

JUST CAUSE

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"The Evidence Will Speak for Itself"

GSW & CIA at Odds Over Release of UFO Papers

LARRY W. BRYANT

In what's shaping up as a career Freedom of Information case for CAUS Legal Advisor Peter A. Gersten, the latest developments in Ground Saucer Watch, Inc., Vs. U. S. Central Intelligence Agency offer little hope to those of us who welcome a speedy, comprehensive ruling in favor of GSW. Without that wrap-up, we here at CAUS and, indeed, throughout the UFOlogical community will remain stymied in our efforts to enlist the aid of the FOI Act toward ferreting out additional UFO data that the CIA has collected/evaluated since the filing of GSW Vs. CIA in 1978.

For some reason -- certainly not one in the interests of freedom of information -- the Agency has declared itself unwilling to entertain post-suit FOIA UFO-related requests until it concludes its participation in the suit. This policy means, in effect, that "If you want any UFO data beyond what we've already released to GSW, you'll have to wait until we can get GSW off our back."

Already, for example, it's been nearly a year since I sent the following FOI request to the Agency:

"... send me a copy of all your records/documents/electronic recordings pertaining to the CIA's coordination/cooperation with the Royal Canadian Mounted Police (particularly the RCMP's intelligence-investigatory arm, the Security Service) in the collection/dissemination/evaluation/cataloging of intelligence data on the scientific, military, sociological, psychological, and political implications of reported sightings of, and encounters with, unidentified flying objects (flying saucers/flying discs/unconventional aircraft)."

So far, all I've received in response to the request is this put-off from one George W. Owens, of the Agency's Information and Privacy Office:

"On the basis of the amended FOIA request

which is the subject of litigation with the Ground Saucer Watch, Inc., any documents responsive to your request regarding the Canadian event would be encompassed by the search currently being conducted, if such documents exist. Under the circumstances, to continue the formality of recording your appeal when the substance of your request is already the subject of litigation would be a meaningless activity. In view of this, I am not planning to take any further action on your separate request."

Adding still another bureaucratic weapon to its arsenal of delay tactics, circumlocution of the issues, and general arrogance toward legitimate requests for its precious, "passively" received/stored Pandora's box of UFO goodies, the Agency has caught itself in a procedural web involving my FOI request of July 26, 1978, for its entire "George Adamski UFO Contactee dossier."

Here comes into play the Agency's old ploy of trying to discourage requestors by charging them exorbitant records-search fees -- in this case, over \$130 for what should be a simple matter of looking under index-file "A" (for Adamski, George) and "F" (for flying saucers) (or vice versa); and if they didn't want to cover old ground, they also could check through the package they'd already searched out/served up to GSW. But according to CIA spokesman Owens, the Adamski dossier wasn't included in the GSW complaint and therefore can't be made available as part of a reproduction of that package. (Apparently, he was unaware -- or was told to ignore -- that Adamski's name is included in the voluminous interrogatory submitted by GSW in the course of outlining its desires for all UFO-related information in the possession of the Agency.)

Based on the Agency's carefully orchestrated, censored release of its UFO papers under order of the U. S. District Court (Washington, D.C.); based on its continuing contradictory statements (if not outright misrepresentations of its agreement to comply with the Court's direction); and based on the predisposition that it intends merely to perpetuate a 30-year history of concealing its true role and findings in Federally controlled UFO research, Mr. Gersten has filed a "Notice of Motion for an Order Adjudging Defendant /CIA/ and Its Employee in Civil Contempt." *

True to form, instead of realizing GSW means business in this contest, the Agency, through the office of the U. S. Attorney, has chosen to rely upon the old Watergate strategy: stonewalling. Unfortunately for GSW, the judge in the case apparently thinks this is just another ho-hum civil action, of more nuisance than of any perceptible benefit to the public's right to know. Otherwise, why did he so glibly dismiss Gersten's multipage, documented motion in favor of the Agency's counter-motion that Gersten be restricted to filing a statement "reflecting what, if any, withheld documents are still being sought"?

