releasing sensitive information—even from decades ago—may adversely affect our ability to do business with [other] countries and to advance our national interests." The response concluded that statutory exemption of CIA operational files from FOIA requests in the mid-1980s provided *de facto* congressional endorsement of the declassifiers' cautiousness regarding historical records.<sup>121</sup>

Far from endorsing the Department's actions, congressional engagement with the "*FRUS* problem" challenged Cold War information security policies. On April 27, Senate Foreign Relations Committee Chair Claiborne Pell (Democrat, RI) and Senate Select Committee on Intelligence Chair David Boren (Democrat, OK) expressed "concern" to Secretary Baker regarding the academic community's "serious questions about the integrity" of *FRUS*. They asked the Secretary to "look into this subject to ensure that the integrity of our diplomatic history remains intact."<sup>122</sup> Alongside the introduction of *FRUS* legislation, they took their concerns about the future of the series to the public the next month in an article in the *Boston Globe*.<sup>123</sup> Senator Daniel Patrick Moynihan (Democrat, NY) addressed the *FRUS* controversy in a June *New York Review of Books* article on "getting our government back in order" after the Cold War, where he lamented that "we are poisoning the wells of our historical memory ... the secrecy system has gone loony."<sup>124</sup> In June, Senator Mitch McConnell (Republican, KY) and Senate Republican Policy Committee Chair William Anderson (Republican, CO) forwarded constituent concerns about the integrity of *FRUS* to the Department and urged that they be

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<sup>120</sup> Morefield talking points, April 16, 1990, Department of State, CDC Lot File 95 D 113, Box 2, Warren Cohen Resignation.

<sup>121</sup> Sheldon Krys letter to the editor, "State Dept.'s Excellent Information Record," *New York Times*, June 9, 1990, p. 22. Earlier drafts of the letter elaborated upon the danger of releasing "what academics in the United States might have viewed as a simple statement of historical fact but which in Teheran [sic] might have been viewed as evidence of a long standing hostile plot." For drafting, see Burke to Machak, May 17, 1990; and May 18 and May 25 draft Krys letters to the *New York Times* in Department of State, CDC Lot File 95 D 113, Box 2, Warren Cohen Resignation and May 23 draft (with covering note requesting PA clearance – granted May 29) in Department of State, PA Lot File 93 D 287, Box 1, PA – *FRUS*: Media 1990.

<sup>122</sup> Claiborne Pell and David Boren to Baker, April 27, 1990, Department of State, 1990 P-Reels, P900179-0659.

<sup>123</sup> Pell and Boren, "Why US foreign-policy records are 'a fraud,'" *Boston Globe*, May 27, 1990, A22.

<sup>124</sup> Daniel Patrick Moynihan, "The Peace Dividend," *New York Review of Books*, June 28, 1990, pp. 3-4.

investigated and addressed.<sup>125</sup> House member David Price (Democrat, NC) echoed this concern “as a former academic and a representative of university communities” in July.<sup>126</sup>

The “civil war in the Department” ended only with outside intervention. When Congress acted in 1990, the Department belatedly undertook efforts to redeem the *Foreign Relations* series to preempt legislation. In a 1993 oral history interview, former Deputy Assistant Secretary for Public Affairs George High criticized officials like Dillery and the leadership of the FPC for “represent[ing] a point of view and philosophy reflecting what American values were back in the 1950s, not the realities of the late 1980s.” Misled by outdated expectations that the public would defer to their claims of national security imperatives, “the Department’s leadership failed to recognize its weakness.” Because of this overconfidence and misperception of public attitudes, High explained, “the whole matter went to Congress” and “the historians’ demands were passed into legislation . . . . The Department got the worst of all worlds. Now it is required by law to release information it sought to withhold.”<sup>127</sup>

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<sup>125</sup> Mitch McConnell to Janet Mullins, June 5, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA-*Foreign Relations* Series 1990 and William Armstrong to Mullins, June 26, 1990, Department of State, 1990 P-Reels, P900108-1501.

<sup>126</sup> David Price to Baker, July 26, 1990, Department of State, 1990 P-Reels, P900113-2073.

<sup>127</sup> Charles Stuart Kennedy interview with George High, August 26, 1993, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004hig02>.

# Chapter 11: “Thorough, Accurate, and Reliable,” 1990-1991

Joshua Botts

As the Department of State responded to congressional pressure, *FRUS* stakeholders debated the appropriate contours of responsible historical transparency. As Congress cited the remarkable geopolitical changes unfolding in Eastern Europe and the Soviet Union to legislate greater openness, Department historians shifted from accelerating *FRUS* by limiting its scope to prioritizing the comprehensiveness and integrity of the series. These developments alarmed Department officials responsible for declassification policy. Throughout 1990 and 1991, the Office of Freedom of Information, Privacy, and Classification Review (FPC) and its Historical Documents Review branch (HDR) mounted a futile defense of unaccountable secrecy against pro-transparency forces inside and outside the Department. Accustomed to winning bureaucratic struggles insulated from public scrutiny, the Department’s declassifiers were largely—but not entirely—disarmed by the attention *FRUS* received in the wake of the Iran volume and Cohen’s resignation.

This chapter focuses on the debate over the future of the *Foreign Relations* series within the Department of State during 1990 and 1991, where bureaucratic struggles over the purpose of *FRUS* and the proper response to academic, media, and congressional pressure for greater openness reflected stark differences about the utility and the value of responsible transparency. This focus on decisionmaking within the Department (and, to a much lesser extent, across the rest of the executive branch) complements Page Putnam Miller’s previously published account of the roles played by her own organization, the National Coordinating Committee for the Promotion of History, the academic community, and key Senators and congressional staffers in securing passage of the statute.<sup>1</sup> Repeatedly, outside forces influenced the Department’s legislative and public relations strategy. In doing so, they helped arrest and then reverse the decade-long marginalization of responsible transparency as an essential mission of the Department. The “inside game” emphasized in this chapter complements Miller’s “outside game” account.

## **Action Plans: The Pell Amendment and the Departmental Stalemate, May-September 1990**

The Department’s disappointing initial responses to congressional inquiries about the *FRUS* problem<sup>2</sup> spurred Pell and Boren to introduce legislation to govern the *FRUS* series and empower the HAC. The “Pell Amendment,” introduced on May

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<sup>1</sup> Page Putnam Miller, “We Can’t Yet Read Our Own Mail: Access to the Records of the Department of State” in Athan Theoharis, ed., *A Culture of Secrecy: The Government Versus the People’s Right to Know* (Lawrence, KS: University Press of Kansas, 1998), pp. 186-210.

<sup>2</sup> Mullins to Pell and Boren, May 16, 1990, Department of State, 1990 P-Reels, P900179-0655 through 0656.

24, envisioned radical changes in the compilation, declassification, and release of foreign affairs documentation. The amendment's most important provision was also its most enduring: a mandate for the Department to produce a "thorough, accurate, and reliable documentary record of major United States foreign policy decisions and significant United States diplomatic activity" at a 30-year publication line. Over the next year and a half, Congress significantly modified other elements of the Pell Amendment, but this core remained intact. The amendment also employed language from the original 1925 Kellogg Order to require "the editing of the record ... to be guided by the principles of historical objectivity and accuracy." Throughout the legislative process, Congress intended *FRUS* to promote transparency.<sup>3</sup>

Over the ensuing months, however, Congress displayed flexibility about the means it prescribed to achieve those ends. The initial Pell Amendment defined a very narrow range of declassification exemptions; only details about weapons and cryptographic systems and the identity of intelligence sources received automatic protection from disclosure. Such a constricted definition of presumed secrets would have created a radically different declassification system within the Department: all other excisions from *FRUS* would require HAC approval. In effect, the original Pell Amendment would have transformed the Committee from an advisory body into a declassification authority. Although the Pell Amendment responded to public criticism of the Iran volume, it focused far more on settling the conflict between the Department and the HAC in favor of the Committee.<sup>4</sup>

Congressional involvement galvanized the Department to address its *FRUS* problem. As the HAC collaborated with Congress to revise *FRUS* legislation, academic and congressional assessments of the Department's plans for the future of the series assumed decisive importance. Department officials hoped that their proposed reforms could preserve vital national interests, placate the academic community, and avert congressional intervention. Even before the passage of the *Foreign Relations* statute in the autumn of 1991, public interest in the *FRUS* problem constrained the Department's flexibility in adapting the series for the post-Cold War era. On the same day that Pell introduced his amendment, Slany expressed hope to HAC member Bradford Perkins that, if "top people in government" got involved, it might be possible to "lay down some standards and timeframes for access and release of historical records."<sup>5</sup> Also on that day, Ronald Spiers's replacement as Under Secretary of State for Management, Ivan Selin, initiated a vigorous, months-

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<sup>3</sup> S. 2749 [Report No. 101-334], Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—Annual Meeting Nov. 15/16, 1990.

<sup>4</sup> S. 2749 [Report No. 101-334] and draft Sen. Helms amendment in Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—Annual Meeting Nov. 15/16, 1990. The latter document shows that Sen. Helms tried to change the publication requirement from 30 years to 20 years. See also Helen Dewar, "Senate Panel's Quest: Filling Gaps in History of Foreign Relations: Legislation Would Lift Secrecy 'Concealing a Defect of Policy,'" *Washington Post*, June 11, 1990, p. A13.

<sup>5</sup> Slany to Perkins, May 24, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Warren Cohen Resignation.

long debate within the Department about how to restore a program for responsible historical transparency.<sup>6</sup>

Persisting disagreement among *FRUS* stakeholders about the nature and scope of the *FRUS* problem, which reflected the late 1980s “civil war in the Department,” complicated efforts to placate critics and forestall congressional intervention. To the academic community and to Congress, the “fraudulent” Iran volume and the HAC’s lack of access to classified information were equally serious issues. For these *FRUS* consumers, any credible solution to the *FRUS* problem would have to provide for HO’s access to (and ability to declassify) sensitive intelligence documentation and confirm the HAC’s role in ensuring the integrity of the series. Within the Department, HO initially focused on reinvigorating its *FRUS* acceleration efforts and mitigating the damage caused by the breakdown in the Department’s relationship with the HAC. As external criticism mounted, however, HO exploited outside pressure to lobby for longstanding objectives: expanded access to other-agency records and liberalization of the *FRUS* declassification process. The public outcry about the Iran volume and Cohen’s resignation shifted HO’s attention from improving the timeliness of the series to assuring its comprehensiveness and integrity.

The HAC’s critics in the Department defined the *FRUS* problem differently. Declassification reviewers in FPC/HDR believed that the Department’s existing practices fulfilled its responsibility for transparency. As the Assistant Secretary of State for Diplomatic Security (which oversaw the declassification staff during this period) Sheldon Krys argued in the summer of 1990, *FRUS*’s consumers needed to “look at the issue with a somewhat different perspective. The *FRUS* is not intended as a complete historical record. Rather, it is a presentation of the government’s documentary record within the constraints of national security and intelligence interests. For more than a century it has been appreciated for what it is and only a handful would argue now that its integrity is diminished.”<sup>7</sup> Management Operations staff, relocated to M/FMP, cited media and congressional criticism following Cohen’s resignation as proof that their earlier warnings about the HAC had been correct. They urged the Department to solve its “HAC problem” by limiting the Committee’s mandate to exclude declassification issues altogether. As HO worked to address the elements of the *FRUS* problem that most rankled its primary consumers, bureaucratic rivals within the Department continued to warn of the dangers of excessive transparency and champion the need for greater security.

Unlike during the 1980s, declassification reviewers and management operations advisers proved unable to dictate Department policy for *FRUS* and the HAC. Although external pressure—especially congressional interest—played a

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<sup>6</sup> Chronology (covering note reads “Internal Copy”), [no date—July 1, 1990?], Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Warren Cohen Resignation.

<sup>7</sup> Krys to Tutwiler, June 29, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*FRUS*: Media 1990.

decisive part in promoting greater transparency, altered internal dynamics also played a critical role. Assistant Secretary of State for Public Affairs Margaret Tutwiler was much closer to Secretary of State James Baker than any of her predecessors were to George Shultz; although she delegated the “*FRUS* problem” to her deputies (principally Deputy Assistant Secretaries Kim Hoggard and George Kennedy), PA wielded more bureaucratic clout in 1990 and 1991 than during the 1980s. Under Secretary of State for Management Ivan Selin also proved far more amenable to giving the HAC access to classified material and far more invested in ensuring *FRUS*’s integrity than Ronald Spiers had been.<sup>8</sup> These internal factors helped marginalize *FRUS*’s bureaucratic opponents as the Department publicly responded to the *FRUS* problem, especially after congressional initiatives forced the Department to devise an action plan in an ultimately futile effort to preempt unwelcome legislative intervention.

HO and PA seized the initiative in these efforts, first with a staff study prepared in the spring and later with a draft action plan to implement the study’s conclusions. Although the *FRUS* staff study initiative began as a way to reinvigorate acceleration efforts that flagged in the late-1980s, HO’s priorities shifted substantially in the spring of 1990. In January, Slany had jumped at the chance to “reduce the process of preparing and publishing *Foreign Relations* volumes into a realistic undertaking” that could lead to a “modernized, slimmed down, and accelerated *Foreign Relations* series.”<sup>9</sup> By the time the draft staff study was prepared in early May, however, HO acknowledged that the 1980s acceleration effort had largely failed. Not only had “the series not reached or even drawn nearer the 30-year line,” but “questions and concerns have arisen among academic users regarding the accuracy and comprehensiveness of the series.” Addressing the *FRUS* problem required both improving and verifying the integrity of the series. The staff study proposed reviving the acceleration of the series to meet the 30-year publication line, expanding HO access to interagency documents, reforming the declassification process, and assuring “adequate access” for the HAC to verify the integrity of the series.<sup>10</sup>

HO hoped that a revised Presidential directive could promote these objectives in the face of bureaucratic resistance. HO’s draft directive differed from Reagan’s 1985 initiative in several ways. It characterized the “timely and comprehensive official disclosure of historical foreign affairs records” as “more vital than ever” in

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<sup>8</sup> For general background on Tutwiler’s stint as Assistant Secretary of State for Public Affairs and Selin’s tenure as Under Secretary of State for Management, see Charles Stuart Kennedy interview with Margaret Tutwiler, May 4, 1999, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004tut03>; Thomas Stern interview with Ivan Selin, May 29, 1991, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip.2004sel02>; and Charles Stuart Kennedy interview with Sheldon Kryz, August 18, 1994, Library of Congress, ADST Oral History, <http://hdl.loc.gov/loc.mss/mfdip2004kry01>.

<sup>9</sup> Slany to Kennedy, January 9, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee-1990-Warren Cohen Resignation.

<sup>10</sup> Draft *FRUS* staff study, May 1990 attached to Slany through Kennedy to Hoggard, May 10, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

light of “momentous world changes.” It recognized the “public’s absolute right to the authoritative disclosure of foreign affairs commitments and undertakings of government officials.” It identified *FRUS* as “the proper vehicle for the systematic official disclosure of the main lines of American foreign policy in its proper historical context.” It required other government agencies to “facilitate necessary access to their historical records” and then “accord necessary priority” to the declassification of selected documents “to move toward and achieve a date-certain of 30 years for public release.” Finally, the draft directive ordered the Secretary of State to “maintain a suitable advisory process ... to assure that the published record adheres to generally accepted standards.” These pro-transparency additions notwithstanding, HO’s staff study placed its hopes for protecting the future of the series upon the same ephemeral Executive branch mandates to improve interagency cooperation that had failed since the 1950s.<sup>11</sup>

Consideration of the staff study within the Department reflected battle lines drawn during the 1980s. Declassification reviewers rejected HO proposals to grant the HAC access to classified materials and expand HO’s role in interagency declassification coordination. In comments written in the margin of the draft staff study that was transmitted to HDR, Department declassification officials dismissed a six-month review deadline as “unrealistic” and pronounced that the “current [declassification] system ain’t broke.”<sup>12</sup> To deflect focus from HDR and to forestall Department adoption “of a number of fundamental points which would adversely affect I[nformation] M[anagement], and which are unacceptable,” Frank Machak urged Acting Deputy Assistant Secretary of State for Information Services Robert Johnson to reiterate declassifiers’ longstanding complaints about HO mismanagement of the *FRUS* production process.<sup>13</sup> In a May meeting with HO managers, HDR representatives warned that initiatives to broaden the scope of *FRUS* would threaten interagency cooperation. Moreover, they dismissed HO’s approach as “exaggerat[ing] the need of the public to be informed about its foreign affairs past.” HDR believed that “a 50-year line would be as useful as a 30-year line for release.” HDR wanted the HAC “muzzled and reorganized in order to narrow drastically its mandate” since the Committee had “no business making judgments about the accuracy or comprehensiveness of documentary volumes.” Despite the growing urgency of the *FRUS* problem, HDR predicted that “it will take months,

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<sup>11</sup> Draft Presidential memorandum (appendix to draft *FRUS* staff study, May 1990 attached to Slany through Kennedy to Hoggard, May 10, 1990), Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990. Compare to Reagan memorandum, November 12, 1985, Department of State, CDC Lot File 95 D 113, Box 2, Presidential Directive 1985.

<sup>12</sup> Marginal comments on draft *FRUS* staff study, May 1990 attached to Slany to Morefield, May 7, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>13</sup> Machak to Johnson (and attached Johnson to Kennedy, May 9, 1990), May 8, 1990, Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990. Slany pointed out to his superiors in PA that the IM/IS memorandum “failed completely to address the concern raised by Prof. Cohen and the various professional societies—that the volumes published are not complete and inaccurate because of security deletions.” See Slany to Kennedy, May 10, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

perhaps until 1991, to coordinate the various steps required by the Staff Study within the Department and with other agencies.”<sup>14</sup>

Pell’s proposal and Selin’s engagement ended HDR’s complacency. On May 11, Hoggard forwarded HO’s draft staff study to Selin and solicited his assistance in finding “some measures [the Department] can take to address some of the concerns of the Advisory Committee”—concerns that PA considered “legitimate.”<sup>15</sup> On May 24—the same day Pell introduced his amendment in the Senate Foreign Relations Committee—Selin met with PA and FPC officials to “discuss PA/HO’s problem in getting access for its staff to historic records of other agencies.” FPC reiterated its concerns that reforming *FRUS* could have “adverse operational repercussions” and tried to steer the discussion away from the role of the HAC. Selin nevertheless ordered an action plan that addressed the full range of problems identified by the HO staff study.<sup>16</sup>

HO intended for its action plan to address both dimensions of the *FRUS* problem by ensuring that Department historians had sufficient interagency access to compile comprehensive volumes and providing the HAC with the information required to verify the integrity of the series. Although Slany’s plan concluded that measures to improve the quality of *FRUS* would not “compromise” plans to reach the “30-year line by 1996,”<sup>17</sup> all of its recommendations focused on improving *FRUS*’s comprehensiveness, not its timeliness. The plan addressed four elements of the *FRUS* production process implicated in complaints about the “accuracy and completeness of the record”: broadening interagency research access, reforming the declassification process, providing editorial mechanisms for identifying and explaining omissions within the volumes, and expanding HAC access to classified material. Slany envisioned a multifaceted solution to the access problem. For most agencies, a Presidential memorandum would suffice to ensure requisite HO access. For the CIA, Slany described a cooperative arrangement with Agency historians that would obviate the need for Department of State historians to access CIA archives directly. He also proposed expanding documentation of Congress’s role in the foreign policy process. To reform the declassification system, Slany proposed expanding *FRUS* historians’ role in the declassification coordination function by

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<sup>14</sup> Slany to Kennedy, May 17, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations Series* 1990.

<sup>15</sup> Hoggard through Tutwiler to Selin, May 11, 1990, Department of State, Bureau of Management, Under Secretary for Management Files, 1990 (Lot File 92 D 523) (henceforth M Chron Lot File 92 D 523), Box 3, May 1990 M Chron Files.

<sup>16</sup> Machak to Johnson, [no date], Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990 and chronology (covering note reads “Internal Copy”), [no date—July 1, 1990?], Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Warren Cohen Resignation.

<sup>17</sup> To expand HO’s *FRUS* production capacity, Slany pursued a reorganization plan that “shifted the balance of Office work activity to the *Foreign Relations* project” much like David Trask did in 1976. See Tutwiler through Jill Kent to Selin (and attached reorganization plan), June 14, 1990, Department of State, M Chron Lot File 92 D 523, Box 3, June 1990 M Chron Files and Neal Smith to Baker, July 26, 1990, Department of State, 1990 P-Reels, P900134-2340.

reversing the changes that had been made following the 1980 re-review. He also suggested empowering an ombudsman to oversee the Department's declassification system. To make the extent of excisions and deletions more apparent to *FRUS* consumers, Slany promised expanded prefaces, "precise accounting" of omissions within documents, and improved unclassified summaries of documents that could not be declassified. Finally, the plan called for the HAC to review clearance denials and excisions so that it could evaluate the integrity of the series.<sup>18</sup>

As the Department deliberated on HO's action plan during the summer of 1990, an interagency consensus arose that the Pell Amendment posed significant constitutional and functional problems for effectively conducting foreign relations and safeguarding national security. FPC/HDR predicted that, if enacted, *FRUS* legislation along the lines of the Pell Amendment would "pose serious operational and practical difficulties for the Department." Declassifiers complained that the Pell Amendment's "limited grounds" for exempting information from declassification "pertain[ed] to only some aspects of national security," were "overly vague and open-ended," and "conflict[ed] with other laws." They also worried that the law would "result in a fundamental change in the whole information security system, which would become, in effect, 'declassification by default.'" Finally, FPC/HDR cautioned against augmenting the role of the HAC, whose members would find both the security procedures and the time commitment required to fulfill its new mandate too onerous. They warned that, "in the last three years[,] there have been at least two security violations by historians involved in the advisory committee process.<sup>19</sup> Can the USG [U.S. Government] afford," they asked, "to take [the] risk" of giving academics the responsibility of balancing openness with national security? FPC/HDR hoped President Bush would veto the law if Congress passed it.<sup>20</sup>

The CIA also registered its opposition to the Pell Amendment. In a June 23 letter to Sen. Boren, Director of Central Intelligence William Webster called attention to the legislation's narrow exemptions from declassification, which "essentially declassifies everything" else. Without incorporating the existing E.O. 12356, National Security Act, CIA Information Act, or FOIA protections for "intelligence sources and methods," Webster warned that the Pell Amendment "could in effect declassify every Presidential Finding and National Intelligence Estimate by mandating their publication in the historical series." He demanded, "at a minimum," that any *FRUS* legislation incorporate FOIA declassification exemptions and affirm originating-

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<sup>18</sup> Hoggard to Selin, Tutwiler, and Mullins, June 4, 1990 with attached *FRUS* action plan, [no date], Department of State, M Chron Lot File 92 D 523, Box 3, June 1990 M Chron Files.

<sup>19</sup> Presumably Deborah Larson's comments at SHAFR and Bruce Kuniholm's denunciation of the Iran volume. Although Kuniholm was not a member of the Committee, the HAC commissioned his review of the Iran volume and he delivered his report during a closed session of the Committee's 1989 annual meeting. See [chapter 10](#).

<sup>20</sup> Ambach, "The Pell Amendment" (with attached memorandum), June 8, 1990 and "Selin Meeting on the Pell Amendment/*FRUS*," June 19, 1990 in Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138 and Hamilton and Ambach memorandum, July 13, 1990, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: Follow On.

agency authority over “the decision on what documents may be provided or published” via *FRUS*.<sup>21</sup> In response to Webster’s intervention, the Senate Foreign Relations Committee staff proffered “extensive revision[s]” to the proposed *FRUS* legislation. Among other changes, “the categories for withholding documents [were] expanded to meet some of the CIA complaints” and other agencies were allowed to “collect and provide” requested documentation rather than grant *FRUS* historians direct access to their records.<sup>22</sup>

While *FRUS*’s stakeholders within the Department agreed in the summer of 1990 that the Pell Amendment was a poor remedy to the *FRUS* problem, they disagreed about the feasibility and wisdom of Slany’s alternative. Initial reactions to the HO action plan within the Department reflected predictable bureaucratic priorities. Richard Mueller, whose principal objective as Deputy Assistant Secretary for Legislative Affairs was placating Congress, thought Slany’s plan offered “basically the right direction.” Selin pronounced it “quite good,” but warned HO that the HAC must not be allowed to oversee declassification, only assess the accuracy and integrity of the *FRUS* series.<sup>23</sup> FPC/HDR dismissed the HO plan as “not likely to be viewed by the Senate Foreign Relations Committee as an acceptable substitute for” *FRUS* legislation. Despite their fear of congressional action to revise information security policies, the Department’s declassification staff obstructed the most plausible alternative to legislative intervention in *FRUS*.<sup>24</sup>

Over the summer, *FRUS*’s detractors within the Department collaborated to kill Slany’s action plan.<sup>25</sup> Opponents from FPC/HDR and M/FMP rejected HO’s “assumption” that it was possible to prepare a truly “accurate and complete history of US foreign affairs” and that such a record could be “declassified and published within thirty years under the terms of E.O. 12356.”<sup>26</sup> In late June and early July, HDR chief Richard Morefield led efforts to water down the action plan’s proposed changes in the Department’s declassification system, especially those expanding

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<sup>21</sup> William Webster to Boren, June 23, 1990, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138. See also CIA comments on draft copies of S.2749 attached to Slany to Kennedy, July 2, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990 and Krys to Kim, July 12, 1990, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>22</sup> Slany to Kennedy, July 18, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Correspondence Memos.

<sup>23</sup> Selin comments on Hoggard to Selin, Tutwiler, and Mullins, [no subject], June 4, 1990 and attached *FRUS* action plan, [no date] and attached [Ruth Whiteside?] to Selin, [no date] in Department of State, M Chron Lot File 92 D 523, Box 3, June 1990 M Chron Files.

<sup>24</sup> “Selin Meeting on the Pell Amendment/*FRUS*,” June 19, 1990, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>25</sup> Hoggard to Krys, Kent, Kathy Skipper, and Richard Mueller, June 20, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>26</sup> [No author identified] memorandum, June 5, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

HO's role in the declassification process.<sup>27</sup> M/FMP was even more hostile to Slany's plan. Susan Tait, the Department's Advisory Committee Management Officer, and Carl Dillery downplayed the gravity of the *FRUS* problem and questioned whether secrecy had ever harmed the Department. They also insisted that "clarification of the committee's mission [to exclude declassification]" would, "in some unspecified way, "allay suspicions on the Hill and in the academic world." FMP saw the 1990 *FRUS* problem as part of a pattern of "HAC criticism, Congressional involvement[,] and ... subsequent confrontation" that demanded a "Department-wide perspective" to address.<sup>28</sup> FPC and FMP obstructionism ultimately proved costly to their own stated priorities. Flexibility in the summer of 1990 might have gone a long way to convincing Congress that the Department understood the urgency of dealing with the *FRUS* problem.