For the answer to that question, we'll probably have to await the defendant's (and the judge's) response to the following "Reply to U. S. Attorney's/ Opposition to File out of Time," submitted by Gersten on June 18, 1979:

"The defendant has pursued, during the last 30 years, a policy of deception and dishonesty with respect to UFO information. This deception continues throughout this litigation. The dishonesty pervades the Stipulation and Order filed September 15, 1978.

"The Stipulation and Order filed September 15, 1978, is a sham: the perpetration of a fraud upon the plaintiff and the court. Plaintiff cannot comply with a fraud. Plaintiff is required to bring this fraud to the Court's attention.

"Defendant's affidavits did not detail 'all materials withheld' (see plaintiff's 'motion adjudging defendant and its employee in civil contempt of this court' - at paragraph 18). Plaintiff cannot possibly file a statement 'reflecting what, if any, withheld documents are still being sought' when the defendant has not complied with the Stipulation and Order.

"Plaintiff contends that it has no alternative but to file the aforementioned motion and bring to the Court's notice defendant's unlawful conduct. This entire lawsuit was totally unnecessary. The documents defendant denied possessing prior to the lawsuit were released to plaintiff on December 14, 1978. The evidence is clear and convincing that the defendant unlawfully withheld UFO information from the plaintiff.

"It is the defendant which willfully and flagrantly 'violates both the letter and spirit' of the Stipulation and Order. Defendant misrepresents plaintiff's position to the Court when Mr. Briggs in his 'opposition to motion for leave to file out of time' states: 'plaintiff intends to attack the adequacy of the CIA search conducted in this case.' It is not the adequacy of the search plaintiff intends to attack, but --

- (1) that no de novo search was conducted;
- (2) the defendant never intended to conduct a de novo search;
- (3) the defendant concealed this intention

from the plaintiff and the Court;

(4) the defendant's Information and Privacy Coordinator, George Owens, lied in his affidavit to conceal defendant's intention;

(5) defendant still has a considerable amount of UFO documents they haven't acknowledged withholding.

"It is obvious that plaintiff cannot participate in a fraud. Plaintiff can prove its contentions. Defendant's conduct is violative of the law and must be exposed and condemned. The defendant is not above the law. Unfortunately, the defendant has a tendency of forgetting this.

"Accordingly, plaintiff suggests that the Court consider its motion on the merits."

* Readers desiring a copy of the motion (with counter-motion, the judge's response, and Mr. Gersten's reply) may order it from CAUS for \$4.50 postpaid (\$5.00 for foreign orders).

Stonewalling at USAF's OSI

Here we go again. This time, acting on a lead provided by W. Todd Zechel's acquisition of information pointing to the existence of a now-defunct U. S. Army "Interplanetary Phenomenon Unit," CAUS has dispatched a Freedom of Information request to the Commander, USAF Office of Special Investigations, Washington, D. C. -- to wit --

". . . furnish /us/ a copy of all documents and other records pertaining to the files, functions, and operations of the Interplanetary Phenomenon Unit, a defunct U. S. Army counterintelligence activity that transferred its technical reports, standing operating procedures, and other permanently filed data to your command back in 1962."

Predictably, on June 6, 1979, the OSI processor of the request informed CAUS that "A review of the Defense Central Index of Investigations and inquiries to the appropriate offices of this headquarters have failed to disclose any information regarding the Interplanetary Phenomenon Unit. If AFOSI had performed the function described in your letter, any existing records may have been incorporated in the Project Bluebook /sic/ files which have been transferred to the National Archives."