HDR reviewers also attempted to reshape the public discourse in the summer of 1990. In early June, the *Foreign Service Journal* invited both PA and HDR to respond to Cohen's charges against the Department. PA's response outlined remedies for the *FRUS* problem.<sup>29</sup> HDR was more defensive. An early draft denied Cohen's allegation that the Department reneged on a promise to show the Committee classified material, but this language was removed after a "session with Bovis" that left Dwight Ambach "less than amused" about what his predecessor had offered the HAC in the summer of 1989. The declassification staff also thought better of the draft's argument that HAC's criticism of the Iran volume proved that the Committee didn't need additional access to make judgments about the integrity of the series. While their final letter (which the *Foreign Service Journal* published in November 1990) was less polemical than these early drafts, HDR remained oblivious about public expectations for openness. HDR recommended that the HAC focus upon its core competency, which was "advising on major substantive questions such as the kinds of issues that should be given priority in the *FRUS* of the future"—not assessing the integrity or comprehensiveness of the declassification process. When

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<sup>27</sup> Johnson to Hoggard (with attached Machak to Slany, July 2, 1990; Morefield revisions to *FRUS* action plan, June 27, 1990; memorandum, [no date]; and Morefield memorandum, June 20, 1990), July 2, 1990 and Machak to William, July 11, 1990 in Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>28</sup> Albert Fairchild to Slany, July 9, 1990 and Tait draft of Selin to Baker, July 31, 1990 in Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>29</sup> Warren Cohen, "Gaps in the Record: How State has allowed history to be incomplete," *Foreign Service Journal*, August 1990, pp. 27-29; Slany through Kennedy to Hoggard (with attached Howard Shaffer to Hoggard, June 6, 1990 and Hoggard to Schaffer, June 15, 1990), June 15, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*FRUS*: Media 1990; and Hoggard, "The department's response," *Foreign Service Journal*, August 1990, p. 29. After the *Foreign Service Journal* issue containing Cohen's article and Hoggard's response was published, Deputy Secretary of State Lawrence Eagleburger asked Hoggard if he could "be of any help." Hoggard responded PA was "pleased with the high level of attention, and response, that we are getting" from Selin and that Eagleburger did not need to be "burdened ... with the details" unless he wanted "more specific information." See L[awrence] S[Eagleburger] to Hoggard, August 6, 1990 and Hoggard to Eagleburger, August 7, 1990 in Department of State, PA Lot File 93 D 287, Box 1, PA—*FRUS*: Media 1990.

Cohen responded to their letter in the February 1991 issue, he concluded that, “by revealing their inability to recognize the gravity of the [FRUS] problem, they may make a better case for the pending legislation to strengthen the advisory committee than I did.”<sup>30</sup>

The Department focused its summer marketing efforts on the HAC. Selin understood that HAC support for the Department’s action plan was vital to defeating the Pell Amendment. He arranged an emergency meeting—without proper public notice<sup>31</sup>—with several Committee members on July 23. Hoggard, Kennedy, and Mueller briefed four HAC members on the Department’s tentative plans to modernize FRUS, its progress in upgrading the Committee’s security clearances, and its objections to the proposed legislation. HAC member Anne Van Camp agreed with the Department that the “scope and nature of the responsibility of the proposed Advisory Committee to review all withheld historical documents appeared to be totally unworkable.” The meeting closed with Department officials urging HAC members to defer “strong judgments ... about the pending legislation” until they had the opportunity to consider the final version of the FRUS action plan.<sup>32</sup> The HAC’s discomfort with transforming itself into a declassification body, a key feature of the Pell Amendment, aided the Department’s effort to avoid legislation in 1990. Following this meeting, the Department also began including the broad outlines of HO’s FRUS action plan in its responses to congressional inquiries.<sup>33</sup>

Selin struggled to secure intra-Departmental agreement on the action plan at the end of the summer. In August, FPC again rejected the idea that “the security requirements [for historical documents] need or even can be ‘balanced’ against the need for ‘an objective and accurate permanent historical record.’ That need must be met within the admitted restrictions required by security ... . The historical record must be compiled from material which no longer requires protection.”<sup>34</sup> This

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<sup>30</sup> Schaffer to Morefield, June 6, 1990; draft [no author identified] to Schaffer, [no date]; [no author identified] to Morefield, June 13, 1990; draft Flowerree to Schaffer, [no date]; Flowerree, Norman Hannah, Ambach, Lewis Purnell, Charles Johnson, Philip Valdes, Theodore Tremblay, McIntyre, Tsukahira, Hamilton, James Bahti, John Dexter, Robert Zimmerman, Edward Scafer, Galloway, and Sober letter to the editor, “History with integrity,” *Foreign Service Journal*, November 1990, pp. 4-6; and Cohen letter to the editor, *Foreign Service Journal*, February 1991, pp. 4-6.

<sup>31</sup> This meeting created headaches for PA and HO in the fall, when FMP and L concluded that HO had violated the Federal Advisory Committee Act by not informing FMP and publicizing the meeting in the *Federal Register* in advance of July 23. See *passim*, Department of State, PA Lot File 93 D 287, Box 1, FRUS—Advisory Committee 1990 Activities & Members.

<sup>32</sup> Record of July 1990 HAC briefing, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Correspondence & Memos and Slany through Kennedy to Hoggard, July 18, 1990, Department of State, PA Lot File 93 D 287, Box 1, FRUS—Advisory Committee 1990—Activities & Members. See also Hoggard to Selin, July 24, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>33</sup> Mullins to McConnell, June 18, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations Series* 1990.

<sup>34</sup> Morefield talking points, August 6, 1990 attached to Machak through Joseph Acquavella to Krys, August 6, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan; Kennedy to Krys, Richard Mueller, Dillery, Skipper, and Machak, August 10, 1990 and Slany to Kennedy,

continuing intransigence made it impossible for the Department to forge a consensus strategy to address the *FRUS* problem. For M, H, PA, and HO, the situation was clear: the only way to avoid congressional interference with Departmental (and executive branch) prerogatives was to offer the HAC a satisfactory action plan so the Committee would endorse the Department's position.

For FPC and FMP, the situation was more problematic. Although these officials shared the broader goal of avoiding congressional intervention, they believed that the compromises required to placate the HAC posed their own intolerable operational risks and management problems. Richard Morefield coordinated with L and FMP to devise a "mutually acceptable" response to HO. Their criticisms focused on the constitutional issues at stake and they asserted that security requirements trumped the integrity of the historical record and any conceivable HAC responsibility. L maintained that "classification and declassification decisions are functions of the Executive Branch, and committee members have neither the requisite experiences nor expertise with national security matters to engage in such activity."<sup>35</sup> FPC also initiated a parallel effort to refocus attention away from basic issues and toward detailed procedural recommendations for dealing with the HAC and accusations of poor HO management.<sup>36</sup>

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August 10, 1990 in Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Correspondence & Memos. One key difference between the PA and FPC revisions to the *FRUS* plan turned on whether the declassification process required reform. PA's draft called for those deciding appeals to balance security with the integrity of the historical record, placed responsibility on other agencies to provide substitute documents or summaries for information that had to be omitted for security reasons, and proposed more robust Departmental oversight for declassification review. FPC's draft affirmed the adequacy of existing procedures and made no reference to the value of responsible transparency or the integrity of the historical record. Following closely on the heels of PA's efforts to secure preliminary clearance on the *FRUS* plan, Slany informed CIA historian Ken McDonald of the HO plan to try to resolve its CIA access and declassification problems by forging a closer liaison relationship with the CIA History Staff. See Slany to MacDonald [sic], August 17, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—1990—Correspondence & Memos.

<sup>35</sup> Kry's to Kennedy (with attached revised *FRUS* action plan and summary of changes), August 30, 1990, Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990. For Morefield's collaboration with L/M, see Morefield to Skipper and Tait (with attached L/M annotated draft Aquavella [sic] to Kennedy, revised *FRUS* action plan, and summary of changes), August 17, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>36</sup> Ambach memorandum, August 21, 1990, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138; Morefield to Kennedy (with attached Morefield to Slany, September 25, 1990), September 25, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990. See also point 3 of [no author identified] memorandum, [no date], Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990. HO worked with FPC on scheduling issues before and after the HAC meeting. See talking points, October 5, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990; Machak to Susan Povenmire (with attached Slany to Kennedy and Hoggard, November 7, 1990 and draft guidelines, October 29, 1990), November 21, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan; and Slany to Kennedy (with attached analysis of DS revisions and draft guidelines), November 27, 1990 and chronology, [December 10, 1990?] in Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

Faced with intransigent bureaucratic opponents, Slany reported to PA in September that “conflicting premises” prevented progress on the action plan. While PA and HO perceived a “problem with the current methodology for selecting and declassifying the record to be printed,” FPC believed the process was working as it should. HO wanted the HAC to play “a prime role in confirming ... the accuracy and completeness of the *Foreign Relations* series.” Departmental critics believed that the Committee needed to be reined in rather than given additional authority.<sup>37</sup> Developments on Capitol Hill, Slany warned, made this familiar impasse more dangerous than ever in the fall of 1990.

### **The Inevitability of Legislation, September 1990-February 1991**

Even as Department critics worked to restrict the HAC’s role, Pell altered the language of his draft legislation to expand the Committee’s authority beyond *FRUS*. This second revision of the Pell amendment mandated that Department records be automatically declassified and released at NARA when they became 30 years old unless the HAC “reviewed and withheld” them.<sup>38</sup> Claiming that “this is no time for the United States to depart from the tradition of providing an accurate and complete historical record of the actions taken by our government in the field of foreign relations,” Pell introduced—and the Senate passed—this revised *FRUS* legislation as a stand-alone bill in October.<sup>39</sup>

The Department redoubled its efforts to defeat Pell’s revised *FRUS* legislation. PA and FPC agreed that the automatic declassification provision was unworkable, but disagreed about the most effective way of influencing Congress. In September, PA urged the Department to endorse the HO plan for the future of *FRUS* and propose its own *FRUS* / declassification statute to regain the initiative in Congress. FPC wanted the Department to zealously guard its prerogatives without committing to any specific course of action, especially the still-contested HO plan.<sup>40</sup> On October 24, the Department of Justice reinforced FPC tenacity by agreeing that the Pell Amendment “trenches on the President’s constitutional authority to protect state secrets, ... intrudes upon the deliberative privilege for communications within the Executive Branch, ... [and] does not provide for sufficient presidential direction

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<sup>37</sup> Slany to Kennedy (with attachments), September 14, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

<sup>38</sup> Frank Sieverts to Herschler, draft *FRUS* amendment, August 29, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—Annual Meeting Nov. 15/16, 1990 and Slany to Kennedy (with attachments), September 14, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

<sup>39</sup> *Congressional Record*, Vol. 136, No. 142, Pt. II, pp. S16288-S16301 and Miller, “We Can’t Yet Read Our Own Mail: Access to the Records of the Department of State,” pp.196-197.

<sup>40</sup> Slany to Kennedy (with attached Morefield to Slany, Skipper, and Tait and attachments, September 20, 1990), September 21, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

and control over the operations of the Advisory Committee to be created under the bill.”<sup>41</sup>

The next day, Assistant Secretary of State for Legislative Affairs Janet Mullins wrote to Representative Dante Fascell (Democrat, FL), the chair of the House Foreign Affairs Committee, to dissuade him from following the Senate and bringing Pell’s legislation to a vote before the 101st Congress adjourned. Her letter criticized the statute’s “derogation from the uniform government-wide classification system,” especially its failure to account for statutory protections for several categories of sensitive information; its “creating additional bureaucratic layers and processes”; and its elevation of the HAC into a “high-level declassification review body” whose encroachments on Presidential powers “would raise serious constitutional question.” Mullins’s letter assured Fascell that “the Department is fully committed to maintaining the integrity of the *Foreign Relations* series and is pursuing all options of improving the scholarship and timeliness of the series in the future,” but provided no detail about HO’s action plan or the associated internal debate.<sup>42</sup> After the House adjourned without acting on the *FRUS* statute, FPC immediately focused on securing “high level involvement ... to kill the measure” when the 102nd Congress opened in January 1991.<sup>43</sup>

As the stakes of the legislative battle rose, Selin endorsed the PA and HO position during the November 1990 HAC meeting. Selin renewed the HAC charter with minimal revisions in advance of the meeting.<sup>44</sup> To demonstrate “high-level concern about the *FRUS*,”<sup>45</sup> he arranged to meet with the Committee over lunch. During this meeting, Selin offered the HAC two significant concessions that the Department’s declassification reviewers and management advisers had vigorously resisted throughout the 1980s: “the Advisory Committee would receive the necessary clearances and ‘need to know’ to review documents withheld from *Foreign Relations* volumes” and “the Advisory Committee’s mandate extended beyond the *Foreign Relations* series itself to the larger body of Department documents permanently preserved at the National Archives.” Related to the latter, Selin “acknowledged that the Committee’s access to the Department’s relevant systematic review declassification guidelines was necessary to allow it to fully evaluate the accuracy and completeness” of the historical record. Selin hoped that his acceptance

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<sup>41</sup> Draft W. Lee Rawls to Richard Darman, October 24, 1990 attached to Will Davis to H, M, L, and PA, October 25, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

<sup>42</sup> Mullins to Dante Fascell, October 25, 1990, Department of State, HAC Lot File 96 D 292, Box 6, 1990 – Original Briefing Material sent to Adv. Comm. Members. This letter convinced key staffers working on the *FRUS* legislation that the Department could not be trusted to fix the series. See below.

<sup>43</sup> Ambach memoranda, October 30, 1990 in Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>44</sup> Tutwiler to Selin (with attached signed charter), November 2, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*—Historical Advisory Committee—Charter 1990.

<sup>45</sup> Tutwiler to Selin, October 11, 1990, Department of State, HAC Lot File 96 D 292, Box 6, Advisory Committee—Annual Meeting Nov. 15/16, 1990.

of the HAC's demands would obviate further consideration of the Senate's *FRUS* legislation, but his intervention established a baseline for HAC expectations that went beyond anything the FPC and FMP considered acceptable.<sup>46</sup>

The next day, the Committee encountered two starkly different views of the U.S. Government's responsibility to inform the American people of its historical actions. Richard Morefield repeated familiar arguments that declassification resided outside the HAC's purview and tried to deflect blame for declassification delays from FPC to HO. Morefield's rigidity alienated the Committee at the worst possible moment, just before a discussion on the status of *FRUS* legislation with key congressional staffers Frank Sieverts (Senate Foreign Relations Committee) and James Currie (Senate Select Committee on Intelligence). Sieverts explained that Pell, Helms, Boren, and Cohen feared that, without a legislative mandate for *FRUS*, both the standards and existence of the series remained vulnerable to the whims of the Executive Branch. They wanted to "make both *Foreign Relations* and the existence of the Committee a matter of law." Currie ridiculed the Department's objections to the *FRUS* statute, characterizing Mullins's October 25 letter as "hyperbolic" and "paranoid." Borrowing the rhetoric of Senator Helms, Sieverts described the Department's "present system of declassification ... as 'corporate statism'" while the legislation "envisioned a 'free enterprise' approach in which private scholars would take control."<sup>47</sup> Both staffers emphasized that the legislation would greatly expand access to other-agency documentation for the *FRUS* series. Currie assured the HAC that its proposed role in the Department's declassification activities would focus on overseeing review procedures rather than evaluating individual documents. In response to HAC concerns that a legislative mandate would constrain efforts to reform *FRUS*, Sieverts responded that Congress was primarily concerned with assuring the series's future. Although prompt Department action could obviate congressional micromanagement, Sieverts informed the Committee and the Department that "*Foreign Relations* needed a legislative mandate; thus, [Congress] intended to go forward with the legislation. Important declassification and *Foreign Relations* goals," he concluded, "belong in the law."<sup>48</sup>

Sieverts's and Currie's comments during the HAC meeting convinced PA that legislation was inevitable. Early in December, Hoggard issued a stark warning to Selin: failure to deal with the *FRUS* problem could threaten the credibility of the entire executive branch. She predicted that, if "public criticism of the *FRUS*

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<sup>46</sup> Minutes of lunch session of 1990 HAC meeting, Department of State, CDC Lot File 95 D 113, Box 3, Historical Advisory Committee 1990.

<sup>47</sup> The meeting minutes record "general awe that Sieverts had managed to hit the appropriate ideological buttons with [this] analogy." See minutes of 1990 HAC meeting, p. 23, Department of State, PA Lot File 93 D 287, Box 1, *FRUS—Advisory Committee 1990 Annual Meeting* (11/15-16).

<sup>48</sup> Minutes of 1990 HAC meeting, pp. 20-25, Department of State, PA Lot File 93 D 287, Box 1, *FRUS – Advisory Committee 1990 Annual Meeting* (11/15-16). According to Slany, Kimball arranged the "unscheduled" discussion with Sieverts and Currie. See Slany to Kennedy, November 19, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS—Advisory Committee 1990 Annual Meeting* (11/15-16).

continue at the boisterous level it has already attained, ... its target [could] shift to the Secretary in such a manner as to question his commitment (and that of the Administration's [sic]) to provide accurate and complete information to the public." In turning to Selin for high-level support for PA's solution to the *FRUS* problem, Hoggard reported that "bureaucratic foot-dragging has impeded any hope of getting Department-approved proposed legislation to the Hill in the new year without your impetus." In the previous year, she lamented, "the Department incorrectly thought that 'if you ignore it, it will go away'" only to discover that "Congressional oversight ... [and] the Historical Advisory Committee [are] fact[s] of life. The Department," she argued, "must accept these realities and make them work to our advantage."<sup>49</sup>

Hoggard offered a four-part strategy to neutralize the *FRUS* problem. First, Selin had to approve the long-delayed action plan. The Department should also propose a Presidential memorandum, which Senate staffers suggested "could" deflect congressional action, to "direct relevant agencies to cooperate with the Department in assembling, declassifying, and publishing" the series. To strengthen its leverage on the Hill, Selin should change tactics and "express support for the general objectives of the pending legislation, willingness to have some general legislative mandate for the ... series, but offer the Department's [*FRUS* modernization program] as the only appropriate and workable way of dealing with the operational aspects of assuring an accurate and complete published historical record." Finally, the Department had to expedite additional clearances for the HAC so it could undertake its "heightened responsibilities to verify" to integrity of *FRUS*.<sup>50</sup>

The next day, Hoggard and Tutwiler met with Warren Kimball to inform the HAC of their strategy for resolving the *FRUS* problem. Kimball reported to the rest of the Committee that PA and Selin "believe that legislation is so likely that they want to work with Congress to improve the bill." PA explained that it had designed its plan to "fit into a broader piece of legislation that could (should?) include in it a legislative mandate for (1) the *FRUS* series ... , (2) the existence of our HAC, and (3) 'automatic' declassification of State Department documents after 30 years (always within the limitations established by other legislation)." Kimball responded that the HAC would likely support the formula of "legislation that established principles ... combined with procedures and regulations developed internally by the Department to implement those principles." He also clarified that the HAC intended to focus on "assuring the public of the integrity of the process" for *FRUS* production and the

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<sup>49</sup> Hoggard to Selin (with attachments), December 6, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990.

<sup>50</sup> Hoggard to Selin (with attachments), December 6, 1990, Department of State, PA Lot File 93 D 287, Box 1, PA—*Foreign Relations* Series 1990. When FPC received a "boot-leg" copy of Hoggard's memo to Selin, Richard Morefield characterized it as "particularly egregious—perhaps the most distorted to date." He described it as "gloss[ing] over PA's previous positions that have proven disastrous, misrepresent[ing] our positions, ... and "show[ing] a complete disregard for what the Department can and cannot do." See R[ichard] H M[orefield] to D[wight] A[mbach] and W[illiam] H[amilton], December 18, 1990, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

declassification and transfer of records to NARA rather than “provide any sort of ‘imprimatur’ for either the *FRUS* series or any specific volume.” To his colleagues on the HAC, Kimball observed “bureaucracies seem to have two speeds – all stop and all ahead flank. For the moment, this matter seems to have rung up the latter.”<sup>51</sup>

As PA moved to secure Selin’s support for its *FRUS* plan, FPC worked to convince Frank Sieverts that the proposed *FRUS* legislation was a mistake. Over lunch on December 20, several HDR reviewers explained the declassification process in greater detail. They emphasized the impossibility of “automatic” declassification and the relationship between declassification review for *FRUS* and the preparation of systematic review guidelines for use at NARA. Although William Hamilton expressed hope that Sieverts “might be a voice of moderation in Hill discussions if the House can be influenced toward modification [of the existing Senate language],” he judged that the Senate staffer “still believed that ‘historians’ are right to have greater say in what can properly be released—they are the source of Olympian judgments above partisan or bureaucratic constraints.” Charles Flowerree added that Sieverts had confided that “what the historians really wanted was access to the files at NARA at the 30 year line. The *FRUS* dust-up was just a convenient way of getting at the problem.”<sup>52</sup>

In January 1991, Selin directed Roger Gamble and Ambassador Barrington King, troubleshooters in FMP, to “forge a consensus on the *FRUS* plan and on how to deal with Capitol Hill.” In late January and early February, King narrowed the differences between HO and HDR so that the Department could begin “planning and executing a congressional strategy.” FMP finally recognized that the Department’s strategy “required “mend[ing] our fences with the Advisory Committee” and enlisting their support. With backing from the Committee, King hoped that the Department could persuade the Senate to “drop the two most objectionable features of the Pell legislation: a cumbersome statutory advisory committee and the requirement that the Department’s records be automatically declassified after thirty years.” Selin endorsed King’s strategy on January 22.<sup>53</sup>

Over the next three weeks, FPC continued its efforts to minimize the Department’s commitments under the *FRUS* plan. On February 4, William Hamilton met with Deputy Assistant Secretary for African Affairs Irvin Hicks, to cultivate support for FPC’s position in the geographic bureaus. Hicks offered to discuss

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<sup>51</sup> Warren Kimball to State Dept. Advisory Committee on Historical Doc. (HAC), December 8, 1990 attached to Kimball to Hoggard, December 8, 1990, Department of State, PA Lot File 93 D 287, Box 1, *FRUS*—Advisory Committee 1990 Activities & Members. See also Slany through Kennedy and Hoggard to Tutwiler (with attached background notes and talking points), December 7, 1990 and Kimball to Tutwiler, December 8, 1990 in Department of State, PA Lot File 93 D 287, Box 1, *FRUS*—Advisory Committee 1990 Activities & Members.

<sup>52</sup> Hamilton and Flowerree to R[ichard] H M[orefield] and D[wight] R A[mbach], December 20, 1990, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>53</sup> Kent to Selin, January 22, 1991, Department of State, Bureau of Management, Under Secretary for Management Files, 1991 (Lot File 93 D 520) (henceforth M Chron Lot File 93 D 520), Box 1, Not For The System Documents January-June 1991 Secret/NODIS.

the issue informally with Senator Boren over dinner and coordinate with INR to push back against the PA position.<sup>54</sup> Even after revised “to the point where [FPC] reluctantly can recommend DS clearance,”<sup>55</sup> declassification reviewers maintained that the *FRUS* plan posed unnecessary risks. They wanted the Department to prepare a “fall back position, including a recommended veto,” if the plan failed to satisfy *FRUS*’s critics and Congress passed legislation. They also warned about the vastly expanded declassification resources that would be required to declassify *FRUS*, let alone meet even a “generalized commitment to opening State records at a 30-year line.”<sup>56</sup> Ambassador King found persuading DS and INR to accept the revised plan so difficult that he turned back to the earliest U.S. Government efforts to publish its diplomatic secrets, including “covert actions” to secure French aid during the Revolution, to demonstrate the republic’s resilience.<sup>57</sup> PA and DS informed Selin that they had reached agreement on a *FRUS* action plan on February 15.<sup>58</sup>

Within two weeks, Selin implemented the Department’s congressional strategy. At a House Foreign Affairs subcommittee meeting on February 27, he argued that “the right thing on [resolving the *FRUS* controversy] was not what [the Senate] passed” but accepted that the “concern of the [Senate Foreign Relations] Committee was ... completely justified.” Selin admitted the Department had “not [been] doing the right thing on all this” and embraced the HAC’s need to have access to withheld classified material to evaluate the integrity of the publishable record. He also assured the subcommittee that the Department was working “to speed up the process by which documents are declassified and to put a stronger onus on any agency that cares not to declassify a document.” Concluding his remarks on the Department’s *FRUS* plan, the Under Secretary reported that he “personally had been rather deeply involved in this question, because it struck me as a tempest in a teapot, and

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<sup>54</sup> Hamilton to Morefield, February 2, 1991, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan. Despite Hicks’s support, the geographic bureaus played a minimal role in the Department’s 1990-1991 debate over *FRUS*. This was yet another ironic consequence to the centralization of declassification authority in the CDC. As CDC assumed the burden of reviewing material, desk officers grew less engaged with general declassification issues.

<sup>55</sup> Compared to the draft of the *FRUS* action plan that Hoggard sent to Selin in December, the final agreed action plan explicitly recognized the HAC’s role in evaluating the integrity of the Department’s release process (both via *FRUS* and the opening of records at NARA), characterized the purpose of the series to balance security with openness, described interbureau cooperation on *FRUS* planning and management, and qualified previous language about reforming the declassification process with references to existing procedures and authorities.

<sup>56</sup> Machak through Acquavella to Krys (with attached analysis of *FRUS* action plan), [no date —late January?]; B[arrington] King to Machak, Sally Cummins, Mueller, Roger Gamble, William Bacchus, and Grahl, January 31, 1991; Hamilton to Machak, January 31, 1991; Ambach to Machak, February 7, 1991 in Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>57</sup> King memorandum (with attached excerpt from Jared Sparks, ed., *Diplomatic Correspondence of the American Revolution*, Vol. 1), February 13, 1991, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

<sup>58</sup> Tutwiler and Krys to Selin (with attached approved *FRUS* action plan, February 5, 1991; Slny memorandum, February 5, 1991; and Douglas Mulholland to Selin, February 7, 1991), February 15, 1991, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

I couldn't understand why, when it was such an obviously sensible position—I couldn't understand why we didn't get there. So I have spent a lot of time myself in being the catalyst to bring this to the place where it is now."<sup>59</sup> For the rest of 1991, the key issue facing the Department was how—not whether—Congress would legislate transparency.

### **Legislating Transparency: The *FRUS* Statute, March-October 1991**

The enacted version of the *FRUS* statute took shape during the spring and summer of 1991. Despite PA and M acceptance of the inevitability of legislation, FPC sought support from bureaucratic allies elsewhere in the Executive Branch for a presidential veto of any *FRUS* statute that did not conform to the existing declassification regime. Despite NSC opposition to the proposed legislation, the Department moved on to quibbling over details in the House and Senate versions of the statute by the end of the summer. After Congress reconciled the House and Senate versions and passed the bill containing the *FRUS* statute in October, President Bush issued a signing statement asserting presidential authority over decisionmaking regarding national security secrecy. Although the *FRUS* statute offered a decisive rebuke to the previous decade's erosion of openness, additional work had to be completed before responsible historical transparency could be fully restored.