Considering this "kiss-off" reply to be an apparent denial of the request, CAUS filed a formal appeal under terms of the Act. Predictably, the OSI spokesman, Rudolph M. Schellhammer (Director of Plans, Programs, and Resources),

replied by denying that his failure to fulfill the request was meant as a denial of it. Again, he referred us to the National Archives' Project Blue Book files. (Of course, if those files do contain any documents pertaining to the alleged Interplanetary Phenomenon Unit, that fact would have been discovered -- and publicised -- long ago through the research efforts of dozens of Blue Book archeologists.)

Predictably, on July 24th, CAUS dispatched this rejoinder:

"Since you have failed to document for us the actual disposition of the documents/records in question, we have no choice but to assume these documents/records are being purposely suppressed from public view. And since you have invoked no alleged protection of any Freedom of Information Act exemption for this suppression, we are prepared to bring the matter before the appropriate U. S. District Court in our forthcoming litigation to compel Air Force compliance with both the letter and spirit of /the Act/ as regards all officially created/maintained records on the subject of 'Interplanetary Phenomenon.'"

Clearly on the defensive, Schellhammer's office fired back this beefed-up iteration:

". . . /AFOSI/ is not maintaining any information responsive to your request. Attached

/see figure/ you will find a copy of the print-out from the Defense Central Index of Investigations which identifies those file numbers assigned to inquiries made by AFOSI in response to alleged WFO sightings. Please note that in each instance the file is clearly marked as having been destroyed.

"We have directed you to the agency that can most likely provide you with the information you are seeking. Accordingly, we can be of no further assistance to you regarding your request and consider the matter closed."

At this writing, the ball is back in OSI's court, where they have these last words of CAUS to ponder:

"We're unable to 'consider the matter closed' . . . inasmuch as you still have failed to account for OSI's disposition of the records in question. If those records were in fact transferred to another government agency or were destroyed by OSI, we need to have from you a formal, complete documentation of such transfer/destruction; otherwise, we have no choice but to add this matter to our docket of Freedom of Information Act appeals litigation."

Note: any CAUS member having details on the Unit is encouraged to relay them to us (anonymously or otherwise).

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*** ?DOSSIER LOC=FOSI YR=55 NO=55HQD24-105/7/8 CTX=	RET=UNK	DESTROYED
*** ?DOSSIER LOC=FOSI YR=56 NO=56HQD24-105 CTX=SUBJECT	RET=UNK	DESTROYED
*** ?DOSSIER LOC=FOSI YR=63 NO=63HQD24-105/4/37 CTX=	RET=UNK	DESTROYED
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Hq Potpourri

JUST CAUSE BACK ON SCHEDULE ?

On the whole, CAUS members have shown remarkable understanding of our lack of a regular publishing schedule for Just Cause. Because former editor W. Todd Zechel has been preoccupied with the so-called "crashed saucer" investigation and related endeavors, and because of the earlier commitment of assistant editor Brad C. Sparks to a book-length research project, the editorial production of CAUS reached a standstill with issue No. 7 (Jan. 1979). As we now try to get back on schedule, we are extending everyone's initial subscription to cover a period of at least 12 issues, regardless of when the subscription was entered. We hope this will be a satisfactory arrangement for those of you who, in the words of one member, are hungry for news out there. When Mr. Zechel was editor, we had a surfeit of material to publish; now, with that source directed at other pursuits, we have a dearth of material and even less manpower by which to process and publish it. Obviously, we need your support in the form of procedural tips, late-breaking news items, story leads, and the results of your own FOI requests and other involvement in the politics of UFOlogy. With this material as a "domino base" -- whereby one datum leads to a string of related data and eventually into a clearer view of a report, event, or policy -- we can keep the pages of Just Cause rich in original research and strong in our effort to counter the plans and programs of official "UFO secrecy."

BACK-ISSUE DEPARTMENT

Meantime, for the information of newcomers to the CAUS, we advise that back issues of Just Cause are out of print. For the postpaid price of \$2.00 per issue, however, we can mail you xerographic copies.

\$ UFO PAPERS \$

Our document-sales project is suspended until it can be properly managed. If the suspension inconveniences any of you over past, unfilled orders, please let us know and we'll try to work out a settlement.