In March, the Advisory Committee met to discuss the Department's approved *FRUS* action plan. Although Hoggard reported to Selin that the Committee was "extremely pleased with and supportive of the steps taken by the Department ... to remedy concerns regarding the *Foreign Relations* series," HAC members actually spent most of the March 13 meeting asking tough questions about how the action plan could work without additional legislative endorsement.<sup>60</sup> In FMP and FPC accounts of the meeting, the HAC dismissed the Department's action plan. Kimball opened the meeting by saying that "part of the Department's plan was window dressing and other parts did not interest the committee." He reported that he "consulted five past chairmen of this committee and while they like the [Department] plan, they are skeptical about chances for its implementation." Recalling how "previous Presidential memos ... have been quickly discarded or forgotten," Kimball regarded this approach as a "cliché." Committee members suspected "that a Presidential memorandum will not have any effect on CIA or

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<sup>59</sup> Selin testimony before House Foreign Affairs Committee, Subcommittee on International Operations, February 27, 1991, pp. 94-96 attached to Mueller to Kennedy, March 12, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138. The briefing materials for Selin's testimony, drafted by FPC, can be found in Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan. When FPC received a copy of Selin's testimony, Morefield noted to Machak that Selin had rejected their arguments about the limitations of the Department's ability to grant access to other-agency classified records and about the appropriate scope of the *Foreign Relations* series. See R[ichard] H [Morefield] to Frank [Machak], March 14, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>60</sup> Hoggard to Selin, March 19, 1991, Department of State, CDC Lot File 95 D 113, Box 2, PA/HO Plan.

DOD.” They believed that legislation would compel interagency cooperation for *FRUS* more effectively than another round of carefully hedged Presidential exhortation. With fresh memories of the Department contemplating “abolishing the Committee,” HAC members also insisted that “their responsibilities must be established in law, lest ... the current favorable environment shift in the future.” By the end of the meeting, “no one [on the Committee] opposed the view that some kind of basic legislation ... was necessary to formally sanction the role of the *FRUS* and the mandate of the advisory committee and its members.” William Hamilton reflected that “the hole into which FPC has fallen seems deeper and without any firm bottom.”<sup>61</sup>

During the spring and summer of 1991, the House and Senate proposed different versions of the *FRUS* statute as part of the Department of State’s basic authorization bill. The Senate version, while revised since 1990, retained the thrust of the Pell Amendment. For example, although the HAC would not be empowered to overrule Department decisions to deny declassification of documents selected for *FRUS*, it could refer such disputes directly to the Secretary of State for resolution. The language also restricted the access requirement for *FRUS* historians to records that were at least 26 years old.<sup>62</sup> The Senate set 60-day declassification review deadlines for *FRUS* referrals and defined specific criteria—based upon, but not identical to, existing standards—for continued classification of documents over 30 years old.<sup>63</sup> Finally, the Senate established a 5-year deadline for bringing *FRUS* to the 30-year line and a 2-year deadline to comply with the systematic declassification review requirement.<sup>64</sup> Pell and Boren endorsed the Senate version of the *FRUS* statute on July 29.<sup>65</sup>

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<sup>61</sup> Tait memorandum, March 13, 1991 and [William] H[amilton] to R[ichard] H M[orefield] and D[wight] R A[mbach], March 13, 1991 in Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991.

<sup>62</sup> Senator Boren explained that this provision was added “by the intelligence agencies to insure that more recent operational information would not even be inadvertently released.” See *Congressional Record—Senate*, July 29, 1991, p. 20249.

<sup>63</sup> On July 30, FPC complained that “the topics listed for exemption ... ignore the majority of EO 12356 categories.” See [no author identified] memorandum, July 30, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>64</sup> Senate Report 102-98, Committee on Foreign Relations Report on Foreign Relations Authorization Act, FY 1992 and 1993, July 2, 1991, pp. 41-43 and 85-86. This report, along with annotated text of the draft Senate *FRUS* statute and a list of revisions in the language can be found attached together in Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138. See also “Bill Summary & Status, 102nd Congress (1991-1992), S.1433, All Congressional Actions with Amendments,” Library of Congress, Congress.gov website, <http://beta.congress.gov/bill/102nd-congress/senate-bill/1433>. In response to Department assessments of the resource implications of systematic review responsibilities, between July 16 and 29, the Senate bill extended the deadline from one year to two. See Pell’s remarks on *Congressional Record—Senate*, July 29, 1991, p. 20245 and annotated draft *FRUS* legislation attached to [no author identified] memorandum, July 30, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>65</sup> *Congressional Record—Senate*, July 29, 1991, pp. 20244-20249.

The House proposed legislation marginally more appealing to *FRUS*'s critics. In response to "Administration concerns" echoing two centuries of debate over "constitutional issues relating to the exercise of executive functions, protection of national security, and potential claims of executive privilege," the House added a "Presidential privilege" to its version of *FRUS* legislation that could be used in "exceptional circumstances" to "preserve the integrity of the ... deliberative process." The House also affirmed that the declassification procedures of the legislation would be "subject to existing legal standards for the protection of classified information. Thus, records selected for inclusion in the series should be declassified unless existing law requires that they remain classified." Although the HAC would receive security clearances needed to make a "valid judgment about what should be included in the publication," it would not serve as the declassification appeals body envisioned by the Pell Amendment. The House imposed a reporting requirement for improving the Department's existing systematic declassification program, an important difference from the Senate's more assertive stance of defining exemption criteria and mandating deadlines.<sup>66</sup>

Once the Department finally accepted that it was "clearly too late to delay or derail the legislation," security-minded officials continued to insist on revisions in its language. Although the Senate "responded to most of the Department's main concerns about automatic declassification of Department records and the role of the Advisory Committee," L and FPC sought changes to incorporate existing statutory and regulatory declassification standards, reduce the authority of the HAC, streamline *FRUS* appeal procedures, "maintain flexibility in the prescribed 30-year timeline" for publication,<sup>67</sup> and eliminate the mandate to declassify and release Department records after 30 years.<sup>68</sup> In May, the NSC proposed similar revisions to the House version of the legislation.<sup>69</sup>

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<sup>66</sup> House Report 102-53, Committee on Foreign Affairs Report on Foreign Relations Authorization Act, FY 1992 and 1993, May 8, 1991, pp. 60-61 and 120-121. See also "Bill Summary & Status, 102nd Congress (1991-1992), H.R.1415, All Congressional Actions with Amendments," Library of Congress, Congress.gov website, <http://beta.congress.gov/bill/102nd-congress/house-bill/1415>.

<sup>67</sup> FPC did not oppose the 30-year line in principle, but wanted to avoid a "rigid 30-year rule" that would preclude the possibility of delaying publication to include "important information," which "may permit a higher quality *FRUS* to be published." The FPC cited "recent changes in the USSR and Eastern Europe" as an example of a catalyst for a "re-review" that could "permit the release of information that could not be released earlier." While the 1991 re-review differed from its 1980 forerunner in enabling substantive gains (rather than losses) for the series, it illustrated that accepting timeliness costs could improve comprehensiveness. See D[wight] R A[mbach] memorandum, April 2, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138. See also Thomas Schwartz, "The Berlin Crisis and the Cold War," *Diplomatic History*, Winter 1997, pp. 139-148 (especially pp. 140-141).

<sup>68</sup> Quotes from Hoggard to Selin, "Status of Legislation on the *Foreign Relations* Series," April 16, 1991, Department of State, M Chron Lot File 93 D 520, Box 2, April 1991 M Chron Files Secret. L and FPC comments are from Skipper to Povenmire, Slany, Machak, William Bacchus, Gary Chafin, and Tait (with attached annotated draft *FRUS* legislation), April 1, 1991, Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991; D[wight] R A[mbach] memorandum, April 2, 1991 and [no author identified] memoranda, May 2, 1991 in Department of State, CDC Lot File 95 D 113, Box 2,

In the summer, the Department worked to convince Congress and the HAC that implementation of the action plan made statutory micromanagement of *FRUS* unnecessary. The June 18 meeting of the Advisory Committee, whose members now possessed upgraded Top Secret clearances, offered a test of whether the Department's response to the *FRUS* problem provided the academic community with sufficient capacity to assure the integrity of the *Foreign Relations* series and provide advice about the opening of Department records at the National Archives. In April and May, HO worked with FPC to plan detailed briefings centered on the Department's systematic review declassification guidelines.<sup>70</sup> In the days before the meeting, FPC also coordinated Departmental and interagency clearances to confirm the HAC's "need to know" information withheld from *FRUS* volumes. The NSC denied clearance to some Presidential records and EAP refused to share classified documents concerning Japan, 1958-1960 with the HAC, but the requested clearances were granted in most other cases.<sup>71</sup> HO also prepared sample summaries of the declassification review process for specific volumes to model refinements envisioned for prefaces in future volumes.<sup>72</sup>

The meeting did not have the impact that the Department hoped. According to the meeting minutes, the Committee divided its attention between the dueling *FRUS* statutes in Congress and declassification questions. After Kimball promised that the HAC would play an active role in channeling academic views of *FRUS* legislation to Congress, Frank Machak noted that the NSC remained "concerned with protecting the President's constitutional prerogatives."<sup>73</sup> Although Committee members were disappointed by continuing restrictions in their access to classified documents withheld from *FRUS*, they deferred making a formal protest after learning of the tight time constraints involved in securing the necessary Departmental and NSC clearances for this meeting. Despite the Committee's inability to review documents

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*FRUS* Legislation: PL 102-138; and Warren Littrel to Bacchus, Mueller, and Richard Green, May 3, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: Follow On.

<sup>69</sup> "HFAC Bill with NSC Changes," May 9, 1991 and [no author identified] note, May 9, 1991 in Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>70</sup> Slany to Littrel, April 30, 1991; Hamilton to R[ichard] H M[orefield] and D[wight] R A[mbach], May 3, 1991; Dwight [Ambach] to Frank [Machak], May 6, 1991; and Machak to Slany, May 20, 1991 in Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991.

<sup>71</sup> Morefield to EAP/CAN [sic], June 11, 1991; Morefield to EAP/IMBS, June 11, 1991; Morefield to EUR/WE, June 11, 1991; Morefield to Menan, June 11, 1991; John Wright to Morefield, June 14, 1991; and R[ichard] M[orefield] note (and attached list of classified documents proposed for HAC access), June 18, 1991 in Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991; and minutes of June 1991 HAC meeting, p. 6, Department of State, Bureau of Public Affairs, Office of the Historian, Advisory Committee on Historical Diplomatic Documentation Files, 1972-2007 (Lot File 09 D 473) (henceforth HAC Lot File 09 D 473), Box 1, June 1991.

<sup>72</sup> Extracts from draft *FRUS* prefaces with attached R[ichard] M[orefield] note, June 18, 1991, Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991.

<sup>73</sup> Susan Tait's post-meeting report elaborated that the NSC was still considering recommending that Bush veto the legislation. See Tait memorandum attached to Machak through Acquavella to Littrel, September 4, 1991, Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991.

withheld from the Japan, 1958-1960 compilation, HO and FPC alerted the Committee that even clearing a substantive disclaimer for the volume would be difficult. Morefield confided that “the Department would not be able to print this volume for the foreseeable future” owing to “concern” that publishing material about “nuclear weapons and status of forces” might “damage current relations.” Bradford Perkins defended this decision, agreeing that “this type of information had been legitimately withheld.” Kimball, too, accepted the validity of continued secrecy for these Japan documents. The Committee, however, criticized virtually all of the excisions and denials proposed for the Italy, 1955-1957 and the Indonesia, 1958-1960 compilations.<sup>74</sup> Although the HAC employed its hard-won access to argue against secrecy that it deemed excessive, it also accepted excisions justified by clear national security imperatives. While the HAC displayed a willingness to compromise, Tait feared “its aspirations” to dictate declassification policy threatened to make “this mismanaged committee ... an embarrassment to the entire Department.”<sup>75</sup>

After the meeting, the HAC moved to address the NSC’s concerns about the pending *FRUS* legislation. On July 9, Kimball met with NSC Deputy Legal Adviser Stephen Rademaker to discuss the NSC’s three constitutional concerns. First, the provisions guaranteeing HAC access to “any documentation it may wish to see” flouted Presidential authority over national security and the Secretary of State’s ability to conduct foreign relations. Second, the reporting requirements in the draft legislation “obliged” the Secretary of State and other agency directors to “take various steps” without regard for their (or the President’s) discretion. Finally, Rademaker rejected the proposed legislation’s defined exemptions for systematic declassification as “different from and at variance with standards established by the President for all other declassification.” Agreeing that “a vetoed bill was something that the administration” and the academic community “would prefer to avoid,” Kimball and Rademaker devised a compromise to the access and reporting requirements that recognized the discretion of the Secretary of State to accept or reject the Committee’s requests, “provided the Secretary informed the Committee in writing” why any of their requests were denied.<sup>76</sup>

As the Department grappled with the competing *FRUS* statutes, FPC focused its efforts on avoiding a legal mandate for systematic review that it lacked the resources to satisfy. FPC estimated that the proposed requirement to systematically review 30-year old records for declassification within 3 years would require 50

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<sup>74</sup> Tait memorandum attached to Machak through Acquavella to Littrel, September 4, 1991, Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991 (an earlier version of the Tait memorandum, with an incomplete “Comments” section is also in this folder); minutes of June 1991 HAC meeting, Department of State, HAC Lot File 09 D 473, Box 1, June 1991 (another copy of these minutes, with comments from FPC, can be found in Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991).

<sup>75</sup> Tait memorandum attached to Machak through Acquavella to Littrel, September 4, 1991, Department of State, CDC Lot File 95 D 113, Box 3, HAC – 1991.

<sup>76</sup> Slany to Kennedy, July 11, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

additional declassification reviewers at a cost of \$4-5 million.<sup>77</sup> Citing these figures, Morefield urged the Department to threaten to recommend a veto of the Senate version of the *FRUS* statute. "If legislation is inevitable," he concluded, "the House committee version is far preferable."<sup>78</sup> On September 12, Acting Secretary of State Lawrence Eagleburger informed the House and Senate conferees who would reconcile the two versions of the legislation that "we continue to think legislation is unnecessary with respect to the *Foreign Relations of the United States* historical series ... , but prefer the House version."<sup>79</sup>

Instead of amending the House language, the conferees blended the House and Senate versions of the *FRUS* legislation in October. To the chagrin of FPC, the compromise language incorporated the Senate provision mandating systematic review at a 30-year line. The final *FRUS* statute retained Pell's May 1990 charter for the series, including multiple deployments of the directive verb "shall":

the Department of State shall continue to publish the *Foreign Relations of the United States* historical series ... which shall be a thorough, accurate, and reliable documentary record of major United States foreign policy decisions and significant United States diplomatic activity. Volumes of this publication shall include records needed to provide a comprehensive documentation of the major foreign policy decisions and actions of the United States Government, including the facts which contributed to the formulation of policies and records providing supporting and alternative views to the policy position ultimately adopted.

Congress also gave the HAC a statutory mandate to:

review records, ... advise and make recommendations ... concerning all aspects of preparation and publication of the *FRUS* series, including ... the review and selection of records for inclusion in volumes of the series

and to

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<sup>77</sup> Littrel to Bacchus, Mueller, and Green, May 3, 1991; John Cruce to Machak, June 28, 1991; and Littrel to Bacchus, Mueller, and Green, July 22, 1991 in Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: Follow On.

<sup>78</sup> Littrel to Bacchus, Mueller, and Green, July 22, 1991, Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: Follow On. Morefield drafted this memorandum on July 16. See also annotated comparison of draft legislation, [no date] and Littrel to Mueller and Bacchus (with attached talking points and suggested revisions), [drafted] September 12, 1991 in Department of State, CDC Lot File 95 D 113, Box 2, *FRUS* Legislation: PL 102-138.

<sup>79</sup> Eagleburger to Pell (with attached comments on H.R. 1415), September 13, 1991 attached to Mullins through Kent to Eagleburger, September 12, 1991, Department of State, Bureau of Legislative Affairs, Steven Berry Files, 1989-1992 (Lot File 93 D 121), Box 2, State Authorization Bill. The Department preferred the Senate's deadline for bringing *FRUS* to the 30-year publication target, which allowed 5 years (the House allowed 3 with the possibility of a 2-year extension if requested by the Secretary).

have full and complete access to the original text of any record in which deletions have been made [in the *FRUS* declassification process and] review the State Department's declassification procedures, all guidelines used in declassification ... , [and] by random sampling, records representative of all Department of State records ... that remain classified after 30 years.<sup>80</sup>

Congress ordered "other departments, agencies, and other entities of the United States Government ... [to] cooperate with the Office of the Historian by providing full and complete access to the records pertinent to United States foreign policy decisions and actions and by providing copies of selected records" that were 26 years old or older. The statute established 120-day deadlines for agency declassification review "in accordance with that agency's procedures for such review" and 60-day appeal deadlines. It also required the Department of State to declassify its records after 30 years unless exempted by one of four criteria (weapons systems, intelligence sources, "would demonstrably impede current diplomatic negotiations or other ongoing official activities of the United States Government or would demonstrably impair the national security of the United States," and personal privacy) and to report on its progress in meeting this requirement in 180 days. Finally, the statute provided for quarterly, rather than annual, meetings of the Advisory Committee.<sup>81</sup>

Upon signing the Foreign Relations Authorization Act on October 28, President George H. W. Bush asserted "fundamental constitutional principles" that would guide the executive branch's implementation of the law. Responding to the *FRUS* statute, Bush insisted that the law

must be interpreted in conformity with my constitutional responsibility and authority to protect the national security of the United States by preventing the disclosure of state secrets and to protect deliberative communications within the executive branch. To the extent that [the *FRUS* statute] addressed the standards for declassification of national security information, it will be interpreted to effect no change in the standards set forth in the existing Executive order on national security information. Further, [the *FRUS* statute] will be implemented in a manner and on a schedule that will not risk ill-considered release of protected information.<sup>82</sup>

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<sup>80</sup> Public Law 102-138, Title IV, Sections 401-407, October 28, 1991.

<sup>81</sup> Public Law 102-138, Title IV, Sections 402-407, October 28, 1991. See also House Report 102-238, Committee of Conference Report on Foreign Relations Authorization Act, FY 1992 and 1993, October 3, 1991, p. 125.

<sup>82</sup> George H. W. Bush signing statement, October 28, 1991, *The American Presidency Project*, eds. Gerhard Peters and John T. Woolley, <http://www.presidency.ucsb.edu/ws/print.php?pid=20152>.

Although its language was flexible enough to allow for the continued protection of classified information and its ultimate significance depended upon the manner of its implementation by a divided executive branch, the *FRUS* statute staked a potent marker that the era of eroding transparency had ended. Even so, security-minded officials continued to rely upon competing statutory, regulatory, and administrative authorities to moderate the *FRUS* statute's promotion of openness in the 1990s. Even as the Department embraced greater transparency, other U.S. Government agencies retained—and used—substantial leverage to influence the contents of *FRUS*. Advocates of openness hailed the *FRUS* statute, but acknowledged that hard work still lay ahead before the series could resume its traditional role as a leading vehicle of responsible historical transparency for U.S. foreign and national security policies. This prospect would ultimately prove even more daunting than expected because maintaining “traditional” levels of comprehensiveness required the series to incorporate entirely unprecedented types of documentation, especially with regard to intelligence activities and covert operations abroad.

In the media and to academic constituencies, transparency advocates hailed the *FRUS* statute as a significant measure promoting U.S. Government openness. On September 25, Warren Kimball wrote to the *New York Times* to laud the pending *FRUS* statute as a “step in the right direction.”<sup>83</sup> On October 31, Slany “praised the new law” in the *Washington Post*, “calling it ‘the greatest step forward’ since the 1925 Kellogg Order. Page Putnam Miller was also “extremely pleased” even as she expressed “concern ... that some agencies and departments might try to expand specific exemptions from disclosure into major loopholes.” Miller hoped that “the new provisions for cooperation and outside oversight may restrict potential abuses of the exemptions.”<sup>84</sup> To the readers of the *SHAFR Newsletter*, she noted that the *FRUS* statute “marked the first time that Congress has legislated on the matter of systematic declassification, a policy that has previously been governed by executive orders.” In the same issue of the *Newsletter*, Kimball reported that “this legislation, together with a State Department ‘Plan’ written ... earlier this year, should go a long way toward making the historical record of American foreign policy and diplomacy, whether published or in open archives, complete and free of the distortion created by the misuse of classification so as to hide from view documents that are only politically embarrassing or awkward.” He closed his report by recognizing the contributions made by Warren Cohen, Frank Sieverts, Jim Curr[ie], Page Miller, Brad Perkins, “and three others who are best left with the code names X, Y, and Z” to secure passage of the *FRUS* statute.<sup>85</sup>

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<sup>83</sup> Kimball letter to the editor, “To Shed More Light on Foreign Policy,” *New York Times*, October 9, 1991, p. A24.

<sup>84</sup> Kamen, “Documents Law: 30 Years and Out: Historians and Civil Libertarians Hail Victory Over Bureaucracy,” *Washington Post*, October 31, 1991, p. A19.

<sup>85</sup> “Excerpts from the National Coordinating Committee for the Promotion of History Director’s Report, Page Putnam Miller, Director” and Kimball, “The *Foreign Relations* Series and Declassification of the Historical Record,” *SHAFR Newsletter* (December 1991), pp. 54 and 56-57.

When FPC received this issue of the *SHAFR Newsletter*, the new head of HDR, Joe Chaddic, asked “should I ask HO who X, Y, & Z are?” Dwight Ambach replied that “HO’s response would be quite predictable. But what if a journalist were to ask Ms. Tutwiler at a noon briefing for an explanation of this new ‘treason’ within the Department, especially concerning an office under her control? Is Felix Bloch back on the payroll? Has the staff in [the Office of Eastern European Affairs] defected, following recent examples in the USSR and Yugoslavia, etc? The possibilities are limitless.”<sup>86</sup> Despite the passage of the *FRUS* statute, guardians of security continued to demand restrictions upon the U.S. Government’s official acknowledgement of its historical foreign policy decisions and actions.

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<sup>86</sup> J[oe] C[haddic] to Joe A[cquavella?], December 19, 1991 and D[wight] R A[mbach] to Joe [Chaddic? Acquavella?], [no date] attached to *SHAFR Newsletter* excerpts, Department of State, CDC Lot File 95 D 113, Box 3, HAC—1991. Bloch was suspected of, but never charged with, spying for the Soviet Union. See David Wise, “The Felix Bloch Affair,” *New York Times Magazine*, May 13, 1990, <http://www.nytimes.com/1990/05/13/magazine/the-felix-bloch-affair.html>.

## Chapter 12: Implementing the *FRUS* Statute, 1992-2002<sup>1</sup>

Joshua Botts

After the erosion of transparency during the 1980s, champions of openness scored a remarkable victory with the *FRUS* statute's mandate for the series, the HAC, and systematic declassification. Within the Department of State, the law's edict for *FRUS* to provide a "thorough, accurate, and reliable record" settled—decisively—debate over the mission of the *Foreign Relations* series. Even when Department officials determined that critical documentation could not be declassified for publication in *FRUS*, no one disputed the legislated standard. The statute's provisions regarding the Advisory Committee on Historical Diplomatic Documentation (HAC) also resolved the "civil war in the Department" in favor of transparency advocates. The Department never again challenged the HAC's authority to provide advice about maintaining the standard prescribed by Congress.

Despite the hopes of the academic community and Congress, however, the 1991 *FRUS* statute represented only the beginning of a process to rebalance security and transparency. For the next decade, HO, the HAC, the CIA, the NSC, and other agencies negotiated how to interpret and apply the law. The ensuing intense interagency discussions inspired bureaucratic restructuring and the creation of a new High Level Panel (HLP) to resolve intelligence-related declassification questions. By 2002, the intellectual and institutional foundations of the present series had been recast in light of the 1991 statute.

HO and HAC efforts to implement the law, however, demonstrated that national security concerns continued to shape the parameters of transparency. Fulfilling the *FRUS* statute required significant changes in institutional culture outside of the Department of State. The Central Intelligence Agency played a decisive role in shaping the evolution of the *Foreign Relations* series in the 1990s. Expanded access to CIA records and the plain language of the statute did not ensure that *FRUS* could document historically significant covert operations. By the mid-1990s, the series ran squarely into legal and policy contradictions that the Department's retreat from openness had obscured in the 1980s. Did the *FRUS* statute neutralize the legal responsibility of the Director of Central Intelligence

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<sup>1</sup> To avoid a lengthy declassification review, this chapter relies on released sources to outline the evolution of the *Foreign Relations* series in the 1990s. Although unreleased Department of State records contain much more detailed information about the implementation of the *FRUS* statute, the formation of the High Level Panel, the evolving relationship between the CIA and HO, and efforts to modernize the *Foreign Relations* series for the Internet era, published sources provide an accurate description of *FRUS* in the 1990s. The most useful released sources are HAC meeting notes at Department of State, Office of the Historian website, <http://history.state.gov/about/hac/meeting-notes> and HAC reports at Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/index.html>.

(DCI) to protect intelligence sources and methods? How could *FRUS* historians exploit CIA records if full and direct access remained impossible? Would covert operations or other sensitive intelligence activities be acknowledged when HO and the HAC determined that producing a “thorough, accurate, and reliable” record required documenting them? Who in the U.S. Government possessed the authority to acknowledge covert operations? And, when such matters were acknowledged, could meaningful documentation be released? HO, the HAC, and the CIA spent a frustrating decade negotiating and renegotiating those questions.

Openness advocates also grappled with the enduring dilemma of balancing comprehensiveness and timeliness. Their efforts built upon decades of experiments in consolidating coverage within volumes and subseries, applying new technology to publish more documents, and expanding editorial devices to provide researchers additional information about archival sources. Just as previous efforts to accelerate the series had failed, the late 1990s “Future of *FRUS*” initiative proved unsuccessful in bringing the series into compliance with the 30-year line. Especially when taking into account the Department’s limited resources, finding the proper balance between comprehensiveness and timeliness remained a vexing problem.

### **Building a Culture of Openness?**

The *FRUS* statute encouraged the Department of State to strengthen its institutional capacity to promote responsible historical transparency in the first half of the 1990s. After the Department warned the Advisory Committee in 1992 that meeting the statute’s systematic review requirement “cannot be achieved until 2010,” the HAC noted that “the assumptions underlying the declassification review process [were] unchanged” despite the *FRUS* statute, and lamented that “a ‘we’ versus ‘they’ attitude persists in certain areas in the department over the issue of declassification of the historical record.” The Committee prodded the Department to embrace openness, “particularly in the light of the new international situation that exists with the end of the Cold War.” Within months, the Department responded by developing an action plan to streamline records management and declassification review procedures. In 1993, the Department restored to HO responsibility for coordinating interagency declassification of *FRUS* documents. These reforms improved the Department’s ability to review and release historical records.<sup>2</sup>

Department leaders also promoted a greater degree of openness. As Assistant Secretary for Public Affairs and Department Chief of Staff (and a former student intern in HO during the mid-1970s), Tom Donilon continued the high-level bureaucratic support for *FRUS* provided by Margaret Tutwiler in 1990-1991. Indeed, Donilon engaged even more actively in *FRUS* declassification issues. In 1994 and 1995, he supported the release of documents in volumes covering Japan and British Guiana that had been denied by declassification reviewers and geographical bureau

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<sup>2</sup> Kimball, “Fixing the *Foreign Relations* Series: The 1992 HAC Report,” *Perspectives*, September 1993, pp. 30-32 and Kimball, “Historical Advisory Committee Reports on *Foreign Relations* Series,” *Perspectives*, November 1994, pp. 16-18.

officers.<sup>3</sup> After securing Department clearance, Donilon worked with senior officials at the CIA and the NSC to develop an “interagency appeals board” to “consider, and ... resolve, [covert operation] cases that do not, strictly speaking, fall within the formal mandate of the law.” This informal body, soon replaced by a formal HLP, approved acknowledgment of the operation in British Guiana, but denied releasing information for the Japan volume.<sup>4</sup> In 1995 and 1996, HAC Chair Warren Kimball praised Donilon for his “constructive and energetic role” and the Bureau of Public Affairs for its “consistent and courageous” support in promoting the *Foreign Relations* series, both inside and outside the Department.<sup>5</sup> When Kimball reported “a growing sense of crisis” confronting *FRUS* as difficulties with the CIA mounted in 1998, he also noted “the Department’s newly gained reputation for supporting reasonable openness”—a reputation that the HAC wanted to help “maintain and enhance.”<sup>6</sup>

Advocates for openness celebrated this stunning turnaround. Only seven years after the Department’s own declassification unit advocated vetoing the *FRUS* law to avoid onerous systematic review requirements, the Inspector General reported “the Department is generally considered by cognizant authorities such as ISOO [Information Security Oversight Office] and [the HAC] as having one of the best

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<sup>3</sup> For the Department’s reversal, see Kimball, “Historical Advisory Committee Reports on *Foreign Relations* Series,” *Perspectives*, November 1994, pp. 16-17; Advisory Committee on Historical Diplomatic Documentation meeting minutes for February 1995, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac295.html>; and Kimball to Warren Christopher with attached HAC report for 1994-1995, May 10, 1996, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac95.html>.

<sup>4</sup> The covert operation in Japan was retroactively acknowledged in the volume covering 1964-1968. See *Foreign Relations of the United States, 1964-1968*, Vol. XXIX, pt. 2, Japan (Washington, D.C.: Government Printing Office, 2006), Document 1, <http://history.state.gov/historicaldocuments/frus1964-68v29p2/d1>.

<sup>5</sup> Minutes of February 1995 HAC meeting, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac295.html> and minutes of July 1995 HAC meeting, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac795.html>; and Kimball to Christopher with attached HAC report for 1994-1995, May 10, 1996, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac95.html>.

<sup>6</sup> Kimball to Madeleine Albright, March 6, 1998 included with “Report of the Advisory Committee on Historical Diplomatic Documentation,” *Perspectives*, January 1999, <http://www.historians.org/perspectives/issues/1999/9901/9901NOT.cfm>. For the HAC’s role in promoting the Department’s improved transparency after the *FRUS* statute, see Betty Glad and Jonathan Smith, “The Role of the Historical Advisory Committee, 1990-94, in the Declassification of U.S. Foreign Policy Documents and Related Issues,” *PS: Political Science and Politics*, June 1996, pp. 185-191; Miller, “We Can’t Yet Read Our Own Mail: Access to the Records of the Department of State,” in Theoharis, *A Culture of Secrecy*, pp. 186-210, especially pp. 201-208; Robert Schulzinger, “Transparency, Secrecy, and Citizenship,” *Diplomatic History*, Spring 2001, pp. 165-178, especially pp. 170-176; and Steven Aftergood, H-DIPLO article commentary, April 18, 2001, H-NET, <http://h-net.msu.edu/cgi-bin/logbrowse.pl?trx=vx&list=h-diplo&month=0104&week=c&mmsg=4WG/DEBrnOS5/X6uNsIE%2Bg>.

—if not the best—declassification programs in the Federal Government.”<sup>7</sup> Most academic reviews of *FRUS* praised the improvement of the series in the aftermath of the statute. In October 1992, even before published volumes fully reflected the reforms introduced by the statute, Ohio State University historian Peter Hahn celebrated “*glasnost* in America” after reviewing *FRUS*’s coverage of the Arab-Israeli dispute in the 1950s.<sup>8</sup> Later reviewers favorably compared volumes produced after the statute to those released in the 1980s. In 1997, Vanderbilt University historian Thomas Schwartz noted that the volumes documenting the Berlin crisis during the Kennedy administration were “significantly more complete” than those covering the same topic at the end of the Eisenhower years.<sup>9</sup> The next year, Rutgers University historian and former HAC member Lloyd Gardner praised the two Johnson administration volumes covering Vietnam in 1965 as “setting the highest standards for government publication of a nation’s foreign policy record” and HO as “a triumph of professionalism—and a proper steward of a public trust.”<sup>10</sup> In 1999, Stephen Rabe, a historian at the University of Texas at Dallas, predicted that the *FRUS* volumes and microfiche supplement documenting Kennedy’s policies toward Latin America “will go a long way toward assuring historians that [the *FRUS* statute] has effected meaningful change.”<sup>11</sup> Finally, in 2000, University of Virginia historian (and former Foreign Service Officer and National Security Council staff member) Philip Zelikow found in *FRUS*’s coverage of Kennedy’s policy toward Cuba “a new level of editorial assistance and especially broad research across the archival holdings of agencies and collections of papers. The result,” Zelikow judged, “was authoritative.”<sup>12</sup> Academic criticism of the “Iran Volume” and the restrictions placed on HAC access to classified material raised public and congressional awareness of the erosion of transparency in the 1980s. Conversely, academic endorsement of the Department’s improved systematic review program and production of “thorough, accurate, and reliable” volumes validated the Department’s efforts to promote responsible transparency in the 1990s.<sup>13</sup>

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<sup>7</sup> Department of State OIG report, “Declassifying State Department Secrets,” September 1998, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/oig.html>.

<sup>8</sup> Peter Hahn, “*Glasnost* in America: Foreign Relations of the United States and the Middle East, 1955-1960,” *Diplomatic History*, October 1992, pp. 631-642.

<sup>9</sup> Thomas Schwartz, “The Berlin Crisis and the Cold War,” *Diplomatic History*, Winter 1997, pp. 139-148. Schwartz served on the HAC from 2005 to 2008.

<sup>10</sup> Gardner, “From the American Archives,” *Diplomatic History*, Spring 1998, pp. 321-336.

<sup>11</sup> Stephen Rabe, “John F. Kennedy and Latin America: The ‘Thorough, Accurate, and Reliable Record’ (Almost),” *Diplomatic History*, Summer 1999, pp. 539-552.

<sup>12</sup> Philip Zelikow, “American Policy and Cuba, 1961-1963,” *Diplomatic History*, Spring 2000, pp. 317-334. Zelikow served as Executive Director of the 9/11 Commission in 2003 and 2004 and Counselor of the Department of State from 2005 to 2007. Zelikow also served on the HAC from 1997 to 2001.

<sup>13</sup> Analysis of source notes in the digitized Kennedy, Johnson, and Nixon/Ford subseries, conducted in July 2013, provides a rough illustration of the evolving content of the series as HO implemented the *FRUS* statute. HO compiled the Kennedy volumes in the late 1980s and early 1990s; Johnson volumes in the 1990s, and Nixon/Ford volumes in the late 1990s and early 2000s. Department of State records constituted 64.7 percent of the Kennedy subseries, 53.2 percent of the

Other elements of the U.S. Government joined the Department of State in moving toward greater openness in the 1990s. In April 1993, President Bill Clinton ordered a review of the classification and declassification systems “to ensure that they are in line with the reality of the current, rather than the past, threat potential.” This review focused, in part, on accelerating declassification and reducing the “large amounts of classified information that currently exist in Government archives and other repositories.”<sup>14</sup> The resulting executive order, issued two years later, recognized that “dramatic changes ... provide a greater opportunity to emphasize our commitment to open Government.” Echoing the proposed automatic declassification language in some drafts of the Senate version of the *FRUS* statute, the order mandated that each agency undertake a systematic declassification review program. This had been optional under the previous executive order. Executive Order 12958 also provided for automatic declassification of 30-year-old records in 2000 unless they contained information in one of nine exempted categories.<sup>15</sup> The automatic declassification provision galvanized many agencies to improve their systematic review procedures to avoid the unpleasant prospect of releasing unreviewed records after the deadline passed.<sup>16</sup>

Congress also tried to promote greater openness in the mid-1990s, when Senator Daniel Patrick Moynihan led a commission that examined “the culture of secrecy” that had arisen in the U.S. Government during the Cold War. At the end of the Moynihan Commission’s two-year investigation, it recommended replacing the executive order-centered regime for classifying and declassifying national security information with a statutory mandate for information security. The Commission also suggested centralizing declassification activities in a national Declassification Center, which would implement guidelines prepared by originating

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Johnson subseries, and 29.6 percent of the Nixon/Ford subseries. Analogous figures for Presidential material were 25.5, 38.5, and 59.1 percent; for military records, 5.5, 4.0, and 2.4 percent; for CIA documents, 1.7, 2.3, and 1.7 percent. Henry Kissinger’s papers at the Library of Congress comprised 5.0 percent of the Nixon/Ford subseries. These figures do not reflect HO’s use of the Nixon tapes since many of the transcriptions of these conversations appeared in Editorial Notes, which were excluded from the queries.

<sup>14</sup> Presidential Review Directive 29, “National Security Information,” April 26, 1993, William J. Clinton Presidential Library and Museum, <http://www.clintonlibrary.gov/assets/storage/Research%20-%20Digital%20Library/directives/2010-1225-F-prd-29-national-security-information-april-26-1993.pdf>.

<sup>15</sup> Executive Order 12958 (signed April 17, 1995), *Federal Register*, Volume 60, No. 76, April 20, 1995, pp. 19825-19843 (published April 20, 1995), <http://www.gpo.gov/fdsys/pkg/FR-1995-04-20/pdf/95-9941.pdf>.

<sup>16</sup> The review deadline was extended in the late 1990s and early 2000s to reflect more restrictive revisions to Clinton’s executive order, such as Kyl-Lott requirements to prevent accidental releases of information related to nuclear weapons. See Matthew Aid, “Declassification in Reverse: The U.S. Intelligence Community’s Secret Historical Document Reclassification Program,” National Security Archive Electronic Briefing Book No. 179, February 21, 2006, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB179/>.

agencies.<sup>17</sup> Despite the Moynihan Commission's report, Congress avoided the thicket of constitutional debate that would have greeted any attempt to legislate classification and declassification across the U.S. Government. Instead, it passed the Public Interest Declassification Act in 2000. In language echoing the nearly decade-old *FRUS* statute, the law created a public advisory board jointly appointed by the President and the majority and minority leaders of both Houses of Congress "to promote the fullest possible public access to a thorough, accurate, and reliable documentary record of significant United States national security decisions and significant United States national security activities."<sup>18</sup> The resulting Public Interest Declassification Board, which first met in 2006, has to date influenced the classification and declassification system far less than the HAC contributed to *FRUS* and the Department of State's declassification procedures since 1991.<sup>19</sup>

Finally, Central Intelligence Agency actions portended a new era of openness in the early 1990s. In February 1992, DCI Robert Gates announced "a real shift on CIA's part toward greater openness and sense of public responsibility." Although he emphasized his continuing "statutory responsibility to protect our sources and methods," Gates also believed that the Agency had to "be accountable to the American people" as it played "a critical role in supporting national security policymakers in a complex and often dangerous world." Gates announced that he had transferred declassification review responsibilities to the Center for the Study of Intelligence (CSI), "where there will be a bias toward declassification of historical documents." Any appeals of a CSI declassification decision would go directly to the DCI for final resolution. He directed that CSI reviewers prioritize releasing information concerning "events of particular interest to historians from the late 1940s to the early 1960s," such as "the 1954 Guatemalan coup, the Bay of Pigs, and the Cuban Missile Crisis."<sup>20</sup> Gates also promised more openness about intelligence

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<sup>17</sup> *Secrecy: Report of the Commission on Protecting and Reducing Government Secrecy*, S. Doc. 105-2 (Washington, D.C.: Government Printing Office, 1997), pp. xxii-xxv, 11-16, 67-73.

<sup>18</sup> Public Interest Declassification Act of 2000, as amended, Public Law 106-567, National Archives, Public Interest Declassification Board website, <http://www.archives.gov/declassification/pidb/public-law-106-567.pdf>. See also "S. 1801—Public Interest Declassification Act, Hearing Before the Committee on Government Affairs, U.S. Senate," July 26, 2000, S. Hrg. 106-713 (Washington, D.C.: Government Printing Office, 2000), <http://www.gpo.gov/fdsys/pkg/CHRG-106shrg66249/pdf/CHRG-106shrg66249.pdf>.

<sup>19</sup> For records of PIDB meetings and reports, see National Archives, Public Interest Declassification Board website, <http://www.archives.gov/declassification/pidb/meetings/> and <http://www.archives.gov/declassification/pidb/recommendations/>.

<sup>20</sup> Gates's specific reference to these three events facilitated the release of CIA documentation in three *FRUS* volumes, a CIA documentary collection, and a highly publicized 1997 CIA document release. See *Foreign Relations of the United States, 1961-1963, Vol. X, Cuba, January 1961-September 1962* (Washington, D.C.: Government Printing Office, 1997), <http://history.state.gov/historicaldocuments/frus1961-63v10/preface>; *Foreign Relations of the United States, 1961-1963, Vol. XI, Cuban Missile Crisis and Aftermath* (Washington, D.C.: Government Printing Office, 1996), <http://history.state.gov/historicaldocuments/frus1961-63v11/preface>; *Foreign Relations of the United States, 1952-1954, Guatemala* (Washington, D.C.: Government Printing Office, 2003), <http://history.state.gov/historicaldocuments/frus1952-54Guat/preface>; Mary McAuliffe, ed., *CIA Documents on the Cuban*

analysis, announcing that all National Intelligence Estimates on the former Soviet Union that were 10 years old or older would be reviewed for release. Finally, he explicitly affirmed the applicability of the 1991 law by noting that CSI was also charged with “participat[ing] in [the] preparation of” *FRUS* “and compliance with related statutes governing the review of historical material.”<sup>21</sup> In April, Page Putnam Miller reported the CIA’s “new policy of openness” and predicted that “historians will be eager to see whether the new plan ... is able to reverse a long tradition of secrecy.”<sup>22</sup>

James Woolsey, who succeeded Gates as DCI in 1993, fueled expectations for greater openness when he testified before the House Permanent Select Committee on Intelligence that he had “directed review for declassification of significant Cold War covert actions more than 30 years old.” He acknowledged “activities in support of democracy in France and Italy in the 1940s and 1950s; support to anti-Sukarno rebels in Indonesia in 1958; support to Tibetan guerrillas in the 1950s and early 1960s; operations against North Korea during the Korean War; and, operations in Laos in the 1960s.” He also echoed promises made by Gates to “declassify records on the Bay of Pigs operation, the coups against President Arbenz of Guatemala and against Prime Minister Mossadeqh in Iran, and operations in the Dominican Republic and the Congo.” Alongside this pledge to release information about these 11 covert operations, Woolsey reiterated his predecessor’s insistence that the Agency would continue to protect sources and methods needed to preserve national security.<sup>23</sup> Gates’s and Woolsey’s promises fueled expectations that the CIA would release documentation of the Agency’s historical participation in decisionmaking and its significant overseas activities. As *FRUS* stakeholders learned in the mid-1990s, however, a great deal of work had to be done to augment the declassification system, improve interagency awareness, and reshape longstanding habits of behavior before these expectations could be fulfilled.

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*Missile Crisis, 1962* (Washington, D.C.: CIA History Staff, 1992), <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/Cuban%20Missile%20Crisis1962.pdf>; and Kate Doyle and Peter Kornbluh, “CIA and Assassinations: The Guatemala 1954 Documents,” National Security Archive Electronic Briefing Book No. 4, [no date—1997], <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB4/> (based on documents released by the CIA in May 1997).

<sup>21</sup> Robert Gates speech, February 21, 1992, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/irp/eprint/gates1992.html>. See also Task Force on Greater CIA Openness to Gates, December 20, 1991 and Gates to Deputy Directors and other Senior Agency Officials, January 6, 1992, Exhibits B and C in Tom Blanton and Kate Martin, “CIA Secrecy Lawsuit,” National Security Archive Electronic Briefing Book CIA Case, August 2, 2000, <http://www.gwu.edu/~nsarchiv/NSAEBB/ciacase/EXB.pdf> and <http://www.gwu.edu/~nsarchiv/NSAEBB/ciacase/EXC.pdf>.

<sup>22</sup> Miller, “NCC Advocacy Update,” *Perspectives*, April 1992, <http://www.historians.org/perspectives/issues/1992/9204/9204NCC.cfm>.

<sup>23</sup> James Woolsey testimony before the House Permanent Select Committee on Intelligence, September 28, 1993, Exhibit D in Tom Blanton and Kate Martin, “CIA Secrecy Lawsuit,” National Security Archive Electronic Briefing Book CIA Case, August 2, 2000, <http://www.gwu.edu/~nsarchiv/NSAEBB/ciacase/EXD.pdf>.

## The CIA Problem

The controversy over the Iran volume in 1990 highlighted the importance assigned by the academic community and Congress to documenting intelligence issues in the *Foreign Relations* series. *FRUS* research and clearances put HO, the HAC, and the Agency on a collision course in the decade following the passage of the *FRUS* statute. As they realized that the *FRUS* statute alone did not assure the integrity of the series, HO and the HAC grappled with yet another “crisis” facing the *Foreign Relations* series.

Implementing the *FRUS* statute required HO staff to consult Intelligence Community records. Absent sufficient access to those documents, the series could not present a thorough and accurate account of the Intelligence Community’s role in decisionmaking and “significant” activities abroad. A 1992 Memorandum of Understanding (MOU) between HO and the CIA for the Agency’s cooperation with *FRUS* eased restrictions on HO access to CIA-originated or CIA-equity documents at the Presidential Libraries. *FRUS* historians faced difficulties, however, in conducting research in records controlled directly by intelligence agencies that zealously protected information security. The CIA employed records management practices to compartmentalize holdings on a “need to know” basis, not ease researcher accessibility. Even the Agency’s own historians in the CSI lacked full access to Directorate of Operations (DO) files.<sup>24</sup> In 1995 and 1996, political scientist David Gibbs accused the Historian’s Office of “omitt[ing] vital information[,] ... suppress[ing] details concerning U.S intervention, and generally provid[ing] a misleading account of the Congo Crisis” in a volume compiled without full access to CIA records.<sup>25</sup> By the mid-1990s, HO and CSI developed a working relationship that illustrated the difficulties involved in incorporating intelligence records into *FRUS*: HO compilers who employed inconsistent methodologies to collect and select CIA records teamed up with Agency historians who possessed varying degrees of familiarity with and access to targeted records.<sup>26</sup>

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<sup>24</sup> This remained the case as of 2013.

<sup>25</sup> David Gibbs, “Let Us Forget Unpleasant Memories: The US State Department’s Analysis of the Congo Crisis,” *Journal of Modern African Studies*, March 1995, pp. 175-180 and Gibbs, “Misrepresenting the Congo Crisis,” *African Affairs*, July 1996, pp. 453-459 (quote from p. 453).

<sup>26</sup> See minutes of February 1995 HAC meeting, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac295.html> and minutes of June 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1996>; minutes of October 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-1996>; minutes of December 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1996>; minutes of March 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1997>; minutes of September 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1997>; minutes of December 1997 meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1997>; minutes of March 1998 meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1998>; minutes of October 1998 HAC meeting, Department of State, Office of the

Despite the ambiguities in this arrangement, it proved adequate in the early and mid-1990s. The Agency's own growing declassification program provided *FRUS* historians access to many important records. The CIA identified the Bay of Pigs operation and intelligence relating to the Cuban Missile Crisis as priority "targeted declassification" issues.<sup>27</sup> The JFK Assassination Records Collection Act of 1992, which created a public advisory panel to review agency declassification decisions, expedited the release of additional Kennedy-era documentation.<sup>28</sup> With extensive CIA assistance, HO released the first of a series of institutionally-focused retroactive volumes on the organization of the Intelligence Community in 1996.<sup>29</sup> In the early and mid-1990s, *FRUS* historians also systematically exploited the records of the Department's Bureau of Intelligence and Research (INR), which contained a treasure trove of documentation of high-level deliberations concerning covert operations and served as a vital "road map" for additional research in CIA holdings, especially relating to the National Intelligence Council and the Directorate of Intelligence.<sup>30</sup> Although HO and the HAC constantly sought to improve *FRUS* compilers' ability to make use of intelligence-related materials, by late 1997, William Slany reported that HO "believed we have the access needed to compile the record."<sup>31</sup>

The covert operations documented in CIA and INR records raised vexing dilemmas for the Department and the Agency. Plans for including covert operations in the post-statute *FRUS* reflected the central role that academic criticism of the Iran volume (and, retroactively, the Guatemala volume) played in inspiring the 1991 law. Both HO and the HAC agreed that the series's credibility required covering

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Historian website, <http://history.state.gov/about/hac/october-1998>; minutes of December 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1998>; and minutes of March 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1999>.

<sup>27</sup> See the preface of *Foreign Relations of the United States, 1961-1963, Vol. X, Cuba, January 1961-September 1962* (Washington, D.C.: Government Printing Office, 1997), <http://history.state.gov/historicaldocuments/frus1961-63v10/preface> and the foreword to McAuliffe, ed., *CIA Documents on the Cuban Missile Crisis, 1962* (Washington, D.C.: CIA History Staff, 1992), <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/Cuban%20Missile%20Crisis1962.pdf>.

<sup>28</sup> See Anna K. Nelson, "The John F. Kennedy Assassination Records Review Board," in Theoharis, *A Culture of Secrecy*, pp. 211-231. According to Nelson, the Assassination Records Review Board exercised "extraordinary powers of oversight. The board and its staff could have access to any and all records in every federal agency, including those the agencies deemed irrelevant to the assassination. Furthermore, the board was granted broad powers to overturn agency record-withholding decisions—only the president could countermand its rulings to release records." (p. 214).

<sup>29</sup> See *Foreign Relations of the United States, 1945-1950, Emergence of the Intelligence Establishment* (Washington, D.C.: Government Printing Office, 1996), <http://history.state.gov/historicaldocuments/frus1945-50Intel/preface>.

<sup>30</sup> See minutes of July 1995 HAC meeting, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac795.html> and minutes of June 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1997>.

<sup>31</sup> Minutes of December 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1997>.

covert operations that resulted from “major foreign policy decisions” or whose effects embodied “significant diplomatic activity.” Even as HO grappled with the difficulties of documenting sensitive intelligence activities in current compilations, the HAC also urged Department historians to produce retrospective volumes to bring *FRUS*’s coverage of the late 1940s and 1950s up to the statutory mandate. These plans, like the access arrangements made in the early 1990s, reflected HO and HAC optimism that the CIA’s openness initiatives and the official acknowledgement of several Cold War covert operations opened the world of intelligence activities to *FRUS*.<sup>32</sup>

Documenting covert operations in *FRUS*, however, required greater exertions than anyone in the Department or the CIA anticipated in the early 1990s. Working-level declassification reviewers in both the Department and the Agency lacked the authority to acknowledge covert operations. Senior-level officials disagreed about where that authority resided in the interagency declassification system. Because Presidential authorization was required to initiate covert actions, the NSC would have to approve acknowledgement and release decisions before other agencies

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<sup>32</sup> For discussions of retrospective volumes between 1992 and 2002, see minutes of July 1995 HAC meeting, Federation of American Scientists, Secrecy in Government Project website, <http://www.fas.org/sgp/advisory/state/hac795.html>; minutes of March 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1996>; minutes of June 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1996>; minutes of October 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-1996>; minutes of March 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1997>; minutes of June 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1997>; minutes of September 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1997>; minutes of March 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1998>; minutes of June 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1998>; minutes of October 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-1998>; minutes of March 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1999>; minutes of June 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-2001>; minutes of December 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2001>; minutes of March 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-2002>; minutes of July 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2002>; minutes of September 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-2002>; and minutes of December 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2002>. The Committee also noted the importance of retrospective volumes in several annual reports to the Secretary of State. See Kimball, “Fixing the *Foreign Relations* Series: The 1992 HAC Report,” *Perspectives*, September 1993, p. 30; Kimball, “Historical Advisory Committee Reports on *Foreign Relations* Series,” *Perspectives*, November 1994, p. 16; and Kimball, “The Report of the Advisory Committee on Historical Documentation to the U.S. Department of State,” *Perspectives*, January 1998, <http://www.historians.org/perspectives/issues/1998/9801/9801NOT.cfm>.

could move forward. Since the NSC reviewed *FRUS* compilations at the end of the clearance process, however, CIA reviewers lacked White House guidance when they made their release decisions. Despite the *FRUS* statute and Clinton's new executive order, no procedure existed to declassify as-yet unacknowledged operations.

In 1995, Donilon worked with Nora Slatkin, the Executive Director of the CIA, and Rand Beers, the head of the NSC Intelligence Directorate, to formalize principles guiding treatment of covert actions in *FRUS*. They agreed on the "general presumption that volumes of [the series] will disclose for the historical record major covert actions undertaken as a matter of U.S. foreign policy." To implement this principle, they formed the interagency panel that ruled on the Kennedy-era Japan and British Guiana volumes. After Donilon left the Department, the panel languished. By the summer of 1997, a growing backlog of CIA clearances and mounting HAC impatience with the deadlock led Secretary of State Madeleine Albright to invite DCI George Tenet and National Security Adviser Sandy Berger to formalize the HLP. As originally designed, the Panel consisted of the Assistant Secretary of State for Public Affairs, a senior CIA official (the Executive Director or the General Counsel of the Agency), and the intelligence staff director at the NSC. These principal officers would meet periodically to consider HO-prepared issue statements providing a summary description of covert actions proposed for inclusion in specific volumes and to examine proposed declassification guidelines for reviewing documentation for release. In fact, the HLP representatives met face-to-face only twice. In all subsequent cases, HLP decisions were instead coordinated at the staff level, with HO drafting issue statements and guidelines, securing clearance within the Department, negotiating an agreed position with the CIA, and then seeking final approval from the NSC. This shift in practice limited the engagement of senior officials to approving release guidance while leaving interpretation and implementation to mid-level and working-level management officers. The HLP institutionalized new capacities to acknowledge historical covert operations and "other sensitive intelligence issues" in the U.S. declassification system. When it came into operation in early 1998, HO, the HAC, and the CIA all hoped that the HLP would resolve increasingly alarming delays in declassifying and publishing *FRUS*.<sup>33</sup>

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<sup>33</sup> For the State-CIA agreed principles, see "Understanding Between the Department of State and the CIA on Cooperating and Publishing Essential Covert Actions in the *Foreign Relations Series*," attached to Kimball to Christopher along with the HAC report for 1994-1995, May 10, 1996, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac95.html>. For HAC discussion of the covert action decisionmaking issue through 1998, see minutes of February 1995 HAC meeting, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac295.html>; minutes of July 1995 HAC meeting, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac795.html>; minutes of March 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1996>; minutes of June 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1996>; minutes of October 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/>

Acknowledgment of covert operations, however, did not necessarily lead to the release of significant documentation. Although the HLP approved the acknowledgement of all 12 of the issues that came onto its agenda in 1998, the CIA's clearance decisions were much more constrained than HO and the HAC expected. The HLP allowed for the acknowledgement of additional covert operations but did not moderate CIA reluctance to release operational documentation. Instead, the Department and the Agency arrived at an impasse exemplified by the Indonesia, 1958-1960 volume (published in 1994). The preface to that volume noted that the compilation represented the first example of the inclusion of a covert operation in the *Foreign Relations* series, but it also explained that details of U.S. support for Indonesian rebels could not be released. Although the HLP approved specific declassification guidelines for later volumes, the HAC complained that "the CIA ke[pt] coming up with reasons not to release the information (amounts of money, liaison relationships, activities in-country, etc.)." Despite high-level support for increased transparency, CIA officials applied HLP guidelines so conservatively in 1998 and 1999 that they contributed little to HO's ability to document historical covert operations.<sup>34</sup>

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[hac/october-1996](#); minutes of December 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1996>; minutes of March 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1997>; minutes of June 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1997>; minutes of September 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1997>; and minutes of December 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1997>. For the HAC's impatience with the status quo in 1996-1997, see Warren Kimball, "Classified!" address to SHAFR annual meeting, June 22, 1996; George C. Herring, "My Years With the CIA," January 1997, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/eprint/herring.html>; Kimball to Nora Slatkin, April 1, 1997, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/kimball.html>; and Kimball, "The Report of the Advisory Committee on Historical Documentation to the U.S. Department of State," *Perspectives*, January 1998, <http://www.historians.org/perspectives/issues/1998/9801/9801NOT.cfm>. For press coverage of the dispute, see Tim Weiner, "Keeping the Secrets That Everyone Knows," *New York Times*, October 30, 1994, p. E16; Weiner, "Some Spying Secrets Will Stay out the Cold" [sic], *New York Times*, February 19, 1995, p. E3; William Studeman letter to the editor, "Why CIA Can Disclose Much, but Not All," *New York Times*, March 4, 1995, p. A18; Kimball letter to the editor, "CIA Gives Little Hope of Being More Candid," *New York Times*, August 23, 1996, p. A26; and Weiner, "Committee Says CIA's Secrecy Threatens to Make History a Lie," *New York Times*, April 9, 1998, p. A22.