NEW HOPE FOR FOI ACTIVISM

The Fund for Open Information and Accountability, Inc. (FOIA), an NYC-based organization, shapes up as "a grass-roots movement necessary to the survival of the Freedom of Information Act," according to Vol. 1, No. 1 (Dec. 1978) of its bimonthly newsletter, Update. An article in Update's third issue (May 1979), entitled "Taking the FBI to Court," reports: "The accelerated pace at which the FBI is destroying documents has moved FOIA, Inc. into emergency action. A lawsuit demanding that the FBI be prohibited from any further shredding, burning, or pulping of politically and historically significant files is now being prepared in behalf of a broad group of individuals and organizations . . ." Among the plaintiffs is the editor of the national periodical The Nation, which in its July 14-21, 1979 issue discusses not only the Bureau's arbitrary files-destruction program, but also director Webster's lobbying for a watered-down Freedom of Information Act.

Presumably, the material targeted for wholesale destruction, now ensuing apace, includes UFO-related documents. CAUS members desiring to add their voice of protest against the FBI's shredding/stifling programs might wish to do so by contributing funds to FOIA, Inc., or, at least, by subscribing for Update (\$12 annually: 36 West 44th Street, New York, NY 10036).

JUST CAUSE No. 9 . . .

. . . will contain the article "No UFOresight in Congress."

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"The Evidence Will Speak For Itself"

F.Y.I. from Peter Tomich

my photo

1979

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NOTICE: Press Conference CONTACT: Anita Hernandez 992-9600
SUBJECT: UFOs and National Security
DATE: October 25, 1979, Thursday at 1:00 p. m.
LOCATION: Metromedia, 205 E. 67th St., (Kluge Hall--3rd Floor)

On thursday, October 25, 1979, attorney Peter A. Gersten on behalf of his client, Citizens Against UFO Secrecy (CAUS), will present several unsettling disclosures concerning 'unidentified flying objects' (UFOs). The documentary evidence, including a recently released document from the National Security Agency, will enable Gersten to talk about UFOs in terms of an advanced scientific technology which may pose a threat to national security. Gersten will be announcing the filing of further lawsuits against government agencies withholding UFO documents and will call for a congressional investigation.

The article "UFO FILES THE UNTOLD STORY" which appeared in the October 14, 1979 issue of the New York Times magazine is enclosed to provide background of the latest developments. A question and answer period will follow Gersten's announcements. Documents from the Air Force, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the Federal Bureau of Investigation and the Department of State will be distributed to members of the press.

The press conference will be held at Metromedia, beginning at 1 00 p. m.

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CITIZENS AGAINST UFO SECRECY - CAUS

For Immediate Release (1 P.M.)

Thursday, October 25, 1979

PRESS RELEASE:

During the past year, the United States Government has released, through the Freedom of Information Act, 3000 pages of documents on the subject of what is commonly referred to as 'unidentified flying objects' or UFOs. The Departments of State, Army, Navy, Air Force; the Federal Bureau of Investigation, the Central Intelligence Agency, the National Security Agency and the Defense Intelligence Agency have all released previously classified documents involving UFOs, which, incidentally, most denied possessing at one time or another.

My client, Citizens Against UFO Secrecy (CAUS), a public interest group organized to bring about greater public awareness concerning UFOs and this government's policies and practices regarding them, has reviewed these documents. After an intensive analysis, CAUS can now report that the documents expose the policy of this government to debunk reports of UFO sightings by the public and of thereby succeeding in minimizing their significance. (Document J) Furthermore, the government has continually misinformed (Documents A, T) the American people and obscured the subject's true importance.