<sup>34</sup> Quote from minutes of September 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1999>. For the Indonesia volume, see the preface to *Foreign Relations of the United States, 1958-1960, Vol. XVII, Indonesia* (Washington, D.C.: Government Printing Office, 1994), <http://history.state.gov/historicaldocuments/frus1958-60v17/preface>; "Official History Details Covert CIA Role in Indonesia," *Washington Post*, October 30, 1994, p. A11; and Robert McMahon presentation at the "Landscapes of Secrecy: The CIA in History, Fiction, and Memory" conference at the University of Nottingham, April 2011, <http://backdoorbroadcasting.net/2011/04/robert-j-mcmahon-the-cia-and-the-frus-series-the-indonesian-case/>. For the initial operation of the HLP, see "Status of Johnson and Nixon Era FRUS High Level Panel [HLP] Covert Action Cases," May 1999, Federation of American Scientists,

This new deadlock forced HO, the HAC, and the Agency to confront fundamental disagreements about the release of sensitive intelligence information that dated back to 1960. HO and the HAC repeated arguments made since the 1970s about the “transparency value” of incorporating intelligence information into *FRUS*. To historians, the passage of time, the release of information about secret activities and relationships in memoirs, or leaks to the media almost always obviated any continuing need to protect sources or methods. They also cited repeated CIA statements that described *FRUS* as the proper vehicle for disclosing intelligence activities responsibly, in their full historical context, to urge the Agency to be more forthcoming.<sup>35</sup> These attitudes, and *FRUS* historians’ determination to document intelligence activities abroad, ran headlong into the most sensitive areas of CIA concern. Even after Department of State officials retreated from 1980s-era views concerning security and transparency, advocates of secrecy elsewhere in the U.S. Government could still hobble *FRUS*.

By the end of the 1990s, a backlash against *FRUS* gathered momentum in the Agency, especially in the Directorate of Operations. In 1998, DCI Tenet reorganized the CIA’s declassification functions. New procedures deemphasized the role played by Agency historians and enhanced the ability of the various directorate Information Review Officers to oversee release decisions. Tenet emphasized his

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Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/covert-hlp.html> minutes of March 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1998>; minutes of June 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1998>; minutes of October 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-1998>; minutes of December 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1998>; minutes of March 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1999>; minutes of May 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/may-1999>; minutes of September 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1999>; minutes of December 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1999>; Kimball, “The Report of the Advisory Committee on Historical Documentation to the U.S. Department of State,” *Perspectives*, January 1999, <http://www.historians.org/perspectives/issues/1999/9901/9901NOT.cfm>; Kimball to Albright (with attached HAC report for 1997-1998), March 2, 1999, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac98.html>; and Michael Hogan to Albright (with attached HAC report for 1998-1999), March 27, 2000, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac99.html>.

<sup>35</sup> See Kimball, “Openness and the CIA,” *Studies in Intelligence*, Winter-Spring 2001, pp. 63-67, <https://www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/vol44no5/pdf/v44i5a08p.pdf> and, for official CIA endorsements of *FRUS*, Brian Latell speech, July 24, 1996, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/othergov/latell.html>; George Tenet, “DCI Statement on Declassification,” July 15, 1998, Central Intelligence Agency, News & Information website, <https://www.cia.gov/news-information/press-releases-statements/press-release-archive-1998/ps071598.html>; and Edmund Cohen presentation, September 25, 1998, Central Intelligence Agency, News & Information website, [https://www.cia.gov/news-information/speeches-testimony/1998/cohen\\_speech\\_092598.html](https://www.cia.gov/news-information/speeches-testimony/1998/cohen_speech_092598.html).

responsibility to protect national security, reciting “the limits imposed upon me by law not to jeopardize intelligence sources and methods, impinge on our liaison relationships with other countries, or interfere with our ability to carry out the Agency’s mission.”<sup>36</sup> Tenet’s bureaucratic reshuffling empowered skeptics of openness to reshape the CIA’s relationship to *FRUS*.

In early 2001, Richard Kinsman, a CIA declassification reviewer and former DO officer, published an article in the Agency’s in-house scholarly journal, *Studies in Intelligence*, warning that *FRUS* “confronted [the CIA] with increasingly frequent and deadly serious assaults on DCI authorities and responsibilities.” Although he accepted that “approved covert actions in and of themselves constitute foreign policy decisions when on the scale of the Bay of Pigs, Afghanistan, Iran, and so forth,” Kinsman argued that “providing details of operational implementation is quite another” matter. HO “aggravated” these fears by its “efforts to provide ‘historically accurate’ documents, citing [the] CIA by name,” which “constituted de facto admission of a CIA presence abroad, a direct contradiction of current policy.” *FRUS* methodology endangered “official CIA nonpresence abroad,” which Kinsman judged “crucially important to CIA’s ability to conduct its clandestine missions of collection, liaison, and covert action.” With HO and the HAC rejecting CIA claims that “historical accuracy can be satisfied by describing the ‘fact of’ a given covert action ... without specifics that threaten clandestine operational relationships and methodology,” Kinsman feared that “CIA is in danger of losing control of its own declassification process ... to the nongovernmental academic community.”<sup>37</sup> Kinsman’s fears of the risks posed by including intelligence documents in *FRUS* echoed four decades of CIA efforts to limit coverage of its overseas presence in the series.

As the CIA’s relationship with *FRUS* deteriorated in the late 1990s, the Department of State and the Agency tried to address the increasing friction. In 1997, Agency officials suggested that HO detail a *FRUS* historian to the CIA (with

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<sup>36</sup> Minutes of March 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1998> and Tenet, “DCI Statement on Declassification,” July 15, 1998, Central Intelligence Agency, News & Information website, <https://www.cia.gov/news-information/press-releases-statements/press-release-archive-1998/ps071598.html>.

<sup>37</sup> Kinsman attributed “serious, cumulative, and long-term deleterious effects on the Agency” to “specific citations by name to CIA in the *FRUS*.” Such citations, he argued, were misconceived since any time the Agency conducted “significant diplomatic activity” in the form of a covert operation, it was “acting in its capacity as executive agent for policy levels of the U.S. Government.” By drawing attention to the CIA, *FRUS* “increased [the] sensitivity and awareness of the dangers inherent in a CIA presence. This normally translates into increased counterintelligence and/or terrorist activity directed against the real or imagined CIA presence, making [the Clandestine Service’s] job more difficult and risky, and occasionally life-threatening.” Kinsman also argued that *FRUS* alarmed “host country liaison entities” and “agent recruitment targets,” who might grow increasingly fearful that “their cooperation ... is likely to appear some day in the official written record of the U.S. Government.” N. Richard Kinsman, “Openness and the Future of the Clandestine Service,” *Studies in Intelligence*, Winter-Spring 2001, pp. 55-61, <https://www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/vol44no5/pdf/v44i5a07p.pdf>.

additional Agency clearances) to resolve lingering access issues and help both sides understand the priorities and concerns of the other. Although eventually implemented to mutual satisfaction, this proposal for a “joint historian” added to interagency tensions in the short term rather than ameliorating them.<sup>38</sup> The CIA’s advisory Historical Review Panel (HRP) also tried to mediate between HO, the HAC, and the CIA. HAC and HRP members attended each other’s meetings to coordinate improved CIA cooperation with *FRUS*. HRP Chair Robert Jervis, a distinguished Columbia University political scientist, suggested that preparing more detailed issue statements and declassification guidelines at the beginning of the HLP process might result in the release of more documents after the High Level Panel ruled.<sup>39</sup> These efforts helped the HLP to make “gradual but important progress” by December 2000.<sup>40</sup>

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<sup>38</sup> Minutes of September 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1997>; minutes of December 1997 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1997>; minutes of October 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-1998>; minutes of March 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1999>; minutes of December 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1999>; minutes of July 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2000>; minutes of September 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-2000>; minutes of December 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2000>; minutes of February 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/february-2001>; minutes of October 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-2001>; minutes of December 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2001>; minutes of March 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-2002>; minutes of September 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-2002>; Hogan to Albright (with attached HAC report for 2000), December 13, 2000, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac00.html>; Robert Schulzinger to Powell (with attached HAC report for 2001), February 28, 2002, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac01.html>; and Schulzinger, “Report of the Advisory Committee on Historical Diplomatic Documentation, January 1-December 31, 2002,” Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac02.html>.

<sup>39</sup> See minutes of July 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2000>; minutes of February 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/february-2001>; minutes of June 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-2001>; CIA Historical Review Panel statement, April 5, 2000, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/ciahrp.html>; CIA Historical Review Panel statement, July 2000, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/ciahrp2.html>; CIA Historical Review Panel statement, March 2001, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/ciahrp3.html>; CIA Historical Review Panel statement, September 2001, Federation of American Scientists, Project on Government

Disputes about releasing two contentious volumes brought the relationship between HO and the CIA to the breaking point during the summer of 2001. In July, the Government Printing Office mistakenly distributed copies of the unreleased Indonesia; Malaysia; Philippines, 1964-1968 *FRUS* volume, whose publication had been postponed in May to avoid contributing to “recent political turmoil in Indonesia.” The volume included documentation on the U.S. role in identifying members of the Indonesian Community Party who were subsequently targeted by “Indonesian security authorities” during the 1960s. After the National Security Archive, a “global advocate of open government”<sup>41</sup> based at George Washington University, received the mistakenly-released volume, it immediately scanned and posted it on the Internet to thwart any effort to recall the distributed copies.<sup>42</sup> The following month, former HO historian James Miller informed the *Washington Post* that another volume, which included documentation about two proposed (but rejected) covert operations to influence Greek politicians, had also been locked away at CIA insistence. Miller blamed “CIA officials in Athens” for “convincing a visiting congressional delegation that publication ‘would destroy Greek-American relations’” or “prompt Greek terrorists to launch attacks against Americans.”<sup>43</sup> Even though neither HO nor the HAC were responsible for them, these *FRUS*-related security lapses infuriated the CIA. The Agency abrogated the Memorandum of Understanding (MOU) that had governed CIA involvement in the *Foreign Relations* series since 1992.<sup>44</sup> Even before the 9/11 terrorist attacks elevated concerns about security throughout the U.S. Government, *FRUS* coverage of intelligence activities abroad raised red flags at the CIA.

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Secrecy website, <http://www.fas.org/sgp/advisory/ciahrp4.html>; CIA Historical Review Panel statement, May 2002, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/ciahrp5.html>; and CIA Historical Review Panel statement, September 2002, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/ciahrp6.html>.

<sup>40</sup> Hogan to Albright (with attached HAC report for 2000), December 13, 2000, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac00.html>.

<sup>41</sup> “About the National Security Archive,” [http://www.gwu.edu/~nsarchiv/nsa/the\\_archive.html](http://www.gwu.edu/~nsarchiv/nsa/the_archive.html).

<sup>42</sup> Thomas Blanton, “CIA Stalls State Department Histories,” National Security Archive Electronic Briefing Book No. 52, July 27, 2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB52> and George Lardner, “Papers Show U.S. Role in Indonesian Purge: GPO Seeks Return of Official History Detailing Covert Actions in Mid-1960s,” *Washington Post*, July 28, 2001, p. A8.

<sup>43</sup> George Lardner, “History of U.S.-Greek Ties Blocked: CIA Opposes Disclosure of Proposed Covert Actions in ‘60s,” *Washington Post*, August 17, 2001, p. A21. After the volume was published in August 2002, U.S. Ambassador to Greece Thomas Miller reported that local media coverage focused as much on the publication delay as on the released documentation. He concluded that “it may be the wisest course of action to be as open as possible with the release of declassified, archival material. In this case, doing so allowed us to map out the limits of what U.S. involvement in Greece’s domestic affairs has been, and to advertise, by example, the openness of American political culture.” See Miller to Secretary of State (info to U.S. Consulate Thessaloniki, U.S. Embassy Nicosia, and U.S. Embassy Ankara), August 19, 2002, pp. 2-3, Department of State, SAS, 2002 ATHENS 002867.

<sup>44</sup> Minutes of October 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-2001>.

Despite this meltdown in the summer of 2001, both HO and the CIA worked to find common ground and clarify their commitments for promoting responsible historical transparency. At the end of an arduous (but cathartic) negotiation process, the Department and the Agency agreed on a refined framework for continued CIA cooperation in the *FRUS* production process. In the process of forging a new MOU, both sides clarified their own priorities and identified key concerns in a “confidence-building” dialogue. The CIA strengthened its role in providing HO advice about document selection, improved coordination for records access, enhanced its equity-identification capabilities, refined security safeguards, and expanded its authority over release decisions for some volumes.<sup>45</sup> The HAC insisted that new arrangements must avoid “any additional layers of review,” retain the High Level Panel, accept flexibility to reform the series, and preserve the Department’s authority to make decisions about the timing of volume releases.<sup>46</sup> HO reported that “during the months of negotiations, both parties gained a better understanding of each other’s needs.” Signed on May 10, 2002, the new MOU “ensured that CIA will meet HO’s statutory requirements for access,” retained the HLP mechanism for dealing with especially sensitive issues, and added an additional 60-day review period for the CIA to identify its equities in *FRUS* volumes.<sup>47</sup> In addition to the new MOU, in the spring of 2002, both parties committed the resources necessary to implement the Joint Historian liaison position with full CIA security clearances. A member of HO possessing the authority to search CIA files for *FRUS*-relevant records, the Joint Historian helped both sides restore trust, gain confidence, share expectations, and build stable foundations for *FRUS*’s future.<sup>48</sup>

### **The 30-Year Line and the Future of *FRUS***

In the years following the passage of the statute, both HO and the HAC deemphasized timeliness to focus on assuring the series’s credibility as a full and comprehensive account of U.S. foreign policy. Between 1991 and 1996 (the statute’s deadline for reaching the 30-year line), HO published 51 volumes and averaged a 32-year publication line. From 1997 to 2002, the average lag stabilized,

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<sup>45</sup> Minutes of October 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-2001>. In practice, CIA advice about document selection usually entailed identifying alternative sources of information when HO-selected documents proved difficult to declassify.

<sup>46</sup> Minutes of March 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-2002>.

<sup>47</sup> Minutes of July 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2002>. One of the difficulties that arose in 2000 and 2001 was that the Department of State failed to identify some CIA equities in volumes until shortly before their release.

<sup>48</sup> See minutes of September 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-2002>; minutes of December 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2002>; and Schulzinger, “Report of the Advisory Committee on Historical Diplomatic Documentation, January 1-December 31, 2002,” Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac02.html>.

but production plummeted to 28 volumes. This shortfall ensured that the publication lag would grow in subsequent years. The impulse to sacrifice timeliness to assure credibility first arose with regard to volumes prepared before the 1991 law that did not meet the new “thorough, accurate, and reliable” standard. Both HO and the HAC supported delaying several volumes covering the Kennedy administration to pursue declassification appeals or to conduct additional research in intelligence records.<sup>49</sup> From the early to mid-1990s, HO and the HAC resorted to the frequent use of disclaimers to resolve tensions between timeliness and comprehensiveness. HO included statements noting cases in which compilations were produced before attaining broader access to CIA records.<sup>50</sup> The HAC, too, inserted disclaimers when material withheld by the declassification process prevented several volumes from providing “thorough, accurate, and reliable” documentation of a given issue.<sup>51</sup> HO and the HAC also protected the reputation of the series by noting significant excisions in volumes that nonetheless met the new integrity standard established by the *FRUS* statute.<sup>52</sup> These editorial devices mitigated delays, but could not reconcile the conflicting requirements embedded in the statutory mandate.

Balancing comprehensiveness and timeliness also entailed making broader judgments about the size and scope of the series. Despite the potential implications for the series’s timeliness, the HAC criticized HO proposals to limit the number of volumes envisaged for the Nixon subseries.<sup>53</sup> In 1996 and 1997, the HAC also

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<sup>49</sup> See the prefaces in *Foreign Relations of the United States, 1961-1963*, Vol. XII, American Republics (Washington, D.C.: Government Printing Office, 1996), <http://history.state.gov/historicaldocuments/frus1961-63v12/preface>; Vol. XXII, Northeast Asia (Washington, D.C.: Government Printing Office, 1996), <http://history.state.gov/historicaldocuments/frus1961-63v22/preface>; Vol. X, Cuba, January 1961-September 1962 (Washington, D.C.: Government Printing Office, 1997), <http://history.state.gov/historicaldocuments/frus1961-63v10/preface>; and Vol. V, Soviet Union (Washington, D.C.: Government Printing Office, 1998), <http://history.state.gov/historicaldocuments/frus1961-63v05/preface>.

<sup>50</sup> See, for example, *Foreign Relations of the United States, 1955-1957*, Vol. XII, Near East Region; Iran; Iraq (Washington, D.C.: Government Printing Office, 1992), <http://history.state.gov/historicaldocuments/frus1955-57v12/preface>.

<sup>51</sup> See the prefaces in *Foreign Relations of the United States, 1958-1960*, Vol. XVII, Indonesia (Washington, D.C.: Government Printing Office, 1994), <http://history.state.gov/historicaldocuments/frus1958-60v17/preface>; Vol. XVIII, Japan; Korea (Washington, D.C.: Government Printing Office, 1994), <http://history.state.gov/historicaldocuments/frus1958-60v18/preface>; Vol. XIX, China (Washington, D.C.: Government Printing Office, 1996), <http://history.state.gov/historicaldocuments/frus1958-60v19/preface>; and 1961-1963, Vol. XXII, Northeast Asia (Washington, D.C.: Government Printing Office, 1996), <http://history.state.gov/historicaldocuments/frus1961-63v22/preface>.

<sup>52</sup> See, for example, *Foreign Relations of the United States, 1958-1960*, Vol. XII, Near East; Middle East; Iran; Iraq (Washington, D.C.: Government Printing Office, 1992), <http://history.state.gov/historicaldocuments/frus1958-60v12/preface> and 1955-1957, Vol. XXIII, pt. 2, Korea (Washington, D.C.: Government Printing Office, 1993), <http://history.state.gov/historicaldocuments/frus1955-57v23p2/preface>.

<sup>53</sup> Minutes of July 1995 HAC meeting, Department of State, Office of the Historian website, <http://www.fas.org/sgp/advisory/state/hac795.html>; minutes of June 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-1996>; minutes of October 1996 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-1996>; and Kimball to Christopher with attached HAC report for

grew “increasingly disinclined” to employ disclaimers to evade the delays required to declassify sufficiently comprehensive volumes, insisting instead that the U.S. Government clear volumes that conformed to the *FRUS* statute.<sup>54</sup> By the late 1990s, a combination of resource constraints, declassification challenges, and the continuing expansion of the universe of foreign policy documentation convinced Slany and Kimball that *FRUS* would have to evolve once again to meet the needs of its users and to satisfy both aspects of its statutory mandate.

In 1998, the “Future of *FRUS*” initiative explored new paths to make documentation of U.S. foreign policy more accessible. Some strategies echoed past expedients: HO staff and the HAC discussed ways to tighten selection criteria. They also conceptualized how individual volumes should fit into an overall scheme to satisfy the “thorough and accurate” standard, conform to resource constraints, and meet the 30-year deadline. Echoing Trask’s 1970s “three-tier” concept, deliberations focused on what Kimball described as a “core, crisis, context” framework. According to this schema, HO would engage in documentary triage, with important “core” issues, themes, and diplomatic relationships receiving complete and comprehensive treatment; foreign policy “crises” getting intensive coverage; and broader regional (or global) “context” material being handled much more selectively. Volumes covering U.S.-Soviet relations exemplified this shift. Previously focusing on bilateral issues, compilers would reframe these compilations as “Cold War” volumes reflecting the global scope of Washington’s rivalry with Moscow. The HAC also urged HO to prepare “framework” volumes illustrating the intellectual and organizational foundations of U.S. decisionmaking. Finally, the “new” *FRUS* series should deemphasize the existing organization of subseries by Presidential administration, which had begun (coincidentally) with the 1961-1963 triennium and (formally) with the Johnson subseries conceived in 1990. Instead, the “Future of *FRUS*” plan called for thematic volumes to present a more holistic account by including documentation from multiple administrations when appropriate.<sup>55</sup>

To implement this strategy, the “Future of *FRUS* plan” envisioned two new publication mechanisms. First, electronic publication on the Internet offered HO greater flexibility in releasing documentation. Not only would Internet publication make the series more accessible, it also gave HO the option to release partial compilations without abandoning declassification appeals for printed volumes. Moreover, the Internet raised the possibility of updating the minimally annotated microfiche supplements as electronic-only “lite” volumes. Second, access guides

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1994-1995, May 10, 1996, Federation of American Scientists, Project of Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac95.html>.

<sup>54</sup> Kimball, “The Report of the Advisory Committee on Historical Documentation to the U.S. Department of State,” *Perspectives*, January 1998, <http://www.historians.org/perspectives/issues/1998/9801/9801NOT.cfm> and Kimball, “Report of the Advisory Committee on Historical Diplomatic Documentation,” *Perspectives*, January 1999, <http://www.historians.org/perspectives/issues/1999/9901/9901NOT.cfm>.

<sup>55</sup> Kimball to HAC, “2nd Preliminary Report,” June 2, 1999 printed as “Foreign Relations in the 21st Century: A Proposal,” *SHAFR Newsletter*, September 1999, pp. 22-34.

could compensate for the greater selectivity of the published documentation by providing researchers with comprehensive road maps to relevant archival collections enriched with experienced *FRUS* historians' subjective judgments of their quality. The combination of printed volumes, electronically-published collections, and access guides would provide HO a wider array of tools to prosecute its core mission of making foreign policy documentation available to the public and increasing the accessibility of the wider, unpublished historical record.<sup>56</sup>

After Kimball publicly announced the "Future of *FRUS*" plan on behalf of the HAC and HO in 1999, the Office and the Committee ran into unexpected difficulties in realizing their new vision for the series. Enthusiasm for electronic publication waned as the editorial, technical, budgetary, and legal challenges involved became clear. Internet supplements, like their microfiche forebears, taxed declassification review capacities. Unlike the microfiche supplements, however, they also required substantial editorial and publication resources to comply with the accessibility requirements of the Americans with Disabilities Act. Despite HAC enthusiasm for access guides, HO staff expressed ambivalence over their marginal utility (and the increased workload they required). The CIA feared access guides would, as the HAC intended, significantly increase FOIA and mandatory declassification review requests that the Agency lacked the resources to process. Owing to staff attrition in the late 1990s (in part a manifestation of frictions generated by conflicting imperatives in producing a timely and comprehensive series), HO itself faced a daunting personnel shortage that the Department began rectifying in 2001 and 2002. Despite HO efforts to experiment with the *FRUS* production process by conducting "tandem research" for multiple volumes simultaneously and reviving "team research" at the Ford Presidential Library, the compilation process for each volume still required the same 18-24 person-months that it had for decades. In practice, many of the innovations proposed in the "Future of *FRUS*" plan fell by the wayside in the 21st century.<sup>57</sup>

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<sup>56</sup> Kimball, "Foreign Relations in the 21st Century: A Proposal," pp. 22-34 and Hogan to Albright (with attached report of HAC for 1998-1999), March 27, 2000, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac99.html>. For HO-HAC discussions of the plan, see minutes of December 1998 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1998>; minutes of March 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-1999>; minutes of May 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/may-1999>; and minutes of September 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-1999>.

<sup>57</sup> See minutes of December 1999 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-1999>; minutes of April 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/april-2000>; minutes of July 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2000>; minutes of September 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/september-2000>; minutes of December 2000 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2000>; minutes of February 2001 HAC meeting, Department

The prospects for meeting the 30-year publication requirement also faded during the first decade of the 21st century. The recession from the 30-year-line during the 1990s prompted Congress to amend the *FRUS* statute in 2002 to include new reporting requirements on the Department's efforts to meet the deadline.<sup>58</sup> Despite the optimism of Marc Susser,<sup>59</sup> who replaced Slany as Historian in 2000, *Foreign Relations* failed to catch up to its publication target. From 2002 to 2012, HO published 57 *FRUS* volumes with an average publication lag of 35 years. The series fell further behind as declassification delays for both HLP and non-HLP volumes mounted and the expansive Nixon/Ford subseries taxed the Office's resources. Moreover, between 2007 and 2009, plummeting staff morale led to attrition that "orphaned" many incomplete volumes in the middle of the compilation process.<sup>60</sup> Apart from personnel and management issues subsequently addressed by the Department, the delays plaguing the *FRUS* series reflect HO's prioritization of comprehensiveness over timeliness.