The government's official position is that 1) no UFO reported, investigated, and evaluated by the Air Force has ever given any indication of a threat to our national security; 2) there has been no evidence submitted to or discovered by the Air Force that sightings categorized as "unidentified" represent technological developments or

principles beyond the range of present day scientific knowledge; and 3) there has been no evidence indicating that sightings categorized as "unidentified" are extraterrestrial vehicles. (Document C)

Though the documents contain no evidence concerning the identity or origin of UFOs, there is evidence that some UFOs perform beyond the range of present day technological development. More importantly, the documents reveal that some UFOs may pose a threat to our national security.

The documents disclose this government's widespread and continuing interest in the subject of UFOs contrary to official denials. The documents which cover the past thirty-two years, reveal hundreds of UFO sightings around the world by scientists, military personnel, law enforcement officers and other reliable, responsible and credible people.

An FBI document reveals that from 1948 through 1950 UFOs were sighted by persons "whose reliability is not questioned" near sensitive military and government installations and caused great concern. (Document D)

A CIA document reveals that in 1952 "sightings of unexplained objects at great altitudes and travelling at high speeds" were sighted in the vicinity of major U. S. defense installations (Document E) and posed a potential threat to our national security.

A newly released State Department document reveals that in March, 1975, strange "machines" were being seen near Algerian military installations by "responsible people." Some of the sightings were confirmed by radar. (Document F)

Recently released Department of Defense, Air Force, and CIA documents reveal that six months later, during October and November, 1975 reliable U. S. military personnel repeatedly sighted UFOs in the vicinity of nuclear weapons storage areas, aircraft alert areas, and nuclear missile control facilities at Loring AFB Maine, Wurtsmith AFB Michigan, Malmstrom AFB Montana, Minot AFB North Dakota as well as Canadian Forces Station at Falconbridge, Ontario. Many of the sightings were confirmed by radar. (Document G) At Loring AFB the UFO "demonstrated a clear intent in the weapons storage areas." (Document H) The incidents drew the attention of the CIA, (Document I) the Joint Chiefs

of Staff and the office of the Secretary of Defense. Though the Air Force informed the public and press that individual sightings were isolated incidents, (Documents J, K) an Air Force document indicates that security measures were coordinated among fifteen Air Force bases from Guam to Newfoundland. (Documents G, L) An Air Force document indicates that the Air Force did conduct an investigation into these incidents. (Document K) It is thus difficult to understand how the Air Force can still maintain that "no UFO reported, investigated and evaluated by the Air Force has ever given any indication of a threat to our national security" (emphasis added). (Document C)

Defense Intelligence Agency documents reveal that on September 19, 1976 American made F-4 Iranian jets encountered several UFOs over Iran. During the encounter one F-4 jet, upon approaching a UFO, lost all instrumentation and communication functions. Furthermore, the F-4's weapon control panel became inoperable when the pilot attempted to fire at the UFO. (Document M) The recently released DIA evaluation refers to this incident as "an outstanding report" in that the object was seen by many witnesses; the credibility of the witnesses was high; the visual sightings were confirmed by radar; similar electromagnetic effects were reported by three separate aircraft; and physiological effects were reported by some of the crew members. Furthermore, the UFOs displayed an "inordinate amount of maneuverability". (Document N) Though the documents indicate that follow-up reports on the incident were to be forwarded to the DIA, all government agencies deny the existence of any further documents.

Other recently released State Department documents show that UFOs were reported over Morocco about five hours prior to the Iranian incident. The UFOs were sighted by at least one Moroccan official as well as civilians. Though a CIA document indicates that some government official personally requested an immediate investigation, (Document O) the CIA denies the existence of any further reports.

Still another State Department document reveals that during November 1978, a series of UFO sightings caused the Government of Kuwait to appoint an investigatory committee of experts from the Kuwait Institute for Scientific Research. According to the document (Document P) the UFO which first appeared over the northern oil fields seemingly did strange things to the automatic pumping equipment. This equipment is designed to shut itself down when any failure occurs which could seriously damage the petroleum gathering and transmission system. It can only be restarted manually. At

the time of the UFOs appearance the pumping system automatically shut itself down. When the UFO "vanished", the system started up again, automatically.