The landmark 1991 statute raised hopes that the problems plaguing the series during the 1980s could be quickly resolved. *FRUS* compilers anticipated unfettered access to a wider range of documents. HO managers coveted bureaucratic leverage

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of State, Office of the Historian website, <http://history.state.gov/about/hac/february-2001>; minutes of June 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/june-2001>; minutes of October 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-2001>; minutes of March 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/march-2002>; minutes of July 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2002>; minutes of December 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/december-2002>; Hogan to Albright (with attached report of the HAC for 2000), December 13, 2000, Federation of American Scientists, project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac00.html>; Schulzinger to Powell (with attached report of the HAC for 2001), February 28, 2002, Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac01.html>; and Schulzinger, "Report of the Advisory Committee on Historical Diplomatic Documentation, January 1-December 31, 2002," Federation of American Scientists, Project on Government Secrecy website, <http://www.fas.org/sgp/advisory/state/hac02.html>. For a summary of the declining timeliness of the series before 2011, see [Joshua Botts] summary, attached to Edward Brynn to Advisory Committee on Historical Diplomatic Documentation, May 26, 2011, Department of State, Bureau of Public Affairs, Office of the Historian, Advisory Committee on Historical Diplomatic Documentation Files, 2005-2012 (Lot File 13 D 222), HAC Meetings 2011.

<sup>58</sup> See sec. 205 of Senate Report 107-60, "Foreign Relations Authorization Act, FY 2002 and 2003," September 4, 2001, <http://www.gpo.gov/fdsys/pkg/CRPT-107srpt60/html/CRPT-107srpt60.htm>; minutes of October 2001 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/october-2001>; and 22 USC, Ch. 53B, sec. 4354, "Foreign Relations of the United States Historical Series" (amended September 30, 2002), <http://uscode.house.gov/browse/prelim@title22/chapter53B&edition=prelim>.

<sup>59</sup> For an early example, see minutes of July 2002 HAC meeting, Department of State, Office of the Historian website, <http://history.state.gov/about/hac/july-2002>.

<sup>60</sup> See Department of State OIG Report, "Management Review of the Office of the Historian, Bureau of Public Affairs, U.S. Department of State," May 2009, Department of State, ISP-I-09-43, <http://oig.state.gov/documents/organization/124568.pdf>.

they could employ against transparency skeptics throughout the U.S. Government. HAC members expected a flood of timely, comprehensive volumes. The Department of State hoped that its “*FRUS* problem” was solved. The CIA and other intelligence agencies looked to preserve their prerogatives for protecting sensitive information. Other federal agencies, such as the Department of Defense and the Department of Energy, assumed that their *FRUS* obligations would remain relatively minor. All these actors had to revisit such notions during the 1990s and 2000s.

Despite continued difficulties, the *FRUS* statute accommodated the essential interests of all parties. It not only offered something for everyone, it also provided incentive to compromise. Memory of congressional intervention and the prospect of further scrutiny from Capitol Hill spurred all parties to resolve problems, accept trade-offs, and pursue measurable results. HO toiled painstakingly to build mutually beneficial structures and relationships with multiple interlocutors. However imperfect, cooperative processes embodied in Memoranda of Understanding, the High Level Panel, the Joint Historian, and other innovations enabled *FRUS* constituencies to continue their unceasing negotiations over the boundaries of responsible historical transparency.

# Conclusion

William B. McAllister and Joshua Botts

Throughout its history, the *Foreign Relations* series has embodied both the promise of open government and its constantly renegotiated limits. Each *FRUS* volume provides a snapshot of two kinds of U.S. Government decisionmaking. The first is familiar to all *FRUS* readers, who turn to the series to examine documentation of U.S. foreign policy. Early volumes contain valuable diplomatic correspondence detailing instructions from Washington, exchanges with foreign governments, and reports from diplomatic posts. Later volumes focus on decisionmaking in Washington, usually at the White House. The evolving content of *FRUS* reflects broader transformations long studied by scholars: the expanding national security state, the centralization of authority in the Presidency, and the specialization of functions within the bureaucracy.

Individual *Foreign Relations* volumes also present a snapshot of how stakeholders inside and outside of the U.S. Government negotiated the boundaries of responsible transparency at a particular time. Each step—compilation, editing, redaction, clearance, and publication—reflects multiple institutional, domestic, and international contexts. The volumes demonstrate how American officials drew the boundaries of responsible transparency. This story includes the documents (often quite sensitive) that the U.S. Government chose to publish, as well as information withheld. The selection process for each volume reflected constraints in the kinds of records available to Department compilers. Subsequent vetting by supervisory officers illustrated the kinds of information judged both important and appropriate for the public to know; the clearance process for *FRUS* required reviewers to make inherently subjective decisions about the risks of release—and the countervailing costs of non-release. An evolving framework of policies and procedures guided such decisions to balance public accountability with important national interests. One might imagine individual *FRUS* volumes as akin to tree rings: each iteration records the environmental conditions from which it emerged; a broader story unfolds by examining change over time.

*FRUS* is valuable, therefore, not only for its content, but also for the process it represents. At its creation, *FRUS* regularized the U.S. Government's existing transparency regime, which functioned as a manifestation of the constitutional separation of powers between the executive and legislative branches of government. Until the second decade of the 20th century, *Foreign Relations* and the Supplemental *FRUS* Submissions remained the Department's principal means of informing Congress and the American people about the nation's diplomacy. In the early 20th century, the series adapted to unintended delays to provide new utility to new audiences. Even as contemporaneous transparency norms fell away, *FRUS* remained an engine of openness by publishing records of decisionmaking in addition to diplomatic exchanges. The series also guided the operation of other elements of

the increasingly complicated historical transparency regime that emerged in the 20th century. Researchers and the interested public increasingly monitored the comprehensiveness and the timeliness of *FRUS* because their access to records depended upon the clearance and publication of the series. During the Cold War, amidst sweeping protections on the release of foreign government information, intelligence sources and methods, and some nuclear-related data, leading scholars blamed mounting government secrecy and uneven declassification and release practices for the public's distorted understanding of recent history. After Congress intervened to provide a statutory mandate for the series in 1991, openness advocates gained additional leverage in their debates with officials inclined to maintain secrecy as they continued negotiating the proper balance between security and transparency. Throughout its long history, *Foreign Relations* has served as the mechanism through which the U.S. Government determined how to deal with many of its most sensitive records.

While the means by which *FRUS* fulfills that role have changed, the values that the series embodies have remained consistent and substantial. The U.S. Government has repeatedly cited *FRUS* as a manifestation of its commitment to responsible transparency and democratic accountability. Presidents and Secretaries of State have frequently identified domestic public support as a resource vital to conducting an effective and sustainable foreign policy; they have consistently relied upon the *Foreign Relations* series to inform Congress, scholars, domestic constituencies, and international audiences about past U.S. policies. The continued presence of the series has even swayed foreign governments to open their archives earlier and create their own official documentary publications that emulate (on a much smaller scale) the *Foreign Relations* series.<sup>1</sup> *FRUS* remains the world's leading effort to systematically

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<sup>1</sup> See, for example, Greg Donahgy, "Documenting the Diplomats: The Origins and Evolution of 'Documents on Canadian External Relations,'" *The Public Historian* 25, no. 1 (Winter 2003): pp. 9-29; Dale to Gleason, December 22, 1965 and Franklin to Dale, January 6, 1966 in NARA, RG 59, CFPF 1964-1966, POL 15-4 ISR; and U.S. Embassy Mexico to Department of State, June 13, 1966 and Franklin to U.S. Embassy Mexico, June 22, 1966 in NARA, RG 59, CFPF 1964-1966, PR 10 *Foreign Relations of the U.S.*; C. P. Stacey, "Some Pros and Cons of the Access Problem," *International Journal*, Vol. 20, No. 1, Winter, 1964/1965, pp. 45-53; D.C. Watt, "Restrictions on Research: The Fifty-Year Rule and British Foreign Policy," *International Affairs* (Royal Institute of International Affairs), Vol. 41, No. 1, January 1965, pp. 89-95; Herbert G. Nicholas, "The Public Records: The Historian, the National Interest and Official Policy," *Journal of the Society of Archivists*, Vol. 3, No. 1, 1965, pp. 1-6; "First World War British Archives Still Not Open," *The Times* (London), September 18, 1965; File L S 17/12 concerning complaints to the Prime Minister about the 50 year rule, May-September 1963, UKNA, FO 370/2724; Butler to The Librarian (of the Foreign Office), November 21, 1963, UKNA, FO 370/2725; Trend to Hardman, May 28, 1964; Hardman to Trend, June 4, 1964; Trend to Coldstream and accompanying documents, June 5, 1964; Garner to Trend, August 5, 1964; and Heaton to Establishment Officer, October 19, 1964, all in UKNA, FO 370/2771; Butler, "Progress Report of the Historical Adviser," May 10, 1965, and accompanying minutes, UKNA, FCO 12/56; "The Timing and Method of Release of the Records of the 1939-1945 War," Cabinet Paper C(69) 102, July 25, 1969, UKNA, FCO 12/65; Child to Cheeseman, October 13, 1970; Harcombe minute of September 30, 1969; Palliser to Brimelow, December 23, 1969; Butler minutes of January 1 and 8, 1970; and Wiggin minute of January 12, 1970, all in UKNA, FCO 12/78; Mellor to Dixon, September 18, 1971 and Butler minute, October 20, 1971, both in UKNA, FCO 12/105; Cheeseman to Rose, October 13, 1971; Rose to Chief Clerk and enclosure,

publish “comprehensive documentation of [a government’s] major foreign policy decisions and actions.”<sup>2</sup> From the Civil War, when William Seward inaugurated *FRUS* to demonstrate Union resolve, to today’s <http://history.state.gov/> website that makes the series available to anyone with an Internet connection, *Foreign Relations* has served as a *de facto* public diplomacy program “advertising, by example, the openness of American political culture.”<sup>3</sup>

That kind of “advertisement” can only be effective to the extent that the series retains credibility in the eyes of its consumers. The historical evidence this book presents indicates that the most significant negative repercussions attributable to the *FRUS* series have not involved damaging releases of potentially-sensitive national security or intelligence information. Rather, the reputation of the U.S. Government has suffered primarily from failures of the series to document significant historical events or acknowledge past actions. *FRUS* realizes its promise when it fulfills global expectations for openness that promote democracy and encourage freedom. The revelations emanating from *FRUS* not only provide specific information about policy formation and implementation, but also about how, and how much, the U.S. Government values transparency in practice.

This study demonstrates that current-day problems are not so different from those of our forebears. They faced similar quandaries as they struggled to secure the benefits of openness while protecting important security interests. That there appears to be no permanent resolution to the dilemmas attendant to documenting U.S. foreign policy should come as no surprise. Perhaps the most encouraging observation arising from this work is that the *Foreign Relations of the United States* series exemplifies the importance that U.S. citizens and their government place upon understanding America’s role in the world. Neither the process nor the outcomes are perfect, but “the public interest” would be much impoverished without such a mechanism for accountability and self-examination.

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June 22, 1971; and “Future Publication of Documents on British Foreign Policy,” April 6, 1971, all in UKNA, FCO 12/115; “Publication of Official Documents on British Policy Overseas,” Cabinet, Defence and Overseas Policy Committee, DOP (72) 17, April 17, 1972, UKNA, FCO 12/140. The International Editors of Diplomatic Documents website listing of currently extant publication projects also testifies to the broadening norm of releasing historical documents to the public, especially in certain Eastern European countries. See International Editors of Diplomatic Documents website, <http://www.diplomatic-documents.org/editions>.

<sup>2</sup> Public Law 102-138, Title IV, Sections 401-407, October 28, 1991.

<sup>3</sup> Miller to Secretary of State (info to U.S. Consulate Thessaloniki, U.S. Embassy Nicosia, and U.S. Embassy Ankara), August 19, 2002, pp. 2-3, Department of State, SAS, 2002 ATHENS 002867.

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Finally, it is important to recognize our forebears. Today's cadre of compilers, reviewers, editors, and declassification coordinators owe a great debt to the dedication of generations of Department officials and staff who, since the 1790s, have labored to realize the promise of *FRUS*. We hope this work honors their contributions to the continuing quest to provide the American people a thorough, accurate, reliable, and instructive account of their past.

# Terms

**Agency or the Agency**, unless otherwise indicated, denotes the Central Intelligence Agency

**Committee**, unless otherwise indicated, denotes the Historical Advisory Committee. The Committee was formally named the Advisory Committee on *Foreign Relations of the United States* between 1957 and 1978 and the Advisory Committee on Historical Diplomatic Documentation from 1978 to the present.

**Department or the Department**, unless otherwise indicated, denotes the Department of State

**despatch**, written (or typed) communications prepared at post and sent to the Department, usually in the care of a trusted person or an official courier. For additional information, see two articles written by David Langbart on “The Text Message” blog on the NARA website: <http://blogs.archives.gov/TextMessage/2011/03/11/foreign-service-friday/> and <http://blogs.archives.gov/TextMessage/2011/05/13/foreign-service-friday-despatch-vs-dispatch/>

**equity or equities**, information that was originated, classified by, or concerns the activities of another government agency or organization that only they can declassify. Records that contain other agency “equities” must be referred to those agencies for declassification review before they can be released or published. For example, a Department of State account of a meeting with a CIA official would contain CIA equities and would have to be submitted to the CIA for declassification review before it could be released by the Department of State. Policies for recognizing foreign government equities have evolved over time. In the 19th century, the U.S. Government freely published formal correspondence with other governments without seeking their consent. In the 20th century, the Department of State required foreign government agreement before publishing foreign-origin documents, but not when publishing American accounts of meetings with foreign officials. The Department expanded its definition of foreign government information (FGI) equities to include such U.S. memoranda of conversation in the 1970s and implemented procedures to expand consultations with foreign governments to clear documents for the *Foreign Relations* series after 1981. For additional information see the White House webpage regarding Executive Order 13526, <http://www.whitehouse.gov/the-press-office/executive-order-classified-national-security-information>.

**Foreign Relations**, the *Foreign Relations of the United States* publication. Volumes have been titled differently over time, especially in the 19th century. For clarity this book uses the short version of the modern title throughout. “*Foreign Relations*,” “*FRUS*,” “the series,” and “volumes” are employed interchangeably to avoid excessive repetition of the same term. In the 19th and early 20th

centuries, the volumes typically included documents from January through October of the year in question, with additional material from November-December of the prior year that arrived too late for inclusion in the publication. Throughout this work we cite the “principal year” of publication in for simplification and clarity. For example, the official title of what we refer to as the “1877 *FRUS* volume,” which included some documents from last few months of 1876, is *Index to the Executive Documents of the House of Representatives for the Second Session of the Forty-Fifth Congress, 1877-'78, in 22 Volumes, Volume 1, Foreign Relations (No. 1, Pt. 1)*. The Department of State is gradually digitizing volumes moving backward in time, with robust search capabilities. For the full list of volumes and the current options for viewing them online, see the Department of State, Office of the Historian website, <http://history.state.gov/historicaldocuments>.

**Minister**, highest title accorded to U.S. representatives abroad in the 18th and 19th centuries. The first U.S. Ambassador was named in 1893, and Ambassadorial-level appointments became more common as the 20th century progressed.

**Office**, unless otherwise indicated, denotes the Historian’s Office (which had different titles over time) of the Department of State.

**responsible transparency or responsible release**, denotes the retrospective disclosure of government records that have been officially evaluated for potential damage to diplomatic activities, military operations, intelligence sources and methods, and other sensitivities prior to release. Although this concept is inherently normative—and, indeed, the contested nature of the norms that it embodies is a central theme of this book—we employ the term descriptively as the evolving outcome of efforts to strike the proper balance between security and openness.

**size** [of the *FRUS* series], refers to the number of pages allocated to publishing documents for a given time period (absolute size) or the proportion of available documentation actually published in *FRUS* volumes (relative size). The absolute size of the series has generally increased over time while the relative size has steadily declined.

**scope** [of the *FRUS* series], reflects the breadth of sources consulted during the compilation process. The scope of the series has broadened since the 1950s from a strict focus on Department records to incorporate documents from many additional U.S. Government agencies.

# Abbreviations

**A**, Bureau of Administration, Department of State  
**AHA**, American Historical Association  
**APSA**, American Political Science Association  
**ASIL**, American Society of International Law  
**CDC** (also **A/CDC**), Classification/Declassification Center, Bureau of Administration, Department of State  
**CDF**, Department of State Central Decimal File, RG 59, NARA  
**CFPF**, Department of State Central Foreign Policy File, RG 59, NARA  
**CIA**, Central Intelligence Agency  
**CREST**, CIA Records Search Tool, electronic database of released CIA records located at the National Archives building in College Park, MD  
**CSI**, Center for the Study of Intelligence, Central Intelligence Agency  
**DCI**, Director of Central Intelligence  
**DO**, Directorate of Operations, Central Intelligence Agency  
**DOD**, Department of Defense  
**DOS**, Department of State  
**DP**, Division of Publications (see [appendix D](#))  
**DS**, Bureau of Diplomatic Security, Department of State  
**EAP**, Bureau of East Asian and Pacific Affairs, Department of State  
**EDC**, European Defense Community  
**EO**, (Presidential) Executive Order  
**EAP**, Bureau East Asian and Pacific Affairs, Department of State  
**EUR**, Bureau of European Affairs, Department of State  
**FAIM**, Foreign Affairs Information Management Center  
**FAIM/PS**, Publishing Services Division  
**FCO**, Foreign and Commonwealth Office, United Kingdom  
**FE**, Division of Far Eastern Affairs, Department of State  
**FDR**, Franklin Delano Roosevelt, 32nd President of the United States  
**FGI**, foreign government information  
**FO**, Foreign Office, United Kingdom  
**FOIA**, Freedom of Information Act

**FMP** (also **M/FMP**), Bureau of Financial and Management Policy, reporting to the Under Secretary of State for Management, Department of State

**FPC**, Office of Freedom of Information, Privacy, and Classification Review, Bureau of Diplomatic Security, Department of State

**FPC/HDR** (also **HDR**), Historical Documents Review Division within the Office of Freedom of Information, Privacy, and Classification Review

**GOJ**, Government of Japan

**GPO**, Government Printing Office (1861-present)

**H**, Bureau of Legislative Affairs, Department of State

**H. Doc.**, House Document

**H. Rpt.**, House Report

**HA**, Office of the Historical Adviser (see [appendix D](#))

**HAC**, Historical Advisory Committee (full title from 1958-1978: Advisory Committee on *Foreign Relations of the United States*; after 1978: Advisory Committee on Historical Diplomatic Documentation), advisory body to the Department of State

**HD**, Historical Division (see [appendix D](#))

**HED**, House Executive Document

**HLP**, High Level Panel

**HMG**, Her (or His) Majesty's Government (United Kingdom)

**HO**, Historical Office, Bureau of Public Affairs, Department of State, or Office of the Historian, Bureau of Public Affairs, Department of State (see [appendix D](#))

**HRP**, Historical Review Panel, advisory body to the Director of Central Intelligence

**INR**, Bureau of Intelligence and Research, Department of State

**ISOO**, Information Security Oversight Office (U.S. Government)

**JCS**, Joint Chiefs of Staff

**JFK**, John Fitzgerald Kennedy, 35th President of the United States

**L**, Office of the Legal Adviser, Department of State

**M**, Under Secretary of State for Management, Department of State

**MO** (also **M/MO**), Management Operations, reporting to Under Secretary of State for Management, Department of State

**MOU**, memorandum of understanding

**MP** (also **M/MP**), Management Policy, reporting to Under Secretary of State for Management, Department of State

**NARA**, National Archives and Records Administration, United States

**NATO**, North Atlantic Treaty Organization  
**NCCPH**, National Coordinating Committee for the Promotion of History  
**NEA**, Bureau of Near Eastern Affairs, Department of State  
**NSC**, National Security Council  
**OAH**, Organization of American Historians  
**OSS**, Office of Strategic Services  
**P**, Bureau of Public Affairs (see [appendix D](#))  
**PA**, Office of Public Affairs; after 1957, Bureau of Public Affairs (see [appendix D](#))  
**PB**, (also **PBR**) Division of Publications, Bureau of Administration, Department of State  
**RE**, Division of Research and Publications (see [appendix D](#))  
**RG**, Record Group  
**RP**, Division of Research and Publications (see [appendix D](#))  
**S. Doc.**, Senate Document  
**SAS**, State Archiving System, electronic database used by the Department of State for electronic cables  
**SED**, Senate Executive Document  
**Ser**, Serial  
**SHAFR**, Society for Historians of American Foreign Relations  
**SR** (also **CDC/SR**), Office of Systematic Review, Classification/Declassification Center, Bureau of Administration, Department of State  
**UK**, United Kingdom  
**UKNA**, National Archives, United Kingdom (Kew)  
**USG**, United States Government  
**WTC**, War Time Conference

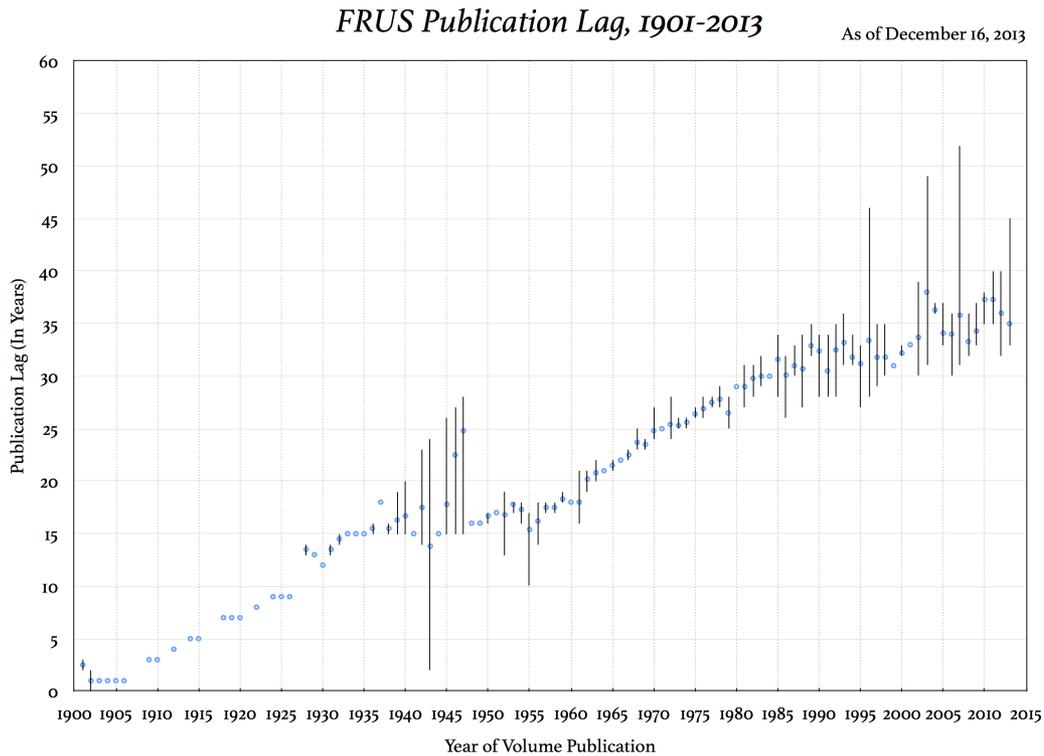
# Stages in Creation of a *Foreign Relations* Volume

- Grand conceptualization: At any given time, Department officers overseeing *FRUS* devise an organizational scheme for the series as a whole. Compilers of individual volumes (or portions thereof) fit their efforts to this holistic vision. The basic 19th-century structure called for volume releases on an annual basis, soon after the events chronicled, with the chapters organized by country. On occasion, a “special edition” covered a specific topic of sufficient import to warrant a dedicated volume. As the series grew in size and scope over the 20th century, the overarching arrangement changed to cover regions, or a multi-year time period, or a key topic, or a Presidential administration. Again, special cases like the 1919 peace negotiations and World War II conference diplomacy merited separate subseries.
- Volume conceptualization: Each compiler (or team of compilers) must determine the parameters of their individual volume. The 19th-century *FRUS* grand conceptualization rendered this a straightforward process. In the 20th century, as the volumes offered more in-depth treatment of both policymaking and implementation, compilers often consulted histories, memoirs, and other accounts to inform their collection and selection strategies.
- Collection: Compilers identify important records to be consulted, search for them, and make copies or take notes of documents likely to be selected for publication, or which provide background information necessary to contextualize the volume. In the 19th and early 20th centuries, these researches only involved Department of State files.
- Selection: After gathering all relevant materials, compilers choose a subset of the available record for publication. In the 19th century, compilers usually did not opt to reprint documents already included in Supplemental *FRUS* Submissions transmitted to Congress. As the 20th century progressed, the number and size of files greatly increased. Consequently, the subset of documents selected comprised a shrinking percentage of the total record.
- Annotation: As filing systems grew in complexity over time, it became increasingly important to provide the provenance of documents published. In recent decades, annotation has also included significant amounts of information about persons, events, policies, other documents referenced, and attachments. Since the 1960s, compilers have relied on expanded annotation to mitigate the increasing selectivity of the series.
- Review: One or more Department officials, typically of a higher level of authority than the compiler, review the manuscript for completeness, cohesion, and concision. The review includes judgment of the appropriateness of the content and the accuracy of annotations. In the 19th century, this review might

include the highest officers of the Department, and the president as well. In recent decades, volumes typically go through a two-stage review, with a front-line supervisor making recommendations for amendment, followed by a second assessment from the series General Editor or other senior manager in the Office of the Historian.

- **Clearance/Redaction/Declassification:** All documents recommended for publication undergo a vetting process to ensure that sensitive or protected material is not divulged. In some cases entire documents are withheld, while in other instances only a part (and often a very small part) is excised. The procedures have varied greatly over time. In the 19th century, Department officers conducted this task at the same time they reviewed the manuscript. In the 20th century, declassification specialists organized separately from the compilation and review functions performed this task. From the 1920s until 1980, Department desk officers reviewed documents related to their operational responsibilities. After 1980, retired Senior Foreign Service Officers took over clearance duties. Increasingly over time, this stage involved securing clearance from other agencies when documents included their equities. At times, permission has been sought from other governments when foreign government information is included in documents selected for *FRUS* publication.
- **Editing:** After the volume has been completed, the text is edited for publication. This is a multi-stage process: first the text is prepared for typesetting and then carefully reviewed to ensure that all information about a document (classification, drafting, date, and so on) is correctly rendered in the notes. Until the late 1970s, this typesetting process preceded declassification review. Since then, compilations have been cleared in manuscript before proceeding to typesetting. After the text is typeset, the pages are compared to the original documents to make sure that they have been faithfully copied by the typesetter. Any remaining textual issues are flagged for consultation with the compiler. The front matter (preface and lists of sources consulted, persons mentioned in the text, and abbreviations used in the text) and an index are added to complete the text. Once remaining editing issues are resolved with the typesetter, the volume is then finished.
- **Publishing:** The Department of State contracts with the Government Printing Office to prepare and publish *FRUS* volumes. In the 19th century, the manuscript often went to the printer in parts, and when the final segment was submitted, GPO would bind the entire volume together. At times, lack of funding has delayed the publication of fully-prepared volumes.

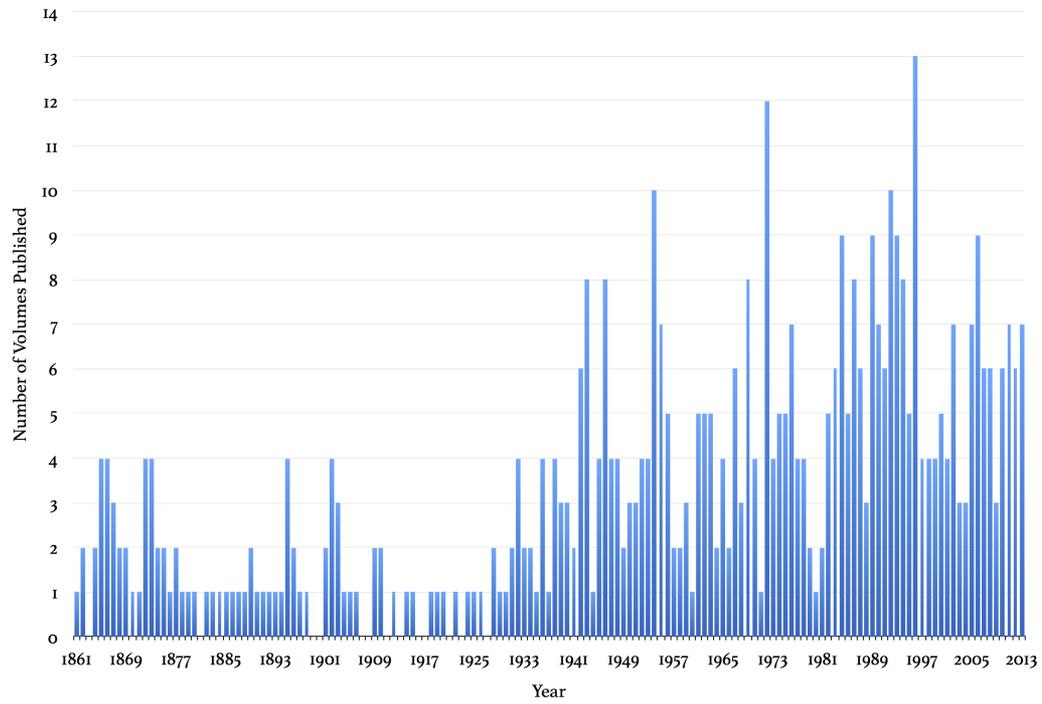
# Appendix A: Historical *Foreign Relations* Timeliness and Production Charts



The marker displayed for each year corresponds to the *average* publication lag of all the volumes released during that year. The bars above and below each marker show the range of the *lowest* and *highest* publication lag of the volumes released during that year.

*Annual FRUS Production, 1861-2013*

As of December 16, 2013



## Appendix B: *FRUS* Production Chart, 1861-1935<sup>1</sup>

Volume Year(s) <sup>2</sup>	Copies Printed <sup>3</sup>	Copies Printed for DOS <sup>4</sup>	Remarks
<b>The Civil War <i>FRUS</i>: 1861-1865</b>			
1861	4,350-6,550+	2,000-4,000	
1862	20,000+		
1863	10,000+		2 volumes produced
1864 <sup>5</sup>	21,000+		4 volumes produced
1865	22,500+	10,000	3 volumes produced
1865, Volume 4	28,550		special volume of Lincoln memorial documents
<b>The Contemporaneous <i>FRUS</i>: 1866-1905</b>			
1866-1874 <sup>6</sup>	10,050-10,675	2,500-3,000 (usually 2,500)	18 total volumes; the two 1868 volumes produced 6-8 months late; no volume produced for 1869 <sup>7</sup>
1875-1885	7,900-8,000	1,900-2,000 <sup>8</sup>	13 total volumes produced
1886-1894	6,558-7,000	500-2,000 <sup>9</sup>	12 total volumes produced
1895-1897 <sup>10</sup>	3,640-4,640 <sup>11</sup>	500-1,000	4 total volumes produced
1898 <sup>12</sup>	3,640	600+	24 month delay; completed by May 1901 and published in June 1901
1899 <sup>13</sup>	3,640	600+	6-8 month delay; completed in early 1901 and published in Summer 1901
1900 <sup>14</sup>	3,640	600+	3-5 month delay; completed in fall 1901 and published in spring 1902
1901	3,642	600+	1 annual and one supplementary volume <sup>15</sup>

1902	3,680	550	1 annual and two supplementary volumes <sup>16</sup>
1903	3,680	525	
1904	3,680	525	
1905	1,856+ <sup>17</sup>	525 <sup>18</sup>	

Volume Year	Copies Printed	Copies Printed for DOS	Publication Month and Year <sup>19</sup>	Years, Months Behind Currency <sup>20</sup>
<b>The Laggard <i>FRUS</i>: "Regular" Annual Volumes Covering 1906-1922</b>				
1906 (2 volumes)	3,452?	525	April 1909 <sup>21</sup>	2 years, 4 months
1907 (2 volumes)	3,919?	525	1910	1-2 years
1908	4,000	500	1912	2-3 years
1909	4,000	500	1914	3-4 years
1910		525	1915	3-4 years
1911		525	1918	5-6 years
1912	3,536	536	1919	5-6 years
1913		525	1920 <sup>22</sup>	5-6 years
1914	3,143	525	1922	6-7 years
1915	2,416+	375/500?	December 1924	8 years
1916		375	February 1926 <sup>23</sup>	8 years, 2 months
1917	2,121?	375/500?	1926	7-8 years
1918		500	September 1930	9 years, 9 months
1919 (2 volumes)	2,581	500	December 1934	14 years
1920, Volume 1		1,600	1935	13-14 years
1920, Volume 2		1,600	March 1936	14 years, 3 months
1920, Volume 3			April 1936	14 years, 4 months
1921 (2 volumes)		1,600	September 1936	13 years, 9 months
1922, Volume 1		1,600	June 1938	14 years, 6 months
1922, Volume 2			June 1938	14 years, 6 months
<b>The Expanded <i>FRUS</i>: Great War Supplemental Volumes Covering 1914-1918</b>				
1914 Supplement		500	March 1928	8 years, 3 months
1915 Supplement		200	December 1928	9 years
1916 Supplement		500?	October 1930	10 years, 10 months

1917 Supplement 1		500	October 1931	11 years, 10 months
1918 Russia, Volume 1	2,578+	500	October 1931	11 years, 10 months
1918 Russia, Volume 2	2,081+		July 1932	12 years, 7 months
1918 Russia, Volume 3	2,081+		November 1932	12 years, 11 months
1917 Supplement 2 (2 volumes)	2,131+ <sup>24</sup>		November 1932	12 years, 11 months
1918 Supplement 1	2,481+	200+ <sup>25</sup>	June 1933	13 years, 6 months
1918 Supplement 1 (2 volumes)	2,081+		June 1933	13 years, 6 months
1918 Supplement 2	2,081+	500	August 1933	13 years, 8 months

<sup>1</sup> The information in this appendix is drawn from U.S. Government, Government Printing Office (hereafter GPO), *Annual Report of the Superintendent of Public Printing* for the years 1861-1866; GPO, *Annual Report of the Congressional Printer* for the years 1867-75; GPO, *Annual Report of the Public Printer* for the years 1876-1915 (after 1915, the *Annual Report* does not provide any specific information about *FRUS* publication); Report to the Senate Committee on Printing, July 29, 1891, NARA, RG 59, Reports of the Secretary of State to Congress and the President, 1790-1906, Vol. 17; Report of Congressional Printing Investigation Commission, Vol. 2: Appendix and Preliminary Report, January 1, 1906. See also the following records, which are referred to throughout this work as the "GPO Ledgers," all part of NARA, RG 149: Registers of Printing for Executive and Other Departments (1861-1887); Records of Orders for printing (1877-1930); and Allotment Records (1887-1935). The GPO Ledgers provide a substantial, but not complete, record of dates upon which the Government Printing Office received orders to prepare *FRUS* manuscripts for publication, completed printing the number of copies ordered for a particular *FRUS* volume, and performed other *FRUS*-related tasks like binding and wrapping of unbound volumes into packages for delivery. It is not possible; however, to assume that the figures in the GPO Ledgers provide the exact production dates or precise number of copies printed for any given volume, for several reasons. First, information does not exist for all volumes. Second, the "order received" dates did not necessarily signal that the State Department had completed compilation and redaction of an entire volume; often the Department sent a portion of a volume to the printers, thereby "opening" the order so GPO could begin work, and then the Department submitted additional sections subsequently. Third, the "completion date" did not necessarily conform to the official publication date; in some instances the GPO received printing funds before the volumes were ready to publish, and in many cases Department and congress each paid for their copies at different times as funds became available. Finally, the "number ordered" for any individual entry did not necessarily correspond with the number of volumes printed for any given year. The GPO Ledgers contain a substantially complete accounting of Department of State orders, but records of orders for the House or Senate is much less comprehensive. Moreover, both the Department and congress sometimes ordered more or fewer volumes than the number prescribed in the laws of 1864, 1866, and 1895 cited below. Nevertheless, by comparing the figures in the GPO Ledgers with the other sources listed above, and with a few of the narrative archival documents cited elsewhere in this work and newspaper accounts announcing the release of many *FRUS* volumes, it

is possible to build up a fairly accurate picture of (a) how many volumes were printed, and (b) after 1906, the dimensions of the publication lag (see [chapters 5](#) and [6](#)).

<sup>2</sup> If more than one volume was published for a given year, the number of volumes is noted. Only those volumes for which specific publication information exists through 1935 are included: these tables do not include information about the Lansing Papers, covering the years 1914-1920, and several volumes covering 1918 because those volumes were published after 1935.

<sup>3</sup> Approximate total number of copies (congressional, Department, and other orders) printed for the volume. All figures are approximate because the records do not allow for definitive accuracy (see [note 1](#) above). When the sources are at significant variance about the number of copies produced, see footnotes for additional information. In years that multiple volumes were produced, a similar number of copies were printed for each volume unless otherwise stated. “+” signifies the likelihood that more copies were published. “?” signifies less certainty about the number copies published.

<sup>4</sup> Number of copies printed for the Department of State. All figures are approximate because the records do not allow for definitive accuracy (see [note 1](#) above). When the sources are at significant variance about the number of copies printed, see footnotes additional information. In years that multiple volumes were produced, a similar number of copies were printed for each volume unless otherwise stated.

<sup>5</sup> U.S. Code, Section 11, 13 Stat. 184 (June 25, 1864), in force during 1864-65, stipulated that GPO print 4,000 copies for the Senate and 7,000 copies for the House of Representatives.

<sup>6</sup> U.S. Code, Section 2, 14 Stat. L. 305 (July 27, 1866), in force during 1866-1895 stipulated that GPO print 2,000 copies for the Senate, 4,000 for the House of Representatives, and 2,500 for the Department of State. When other information is not available, figures for the 1866-1895 volumes assume that the GPO printed at least the minimum number of copies required by law.

<sup>7</sup> See [chapter 3](#) for explanations of the late publication of the two 1868 volumes and the absent 1869 volume.

<sup>8</sup> GPO Ledgers can only confirm DOS procurement of 1,000 copies for the 1881 volume.

<sup>9</sup> Most commonly 1,000. GPO Ledgers suggest 3,000 copies for the 1887-1888 volume.

<sup>10</sup> 28 Stat. L., Chapter 23, Sect. 54 and Sect. 73 (January 12, 1895) stipulates that the GPO print 1,000 copies for the Senate, 2,000 copies for the House, and “the usual number” (originally designated as 1,682 copies) for the Department of State. U.S. Code, Title 44, section 1317, page 596-597 (2006) indicates this law is still in force but is modified by PL 94-59, Title VIII, 89 Stat. 296 (July 25, 1975), which requires the GPO to print only the number of copies from the Congressional allotment that are necessary to fulfill requests from Members of Congress for a particular *FRUS* volume.

<sup>11</sup> GPO Ledgers suggest 4,640 copies for the 1896 volume.

<sup>12</sup> See [chapter 4](#) for explanation of delayed publication.

<sup>13</sup> See [chapter 4](#) for explanation of delayed publication.

<sup>14</sup> See [chapter 4](#) for explanation of delayed publication.

<sup>15</sup> No production figures available for the supplementary volume on China published in 1901.

<sup>16</sup> No production figures available for the supplementary volumes on Russia and Mexico published in 1902.

<sup>17</sup> GPO Ledgers can only confirm 1,856 copies for the 1905 volume, but the number was probably in line with the figures for recent previous years.

<sup>18</sup> Report of Congressional Printing Investigation Commission, Vol. 1, October 26, 1905, p. 8, states: “five hundred copies of [FRUS] are ordered annually for official use by the Department in lieu of 1,000 formerly.”

<sup>19</sup> Drawn from newspaper reports; U.S. Government, Department of State, Press Releases, 1919-1938; and congressional testimony as cited in [chapters 5 and 6](#).

<sup>20</sup> Assumes a current volume would appear no later than December of the year subsequent to the events documented. Volumes for which a publication month cannot be established indicate the range of the possible years of delay. For the Great War supplemental volumes, assumes, according to earlier *FRUS* practice, that a timely volume would appear by the end of 1919, one year after the end of the war.

<sup>21</sup> Compilation of this volume was probably completed in October 1908.

<sup>22</sup> Compilation of this volume was probably completed in October 1919.

<sup>23</sup> Although the title page for the 1916 *FRUS* volume indicates a publication year of 1925, see *New York Times*, February 16, 1926, which indicates the volume was not released until 1926, probably in February. GPO Ledgers support the February 1926 timeframe. Compilation of this volume was probably completed in November 1925.

<sup>24</sup> GPO Ledgers indicate 50 copies were made up for London Naval Conference.

<sup>25</sup> GPO Ledgers indicate 200 copies were made up for London Naval Conference.

## Appendix C: Supplemental *Foreign Relations* Submissions, 1869-1914

Listed chronologically below are the collections of diplomatic correspondence (called reports from the Secretary of State) that the State Department submitted to Congress in response to specific requests, and which Congress in turn printed as Senate or House Executive Documents, House or Senate Miscellaneous Reports, or House or Senate Reports (Supplemental *FRUS* Submissions). For the purposes of this listing, a document consists of a piece of correspondence and any enclosures or attachments. The total of these submissions that supplemented the “regular” *FRUS* volumes totals 16,022 pages.

### 1869

*Danish Convicts*. 40th Cong., 2nd Sess., SED 71 (Ser. 1317). 2 documents, 3 pages.

Alleged practice of Danish authorities to banish convicts to the United States.

*Antonio Pelletier*. 40th Cong., 2nd Sess., HED 260 (Ser. 1343). 19 documents, 137 pages.

Imprisonment and destruction of property of American Citizen Antonio Pelletier by Haitian authorities.

*Costello and Warren*. 40th Cong., 3rd Sess., HED 66 (Ser. 1374). 10 documents, 15 pages.

American Fenians held in British prisons.

*Passage of Vessels through Straw Shoe Channel*. 40th Cong., 3rd Sess., HED 99 (Ser. 1381). 6 documents, 8 pages.

Restrictions on passage of commercial vessels along Yangtze River near Nanking.

*Rules under Treaties with China*. 40th Cong., 3rd Sess., SED 19 (Ser. 1360). 8 documents, 11 pages.

Joint investigation of cases of confiscation of American goods and fines imposed by Chinese customs authorities.

*Papers Relative to the Negotiation with Denmark for the Purchase of St. Thomas and St. John Document*. 40th Cong., 3rd Sess., SED K1. 4 documents, 8 pages.

*Additional Papers Relating to the Negotiations with Denmark for the Purchase of St. Thomas and St. John*. 40th Cong., 3rd Sess., SED K2. 13 documents, 10 pages.

Correspondence pertaining to delays in U.S. ratification of the treaty with Denmark, signed October 24, 1867, for the cession of the two islands in the West Indies.

*The Revolution in Cuba*. 41st Cong., 2nd Sess., SED 7 (Ser. 1405). 75 documents. 118 pages.

*Presidential message on correspondence between United States and Great Britain.* 41st Cong., 2nd Sess., SED 10 (Ser. 1405). 7 documents, 19 pages.  
Correspondence since rejection of claims convention by the Senate.

## 1870

*Affairs on the Red River (Presidential message on presence of Hon. William McDougall ...).* 41st Cong., 2nd Sess., SED 33 (Ser. 1405). 19 documents, 52 pages.

A dispute between citizens of Pembina, Dakota Territory and the Dominion of Canada over the eligibility of William McDougall, resident in Pembina, for the governorship of the Northwest Territory.

*Seizures of American Vessels and Injuries to American Citizens in Cuba.* 41st Cong., 2nd Sess., SED 108 (Ser. 1407). 186 documents, 246 pages.

*Emancipation of Slaves in Cuba.* 41st Cong., 2nd Sess., SED 113 (Ser. 1407). 22 documents, 24 pages.

*Questions Pending between the United States and Great Britain.* 41st Cong., 2nd Sess., SED 114 (Ser. 1407). 10 documents. 23 pages.

*Political Questions in Germany.* 41st Cong., 2nd Sess., SED 94 (Ser. 1407). 1 document, 8 pages.

Long report from U.S. Minister in Berlin on affairs within Germany and Austria in wake of Austro-Prussian War.

*Claims on Venezuela.* 41st Cong., 2nd Sess., Senate Miscellaneous Document 162 (Ser. 1408). 5 documents, 36 pages.

*Murder of American Citizens in Cuba.* 41st Cong., 2nd Sess., HED 140, Parts 1&2 (Ser. 1417). 9 documents, 11 pages.  
Continuation of above case.

*Struggle for Independence in the Island of Cuba.* 41st Cong., 2nd Sess., HED 160 (Ser. 1418). 130 documents, 193 pages.

Also published as *Correspondence between the Department of State and the United States Minister at Madrid, and the Consular Representatives of the United States in the Island of Cuba, and Other Papers Relating to Cuban Affairs, Transmitted to the House of Representatives in Obedience to a Resolution*

*American Citizen Prisoners in Great Britain.* 41st Cong., 2nd Sess., HED 170 (Ser. 1418). 34 documents, 44 pages.

*Claims of American Citizens against Venezuela.* 41st Cong., 2nd Sess., HED 176 (Ser. 1418). 28 documents, 49 pages.

## 1871

*Recall of Minister Motley (Message of President, on correspondence between minister to Court of St. James ... )* 41st Cong., 3rd Sess., SED 11 (Ser. 1440). 15 documents, 37 pages.

*Political Questions in Germany.* 41st Cong., 2nd Sess., SED 94 (Ser. 1407). 1 document, 8 pages.

Report from Minister in Berlin on internal Germany political situation.

*Trade between United States and Brazil.* 41st Cong., 3rd Sess., SED 53 (Ser. 1440). 20 documents, 63 pages.

## 1872

*Spanish West Indies.* 42nd Cong., 2nd Sess., HED 35 (Ser. 1510). 18 documents, 41 pages.

*Dr. J. E. Houard.* 42nd Cong., 2nd Sess., HED 223 (Ser. 1515). 43 documents, 45 pages.

Houard was an American citizen imprisoned in Cuba for alleged "complicity in the insurrection."

*Treaty of Washington.* 42nd Cong., 2nd Sess., HED 294 (Ser. 1516). 11 documents, 59 pages.

Diplomatic correspondence pertaining to differences of opinion regarding powers of the Tribunal of Arbitration.

## 1874

*Steamer Virginius.* 43rd Cong., 1st Sess., HED 30 (Ser. 1606). 166 documents, 225 pages.

Seizure by Spanish authorities of U.S. flagged steamer *Virginius* bound for Cuba and subsequent execution of 53 crew / passengers.

*Landing of Foreign Convicts on Our Shores.* 43rd Cong., 1st Sess., HED 253 (Ser. 1614). 61 documents, 75 pages.

Purported policy of Swiss communes, Germany's Society of Israelites, the Greek Government, and other foreign organizations to send paupers, criminals, and the insane to the United States.

## 1875

*Execution of the Crew of the "Virginius" by Spain.* 44th Cong., Special Sess., SED 44. 57 documents, 118 pages.

Department of State report and correspondence on resolution of claims arising from the capture by Spain of the U.S.-flag vessel in Cuban waters and subsequent execution of certain crew members.

## 1876

*Correspondence between the United States Government and Spain in Relation to the Island of Cuba.* 44th Cong., 1st Sess., HED 90 (Ser. 1689). 64 documents, 81 pages.

*Extradition Treaty with Great Britain.* 44th Cong., 1st Sess., HED 173 (Ser. 1691). 44 documents, 69 pages.

Case of a notorious American citizen forger arrested in Great Britain.

*The Venezuela Mixed Commission.* 44th Cong., 1st Sess., House Report 787 (Ser. 1713). 31 documents, 220 pages.

Refers to payment of claims of American citizens adjudicated under the provisions of an 1866 convention with Venezuela arising from losses incurred during civil strife in that country.

## 1877

*John Jay Smith and Doctor Samuel Huggins.* 44th Cong., 2nd Sess., HED 31 (Ser. 1755). 32 documents, 46 pages.

Detention and wounding of American citizens by Mexican army in Nuevo Laredo.

*Revolt in the Turkish Provinces.* 44th Cong., 2nd Sess., SED 24 (Ser. 1719). 1 document, 31 pages.

Detailed report from American Minister in Constantinople on insurrections in Bulgaria.

*The Agency of A. B. Steinberger in the Samoan Islands.* 44th Cong., 2nd Sess., HED 44 (Ser. 1755). 32 documents, 159 pages.

Activities of U.S. Consul in Samoa.

*Mexican Border Troubles.* 45th Cong., 1st Sess., HED 13 (Ser. 1773). 45 documents, 244 pages.

Diplomatic and consular correspondence dealing with the prevention of Indian and outlaw raids into Texas from Mexico, and the incompetence of the Mexican army department commander.

## 1878

*Government of the Island of Cuba.* 45th Cong., 2nd Sess., SED 79 (Ser. 1781). 12 documents, 22 pages.

Terms and conditions under which the surrender of Cuban insurgents was made, and the future Spanish policy in Cuba.

*Venezuela Mixed Claims Commission.* 45th Cong., 2d Sess., HED 30 (Ser. 1802). 13 documents, 27 pages.

Additional correspondence pertaining to payment of claims of American citizens adjudicated under the provisions of an 1866 convention with Venezuela arising from losses incurred during civil strife in that country.

*Steamer Virginius.* 45th Cong., 2d Sess. HED 72 (Ser. 1806). 12 documents, 11 pages.

Additional correspondence between United States and Spain regarding illegal seizure of steamer *Virginius* by Spanish authorities in Cuba.

## 1879

*Neutrality Rules*. 45th Cong., 3rd Sess., SED 26 (Ser. 1828). 44 documents, 89 pages.  
Questions arising out of Franco-Prussian War regarding rights of neutral powers to engage in maritime commerce with belligerents.

*Julius Baumer*. 45th Cong., 3rd Sess., HED 14 (Ser. 1852). 4 documents, 6 pages.  
Expulsion from German Empire of a naturalized U.S. citizen.

## 1880

*Alleged Outrage at Fortune Bay, Newfoundland*. 46th Cong., 2nd Sess., HED 84 (Ser. 1925). 29 documents, 141 pages.  
Alleged interference with fishing rights of U.S. fishermen in waters granted United States under Treaty of Washington.

## 1881

*Peace between Chili and Peru and Bolivia*. 46th Cong., 3rd Sess., SED 26 (Ser. 1941). 60 documents, 88 pages.  
United States Government efforts to broker a resolution of the War of the Pacific.

*Criminals Sent to the United States*. 46th Cong., 3rd Sess., SED 62 (Ser. 1943). 60 documents, 162 pages.  
Alleged Austro-Hungarian, Swiss, Danish, and Belgian Government complicity in sending of paupers, prostitutes, criminals, and the insane to the United States.

## 1882

*Papers Relating to the War in South America*. 47th Cong., 1st Sess., SED 79 (Ser. 1989). 441 documents, 790 pages.  
An exhaustive collection of Department correspondence pertaining to the War of the Pacific.

*Relations of the United States with Guatemala and Mexico*. 47th Cong., 1st Sess., SED 156 (Ser. 1990). 37 documents, 87 pages.  
Secretary of State James G. Blaine's unsuccessful attempt to broker a solution to the Guatemala-Mexico boundary dispute.

*Affairs in Peru, Chili, and Bolivia (Message of President with correspondence between Department of State and special envoy extraordinary to Republics of Peru, Chili, and Bolivia, and Third Assistant Secretary of State)*. 47th Cong., 1st Sess., SED 181 (Ser. 1991). 45 Documents, 58 pages.

Correspondence pertaining to Special Envoy William Henry Trescott's (failed) mission to broker a peace.

*Chinese Immigration.* 47th Cong., 1st Sess., SED 175 (Ser. 1991). 12 documents, 21 pages.

*The War of the Pacific (Message of President on efforts of United States to bring about peace between Chili, and Peru and Bolivia).* 47th Cong., 1st Sess., HED 68, 2 parts (Ser. 2027). 21 documents, 49 pages.

Efforts of U.S. Government to mediate an end to the War of the Pacific.

*Message of President on negotiations for restoration of peace in South America.* 47th Cong., 1st Sess., HED 142 (Ser. 2030). 9 documents, 7 pages.

Additional correspondence on efforts of U.S. Government to mediate an end to the war.

*Protection of American Citizens in Persia.* 47th Cong., 1st Sess., HED 151 (Ser. 2030). 24 documents, 25 pages.

United States Government efforts to ensure better protection for American residents in Persia, particularly Muslim threats against missionaries.

*Imprisonment of Thomas Shields and Charles Webber in Mexico.* 47th Cong., 1st Sess., HED 153 (Ser. 2030). 3 documents, 28 pages.

Case of two Americans imprisoned in Vera Cruz for breach of civil contract related to their employment as glass-blowers in Mexico.

*Restrictions upon the Exportation of Pork from the United States by the French Government.* 47th Cong., 1st Sess., HED 209 (Ser. 2031). 144 documents, 225 pages.

The so-called "Pork War," in which France and other European countries imposed restrictions upon U.S. pork exports for health reasons.

*Condition of Israelites in Russia.* 47th Cong., 1st Sess., HED 192 (Ser. 2030) 40 documents, 72 pages.

Diplomatic correspondence relative to the expulsion of American Jews from Russia and the persecution of the Jews in the Russian Empire.

## 1883

*Trial and execution of Patrick O'Donnell.* 48th Cong., 1st Sess., HED 33 (Ser. 2198). 21 documents, 20 pages.

Execution in Great Britain of naturalized U. S. citizen convicted of murder.

## 1884

*French Cable Company.* 47th Cong., 2nd Sess., HED 46 (Ser. 2108). 8 documents, 51 pages.

French Cable Company declines to abide by agreement regarding rate limits for service in the United States.

*Commerce between U.S. and Cuba and Porto Rico.* 48th Cong., 1st Sess., SED 58 (Ser. 2165). 31 documents, 52 pages.

*Claim of Edward H. Ladd.* 48th Cong., 1st Sess., SED 178 (Ser. 2167). 14 documents, 13 pages.

Correspondence and a seven-page report from the secretary of state on the subject.

*Ward Claims and the Claim of Charles E. Hill.* 48th Cong., 1st Sess., SED 169 (Ser. 2167). 39 documents, 92 pages.

*Reported Arrest of Reinhardt Wagner.* 48th Cong., 1st Sess., HED 88 (Ser. 2200). 13 documents, 12 pages.

Confiscation of passport of dual national by Russian authorities in Poland.

*Importation of American Hog Products.* 48th Cong., 1st Sess., HED 70 (Ser. 2200). 150 documents, 202 pages.

German and French-imposed restrictions on importation of American pork products.

*Mexican Claims.* 48th Cong., 1st Sess., HED 103 (Ser. 2205). 102 documents, 788 pages

La Abra Silver Mining Company case; correspondence begins in 1877.

*Boundary between Mexico and Guatemala.* 48th Cong., 1st Sess., HED 154 (Ser. 2207). 73 documents, 192 pages.

Correspondence reflecting policy of Arthur administration. Also includes a 50-page summary of the dispute submitted by the Mexican Minister to the United States.

*Arrest of John E. Wheelock.* 48th Cong., 1st Sess., HED 161 (Ser. 2207). 7 documents, 14 pages.

American citizen arrested without due process for pressing claims for damages against Venezuelan government

## 1885

*Arrest of Thomas R. Monahan by the Authorities of Mexico.* 48th Cong., 2nd Sess., HED 151 (Ser. 2302). 30 documents, 26 pages.

American railroad engineer working in Mexico and responsible for a train wreck there.

*Congo Conference.* 48th Cong., 2nd Sess., HED 247 (Ser. 2304). 56 documents, 179 pages.

Diplomatic correspondence with Germany on conference issues.

## 1886

*Gold and Silver Coinage in Europe.* 49th Cong., 1st Sess., SED 29 (Ser. 2333). 12 documents, 31 pages.

U.S. Government exploratory efforts to establish an international ratio of gold and silver coinage that would procure the free coinage of both metals at European and United States mints.

*Central and South American Commission.* 49th Cong., 1st Sess., HED 50 (Ser. 2392). 78 documents, 496 pages.

Reports of commissioners appointed by Congress in 1884 "to ascertain and report upon the best modes of securing more intimate international and commercial relations between the United States and the Several Countries of Central and South America." An important compilation containing much on internal political and economic affairs of Central and South American nations and their relations with the United States.

*Independent State of the Congo.* 49th Cong., 1st Sess., SED 196 (Ser. 2341). 110 documents, 448 pages.

*A. K. Cutting.* 49th Cong., 1st Sess., SED 224 (Ser. 2341). 15 documents, 21 pages.  
U.S. citizen detained by Mexican authorities along border.

*Manufacture of Milk Sugar.* 49th Cong., 1st Sess., HED 188 (Ser. 2401). 12 documents, 33 pages.

Reports from consular officers on manufacture of milk sugar in Switzerland.

*The American Schooner Ounalaksa.* 49th Cong., 1st Sess., HED 329 (Ser. 2403). 38 documents, 87 pages.

American schooner condemned by Government of Salvador for having been employed in aid of insurrectionists.

*Julio Santos.* 49th Cong., 1st Sess., HED 361 (Ser. 2403). 56 documents, 70 pages.  
U.S. citizen imprisoned in Ecuador.

*Rights of American Fishermen.* 49th Cong., 2nd Sess., HED 19 (Ser. 2477). 109 documents, 210 pages.

Presidential request that Congress form a commission to investigate ongoing losses of American fishermen in British North American waters with supporting diplomatic correspondence.

*International Copyright.* 49th Cong., 2nd Sess., HED 37 (Ser. 2479). 9 documents, 29 pages.

Diplomatic correspondence with Governments of Switzerland and France during 1886 on subject of international copyrights.

## 1887

*American Fisheries.* 49th Cong., 2nd Sess., HED 153 (Ser. 2483). 19 documents, 39 pages.

Correspondence regarding rights of American fishing vessels in territorial waters of British North America (Canada).

## 1888

- American Products in France.* 50th Cong., 1st Sess., SED 114 (Ser. 2510). 122 documents, 151 pages.  
French prohibition on the importation of American pork.
- Extension of the Zona Libre in Mexico.* 50th Cong., 1st Sess., SED 130 (Ser. 2513). 8 documents, 153 pages.  
Correspondence with Mexican Government regarding Free Trade Zone regulations.
- Boundaries of British Guiana and Venezuela.* 50th Cong., 1st Sess., SED 226 (Ser. 2514). 70 documents, 211 pages.
- American Rights in Samoa.* 50th Cong., 1st Sess., HED 238 (Ser. 2560). 93 documents, 322 pages.  
Exile of King Maletoa and rights and property of American citizens in Samoa.
- Condition of Affairs in Samoa.* 50th Cong., 2nd Sess., SED 31 (Ser. 2610). 118 documents, 170 pages.

## 1889

- Condition of Affairs in the Samoan Islands.* 50th Cong., 2nd Sess., SED 68 (Ser. 2611). 14 documents, 22 pages.
- Affairs at Samoa.* 50th Cong. 2nd Sess., HED 118 (Ser. 2651). 4 documents, 15 pages.
- Affairs in Samoa.* 50th Cong., 2nd Sess., SED 102 (Ser. 2612). 10 documents, 45 pages.  
Above three Congressional documents contain diplomatic correspondence on current events in Samoa and U.S. policy toward the Island nation.
- Recent Occurrences in Hayti.* 50th Cong., 2nd Sess., SED 69 (Ser. 2611). 216 documents, 264 pages.  
Covers both recent events in Haiti and seizure and return of American vessel by Haitian authorities.
- Foreign Settlement at Chemulpo (Message of President on Corean affairs).* 50th Cong., 2nd Sess., SED 81 (Ser. 2612). 4 documents, 11 pages.  
Agreements between China, Japan, and France with Korea over foreign settlements at port of Chemulpo, Korea.
- Samoa.* 50th Cong., 2nd Sess., HED 119 (Ser. 2651). 4 documents, 3 pages.  
Four documents submitted to Congress after printing of House of Representatives Executive Documents 118.
- Lord Sackville.* 50th Cong., 2nd Sess., HED 150 (Ser. 2652). 18 documents, 64 pages.  
Improper behavior of Lord L. S. Sackville West as British Minister to the United States.
- Affairs at Madagascar.* 50th Cong., 2nd Sess., HED 164 (Ser. 2652). 36 documents, 110 pages.

Refers especially to killing of American consular agent at Andakabe by apparent master of an American schooner.

*Affairs at Madagascar*. 50th Cong., 2nd Sess., HED 166 (Ser. 2652). 2 documents, 33 pages.

Additional correspondence on same subject as above.

## 1890

*La Abra Silver Mining Company*. 51st Cong., 1st Sess., SED 107 (Ser. 2686). 11 documents, 26 pages.

Claim of an American company before the United States and Mexican Claims Commission.

*Alleged Arrest of A. J. Diaz in Cuba*. 51st Cong., 1st Sess., SED 198 (Ser. 2688). 21 Documents, 9 pages.

Arrest and imprisonment of American missionary in Cuba.

*Prohibition of American Pork Products*. 51st Cong., 1st Sess., SED 214 (Ser. 2688). 11 documents, 16 pages.

Prohibition of American pork imports in Germany and France.

*Seizure of the Schooner Rebecca*. 51st Cong., 1st Sess., HED 328 (Ser. 2750). 22 document, 52 pages.

Seizure of an American commercial vessel and brief imprisonment of its captain in Tampico, Mexico, on smuggling charges.

*Seal Fisheries of Behring Sea*. 51st Cong., 1st Sess., HED 450 (Ser. 2752). 31 documents, 98 pages.

Diplomatic correspondence of 1889-1890 pertaining to this ongoing dispute with Great Britain.

*Proscriptive Edicts against Jews in Russia*. 51st Cong., 1st Sess., HED 470 (Ser. 2752). 68 documents, 142 pages.

*The Barrundia Case*. 51st Cong., 2nd Sess., HED 51 (Ser. 2858). 10 documents, 47 pages.

Killing of a former Guatemalan general by Guatemalan authorities while he was under protection of U.S. Consul General on a U.S.-flagged vessel in Guatemalan waters.

## 1891

*Correspondence on seal fisheries of Behring Sea*. 51st Cong., 2nd Sess., HED 144 (Ser. 2863). 58 pages.

Correspondence since July 19, 1890 with Great Britain about Bering Sea seal fisheries.

## 1892

*Claim of William Webster.* 52nd Cong., 1st Sess., SED 23 (Ser. 2892). 4 documents, 18 pages.

Claim of a U.S. citizen against Great Britain for lost investments in New Zealand.

*Nicolino Mileo.* 52nd Cong., 1st Sess., SED 76 (Ser. 2900). 22 documents, 29 pages.

Naturalized U.S. citizen impressed into Italian military service.

*Bering Sea.* 52nd Cong., 1st Sess., SED 55 (Ser. 2900). 88 documents, 105 pages.

Submission to arbitration of questions arising between U.S. Government and Government of Great Britain concerning jurisdictional rights of the United States in the Bering Sea.

*Venezuelan Steam Navigation Company.* 52nd Cong., 1st Sess., SED 79 (Ser. 2900). 123 documents, 105 pages.

Claim of an American company for damages suffered to two steamers when they were wrongfully seized and used in 1871 Venezuelan insurrection.

*Antonio Maximo Mora.* 52nd Cong., 1st Sess., SED 115 (Ser. 2901). 18 document, 50 pages.

American resident of Cuba with claims against Spain.

*Relations with Chile.* 52nd Cong., 1st Sess., HED 91 (Ser. 2954). Estimated 200 documents, 688 pages.

Diplomatic correspondence on strained relations with Chile in general but primarily respecting the mob attack on sailors of the USS *Baltimore* in Valparaiso.

## 1893

*Chinese Immigration.* 52nd Cong., 2nd Sess., SED 54 (Ser. 3056). 18 documents, 43 pages.

Diplomatic correspondence between the United States and China on acts of Congress forbidding Chinese immigration.

*Hawaiian Islands (Presidential message transmitting correspondence on Hawaii).* 53rd Cong., 2nd Sess., SED 13 (Ser. 3160). 59 documents, 63 pages.

Instructions from Secretaries of State from 1881-1887 to U.S. representatives in Hawaii.

## 1894

*Affairs at Bluefields.* 53rd Cong., 3rd Sess., SED 20 (Ser. 3275). 138 documents, 207 pages.

Protection of American citizens during conflict between Nicaragua and Honduras.

*Hawaiian Islands.* 53rd Cong., 2nd Sess., SED 46 (Ser. 3160). 12 documents, 33 pages.

Diplomatic correspondence on Hawaii for 1894.

- Samoa Islands*. 53rd Cong., 2nd Sess., SED 93 (Ser. 3163). 310 documents, 219 pages.  
Includes 10-page report from the Secretary of State on conditions in Samoa.
- Antonio Maximo Mora*. 53rd Cong., 2nd Sess., SED 115 (Ser. 3163). 38 documents, 38 pages.  
American resident of Cuba with claims against Spain.
- Samoa Islands*. 53rd Cong., 2nd Sess., SED 132 (Ser. 3163). 21 documents, 18 pages.  
Domestic unrest and terms of Berlin Treaty.
- Hawaiian Affairs*. 53rd Cong., 2nd Sess., HED 95 (Ser. 3224). 1 document, 2 pages.  
Confidential report from U.S. Minister on state of affairs in Hawaii.
- Hawaiian Affairs*. 53rd Cong., 2nd Sess., HED 112 (Ser. 3224). 3 documents, 4 pages.  
Confidential reporting from U.S. Minister on first anniversary of provisional government of Hawaii.
- Alleged Cruelties Committed upon Armenians*. 53rd Cong., 3rd Sess., SED 11 (Ser. 3275). 8 documents, 7 pages.  
Diplomatic correspondence and Department instructions pertaining to atrocities against Armenians in Turkey.

## 1895

- Delivery of Japanese to Chinese Authorities*. 53rd Cong., 3rd Sess., SED 36 (Ser. 3275).  
50 documents, 48 pages.  
Delivery by U.S. Consul General in Shanghai of two alleged Japanese spies to Chinese government.
- Regulations Respecting Fur Seals*. 53rd Cong., 3rd Sess., SED 67 (Ser. 3279). 129 documents, 442 pages.  
Correspondence relating to enforcement of regulations respecting the hunting of fur seals in the Bering Sea in accordance with Paris arbitration tribunal, and British claims for seizure of sealing vessels.
- Samoa Affairs*. 53rd Cong., 3rd Sess., SED 97 (Ser. 3280). 299 documents, 485 pages.  
Correspondence on Samoan affairs from 1889-1895.

## 1896

- Affairs in Cuba*. 54th Cong., 1st Sess., S. Doc. 213 (Ser. 3353). 40 documents, 137 pages.  
Correspondence from 1875-1878 pertaining to United States mediation or intervention during the Spanish "pacification" of the island.
- Arrest of American Citizens in Cuba*. 54th Cong., 1st Sess., S. Doc. 168 (Ser. 3353). 15 documents, 8 pages.  
Diplomatic correspondence regarding the arrest of U.S. citizens Mark E. Rodriguez and Luis Someillan and son.

*The Venezuelan Border Controversy*. 54th Cong., 1st Sess., S. Doc 31 (Ser. 3347). 4 documents, 35 pages.

Includes a 17-page report from the Secretary of State on U.S. policy and the history of the controversy.

*Killing of Certain Italian Laborers in Colorado*. 54th Cong., 1st Sess., H. Doc. 195 (Ser. 3420). 21 documents, 20 pages.

Murder of four Italian laborers by a Colorado lynch mob.

*Affairs in Cuba*. 54th Cong., 1st Sess., H. Doc. 224 (Ser. 3425). 125 documents, 212 pages.

Diplomatic correspondence for 1895-1896.

*Imprisonment of Mrs. Florence E. Maybrick*. H. Doc. 370 (Ser. 3428). 13 documents, 19 pages.

Diplomatic correspondence petitioning review of death sentence of Florence Maybrick in Great Britain for murder of her husband.

## 1897

*Claims of Citizens of the United States against Spain*. 54th Cong., 2nd Sess., S. Doc. 79 (Ser. 3469). 56 documents, 38 pages.

Claims arising out of Cuban insurrection.

*Arrest, Imprisonment, etc. of Julio Sanguily*. 54th Cong., 2nd Sess., SED 104 (Ser. 3470). 80 documents, 96 pages.

Imprisonment of American citizen in Cuba on charges of conspiring against Government of Spain.

*Victor H. MacCord*. 55th Cong., 1st Sess., S. Doc. 7 (Ser. 3559). 37 documents, 23 pages.

Unlawful imprisonment of U.S. consular agent in Peru.

*Protection of Fur Seals in Bering Sea*. 55th Cong., 2nd Sess., S. Doc. 40 (Ser. 3592). 71 documents, 70 pages.

*Gustave Richelieu and August Bolten*. 55th Cong., 1st Sess., S. Doc. 47 (Ser. 3561). 42 documents, 45 pages.

Arrest and imprisonment of two U.S. citizen seamen in Cuba by Spanish authorities in 1895.

*Alfredo H. Hugnet*. 55th Cong., 1st Sess., S. Doc. 189 (Ser. 3563). 12 documents, 12 pages.

Arrest and imprisonment of U.S. citizen in Cuba by Spanish authorities in 1896; Hugnet subsequently expelled from Cuba.

## 1898

*Indemnity to Relatives of Luis Moreno*. 55th Cong., 2nd Sess., H. Doc. 237 (Ser. 3592). 13 documents, 17 pages.

Mexican claim for indemnification of family of Mexican citizen lynched in California after charges of murder were brought against him by citizens of Yreka; U.S. Government settled with Mexican government.

*Arrest of Harry K. Spring and Charles W. Nelson.* 55th Cong., 2nd Sess., S. Doc. 72 (Ser. 3593). 10 documents, 21 pages.

American citizens arrested in Colombia in relation to civil dispute with another American citizen resident in Colombia.

*Bernard Campbell.* 55th Cong., 2nd Sess., S. Doc. 73 (Ser. 3593). 20 documents, 15 pages.

Claim of U.S. citizen against Government of Haiti for wrongful arrest after another U.S. citizen accused him of breach of contract in a private shipping business.

*Frank Epps.* 55th Cong., 2nd Sess., S. Doc. 93 (Ser. 3593). 18 documents, 51 pages.

Crewmen of USS *Olympia* murdered in Nagasaki, Japan while on shore leave.

*Fruit of the United States in Germany.* 55th Cong., 2nd Sess., S. Doc. 131 (Ser. 3599). 27 documents, 131 pages.

German prohibition of importation of "live plants and plant waste" into Germany, which German Government construed to include U.S. fruit imports.

*Cuban Correspondence. Consular Correspondence Respecting the Condition of the "Reconcentrados" in Cuba, the State of the War in That Island, and the Prospects of the Projected Autonomy.* 55th Cong., 2nd Sess., S. Doc. 230 (Ser. 3610). 67 Documents, 97 pages.

Published a week before Congress declared war on Spain.

*Cuban Correspondence. Consular Correspondence Respecting the Condition of the "Reconcentrados" in Cuba, the State of the War in That Island, and the Prospects of the Projected Autonomy.* 55th Cong., 2nd Sess., H. Doc. 406 (Ser. 3692). 67 documents, 95 pages.

House version of S. Doc. 230.

*War between the United States and Spain.* 55th Cong., 2nd Sess., H. Doc. 428 (Ser. 3692). 14 documents, 10 pages.

Exchange of diplomatic notes declaring state of war.

## 1899

*Charles Oberlander and Barbara M. Messinger.* 55th Cong., 3rd Sess., S. Doc. 73 (Ser. 3731). 50 documents, 126 pages.

U.S. arbitration in claims of U.S. citizens against Mexican Government for their kidnapping by Mexican officials in Tijuana.

*Chinese Outrages on American Citizens.* H. Doc. 227 (Ser. 3812). 9 documents, 11 pages.

Mob attack against U.S. citizen Catholic bishop and other Americans in Peking.

## 1900

*Information as to request of South African Republics for intervention.* 56th Cong., 1st Sess., S. Doc. 222 (Ser. 3858). 3 pages.

Correspondence concerning the request of South African Republics intervention, with a view of the cessation of hostilities.

*Correspondence concerning commercial rights in China.* 56th Cong., 1st Sess., H. Doc. 547 (Ser. 3995). 18 documents, 17 pages.

Correspondence with various foreign governments concerning the Open Door Policy.

*Claims of Edward Gottfried for injuries inflicted by Peruvians.* 56th Cong., 1st Sess., S. Doc. 419 (Ser. 3877). 32 documents, 115 pages.

Alleged depredations caused to an American citizen by Peruvian revolutionists.

## 1901

*Interoceanic Canal.* 56th Cong., 2nd Sess., SED K. 7 documents, 8 pages.

Correspondence with Colombia and the New Panama Canal Company concerning construction of the Panama Canal.

*Brief History of Amendments Proposed and Considered Since the Action of the Senate on the Former Canal Treaty with Great Britain.* 57th Cong., 1st Sess., SED 57-1-25. 21 pages.

Communicates British objections to several amendments to the canal construction convention with United States of February 5, 1900.

## 1902

*Letters from Colombian minister and other correspondence on interoceanic canal.* 57th Cong., 1st Sess., H. Doc. 611 (Ser. 4377). 7 documents, 25 pages.

Communications with several Central American governments concerning an isthmian canal treaty.

## 1903

*Panama Canal Title.* 58th Cong., Special Session, SED A. 336 pages.

Transmits report and exhibits determining that the title proposed to be given by the New Panama Canal Company to the United States is valid.

*Correspondence relating to revolution on Isthmus of Panama* (2 parts). 58th Cong., 1st Sess., H. Doc. 8, (Ser. 4565). 32 pages.

Correspondence and other official documents relating to the recent revolution.

*Correspondence on treaty with Colombia for construction of isthmian canal.* 58th Cong., 2nd Sess., S. Doc. 51 (Ser. 4587). 123 documents, 133 pages.

Report with accompanying papers concerning the convention between the United States and Colombia for the construction of an interoceanic canal across the Isthmus of Panama.

#### 1904

*Relations of United States with Colombia and Panama.* 58th Cong., 2nd Sess., S. Doc .95 (Ser. 4588). 14 Documents, 68 pages.

Copies of additional papers bearing upon the relations of the United States with Colombia and the Republic of Panama.

*Correspondence Relating to the Panama Canal.* 58th Cong., 2nd Sess., SED H. 239 documents, 142 pages.

Correspondence concerning construction of the Panama Canal and the separation of Panama from Colombia.

*Correspondence Relating to the Isle of Pines.* 58th Cong., 2nd Sess., SED K. 95 pages.

Papers pertaining to the status and disposition of the island following its acquisition by the U.S. from Spain.

#### 1906

*Papers of State Department regarding case of Immigrant Inspector Marcus Braun while in Austria-Hungary.* 59th Cong., 1st Sess., H. Doc. 482 (Ser. 4987). 17 documents, 21 pages.

Documents regarding the detention of a U.S. official by Hungarian authorities.

#### 1908

*Claim of owners of Mexican steamship Tabasqueno.* 60th Cong., 1st Sess., S. Doc. 515 (Ser. 5269). 6 documents, 16 pages.

Report and documents concerning the claim of the owners of a Mexican steamship and of her cargo against the United States.

*Correspondence regarding relations of U.S. with Colombia and Panama.* 60th Cong., 2nd Sess., S. Doc. 542 (Ser. 5407). 7 documents, 28 pages.

Correspondence between the United States and the Republic of Colombia growing out of the secession of Panama.

#### 1909

*Settlement of controversies with Government of Venezuela, relating to claims of Orinoco Steamship Company.* 61st Cong., 1st Sess., S. Doc. 13 (Ser. 5571). 12 pages.

Report and documents showing the settlement of the controversies which existed with the Government of Venezuela with respect to the claims of the Orinoco Steamship Company against that government.

*Condition of affairs in Kongo Free State.* 61st Cong., 1st Sess., S. Doc. 147 (Ser. 5572). 99 documents, 213 pages.  
Report and correspondence regarding conditions in the Belgian Congo.

## 1911

*History of amendments proposed to Hay-Pauncefote treaty.* 61st. Cong., 3rd Sess., S. Doc. 746 (Ser. 6594). 12 documents, 46 pages.  
Amendments proposed and considered which resulted in the second Hay-Pauncefote Treaty.

## 1912

*Correspondence relating to purchase of land at Magdalena Bay, Baja California, by Japanese government or company.* 62nd Cong., 2nd Sess., S. Doc. 694 (Ser. 6177). 8 documents, 6 pages.  
Correspondence relative to the American syndicate interested in lands on Magdalena Bay.

## 1913

*Panama Canal Tolls.* 63rd Cong., 1st Sess., S. Doc. 11 (Ser. 6535). 4 documents, 21 pages.  
Communications between British and U.S. officials about Panama Canal tolls.

*Papers relative to slavery in Peru.* 62nd Cong., 3rd Sess., H. Doc. 1366 (Ser. 6369). 443 pages.  
Extensive documentation and reports on labor conditions in Peru.

*Relations between United States and Colombia.* 62nd Cong., 3rd Sess., H. Doc. 1444 (Ser. 6501). 12 pages.  
Secretary of State report on relations between the United States and the Republic of Colombia.

## 1914

*Colon fire claims, liability of Panama for payment and relations with Colombia.* 63rd Cong., 2nd Sess., S. Doc. 405 (Ser. 6597). 145 documents, 115 pages.  
Correspondence between the Department of State and the Government of Panama in regard to the settlement of Colon fire claims.

*Diplomatic history of Panama Canal.* 63rd Cong., 2nd Sess., S. Doc. 474 (Ser. 6582). 242 documents, 614 pages.  
Records dating from December 1898 to February 1913 relating to the negotiation and application of certain treaties on the subject of the construction of an interoceanic canal.

*Settlement of Differences with Colombia.* 63rd Cong., 3rd Sess., SED H. 100 pages.

Diplomatic correspondence and documents on the treaty signed April 6, 1914, at Bogota, on differences arising out of the events which took place on the Isthmus of Panama in November 1903.

# Appendix D: Office Heads and Office Symbol Designations, 1919-2014

## **Department Component Overseeing *FRUS* Production**

- 1921-1929, Division of Publications (DP)
- 1929-1933, Office of the Historical Advisor (HA)
- 1933-1946, Division of Research and Publications (RP)
- 1946-1953, Division of Historical Policy Research (RE), under Office of Public Affairs (PA)
- 1953-1959, Historical Division (HD), under Bureau of Public Affairs (P)
- 1959-1976, Historical Office (HO), under Bureau of Public Affairs (P; PA)
- 1976-present, Office of the Historian (HO), under Bureau of Public Affairs (PA)

## **Department Official Directly Responsible for *FRUS* Production**

- 1919-1924, Gaillard Hunt (DP)
- 1924, Harry Dwight (DP)
- 1924-1931, Tyler Dennett (DP; HA)
- 1931-1933, Hunter Miller (HA)
- 1933-1939, Cyril Wynne (RP)
- 1939-1946, E. Wilder Spaulding (RP)
- 1946-1962, George Bernard Noble (RE; HD; HO)
- 1962-1974, William Franklin (HO)
- 1975-1976, Fredrick Aandahl (acting) (HO)
- 1976-1981, David Trask (HO)
- 1981-2000, William Slany (HO)
- 2001-2009, Marc Susser (HO)
- 2009, John Campbell (acting) (HO)
- 2009-2012, Edward Brynn (acting) (HO)
- 2012-present, Stephen Randolph (HO)

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Kew

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Foreign Office

FO 370, Librarian's Department

Foreign and Commonwealth Office

FCO 12, Library and Records Department

United States

Abilene, Kansas

Dwight D. Eisenhower Presidential Library and Museum

John Foster Dulles Papers

Subject Series

Telephone Conversation Series

White House Memoranda Series

College Park, Maryland

National Archives and Records Administration

Central Intelligence Agency, Records Search Tool (CREST)

Record Group 59, Records of the Department of State

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ORG P

ORG 8 P/HO

POL 1 US

POL 15-4 ISR

PR 10

PR 10 *Foreign Relations of the U.S.*

Central Foreign Policy File, 1976

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023.1, 1950-1963

023.1 China, 1950-1954

026 China, 1945-1949

026 *Foreign Relations*, 1910-1949

026 History of the World War, 1910-1929

111.324, 1910-1929

116.3, 1910-1929

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Entry UD-08D-4: Bureau of Public Affairs, Assistant Secretary and Deputy Assistant Secretary Subject Files, 1975-1981 (82 D 297)

Entry A1-5066: Bureau of Public Affairs, Office of the Historian, Records Relating to the Compilation of the World War II Conferences Volumes of the Publication *Foreign Relations of the United States* (83 D 222)

Entry UD-WW-9: Bureau of Public Affairs, Office of the Historian, Arthur Kogan Files, 1945-1980 (83 D 230)

Entry UD-WX-595: Bureau of Public Affairs, Office of the Historian, *FRUS* Clearance Files, 1945-1957 (96 D 068)

Entry UD-07D-64: Bureau of Public Affairs, Office of the Historian, *FRUS* Clearance Files, 1948-1954 (96 D 274)

Microfilm Records

M10 Despatches from U.S Ministers to Chile, 1823-1906

M17, Registers of Diplomatic Correspondence Sent,  
1870-1906

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