The evidence leaves little doubt that UFOs, which have unlimited and unrestricted access to our most sensitive nuclear installations and which can cause electromagnetic effects that render inoperable the instrumentation and communication of American made jets or that shut down and restart sophisticated pumping equipment, can pose a threat to our national security.

These and other sighting reports, many confirmed by radar (Documents F, G, I, M, Q) or other tracking devices, describe unconventional aerial objects that exhibit advanced performance characteristics involving maneuverability, speed, size and shape.

In June, 1978 the French governmental UFO study group (GEPAN) concluded that "everything taken into consideration a material phenomena seems to be behind the totality of the phenomena-a flying machine whose modes of sustenance and propulsion are beyond our knowledge."

Analysis of the documents further reveals, that as early as 1952, the government has pursued a policy of secrecy (Document R) and withholding of UFO information, both from the public and from the press. This policy continues to this day.

In 1977 a former intercept technician with the Air Force Security Service confided to nuclear physicist and UFO expert Stanton Friedman that in March, 1967 the technician intercepted a communication between the pilot of a Russian made Cuban MIG-21 and his command concerning an encounter with a UFO. The technician stated that when the pilot attempted to fire at the UFO, the MIG and its pilot were destroyed by the UFO. Furthermore, the technician stated that all reports, tapes, log entries, and notes, concerning the incident, were forwarded to the National Security Agency at their request. (Document S) Numerous requests to NSA for further information have been met with the response that the Agency can neither confirm nor deny the existence of the incident.

Presently the Central Intelligence Agency and the National Security Agency admit to withholding 57 and 18 UFO documents, respectively. (Documents U, V) Furthermore, the CIA refuses to acknowledge at least 200 other UFO documents that were in its possession while NSA refuses to

acknowledge the existence of any of its UFO documents. Presently the Air Force is withholding all information relating to 'unknown tracks', its latest synonym for UFOs.

Due to the government's withholding of UFO information, Citizens Against UFO Secrecy has been forced to ask the Federal Court for assistance. During the coming week CAUS will be filing two lawsuits in the United States District Court for the District of Columbia: 1) a lawsuit against the National Security Agency to compel it to release its UFO files including the 18 documents it has acknowledged withholding and the Cuban incident report it has refused to either confirm or deny; and 2) a lawsuit against the Air Force to compel it to release its reports of 'unknown tracks'. Furthermore, within thirty days, as part of the Ground Saucer Watch lawsuit against the Central Intelligence Agency, I will be asking the U. S. District Court in Washington to enjoin the CIA from withholding the 57 documents it refuses to release.

Last month the National Security Agency released to researcher Robert Todd a document dated 1968 and titled 'UFO Hypothesis and Survival Questions'. (Document B) All of the UFO hypotheses considered by NSA "have serious survival implications" for mankind. "Up until this time, the leisurely scientific approach has too often taken precedence in dealing with UFO questions. If you are walking along a forest path and someone yells 'rattler' your reaction would be immediate and defensive. You would not take time to speculate before you act. You would have to treat the alarm as if it were a real and immediate threat to your survival. Investigation would become an intensive emergency action to isolate the threat and to determine it's precise nature - It would be geared to developing adequate defensive measures in a minimum amount of time. It would seem a little more of this survival attitude is called for in dealing with the UFO problem."

Do some UFOs pose implications for the survival of mankind as the NSA suggests? Do some UFOs pose a threat to our national security as the evidence suggests? What are these unconventional objects that reliable people are sighting throughout the world? CAUS believes that the American people have the right to know the answers to these very important questions.

In light of the foregoing, CAUS calls upon the Congress of the United States to exercise its oversight powers and launch a full scale inquiry into whether the government has thoroughly investigated the threat to national security that some UFOs may pose. CAUS calls upon the government of the

United States to 1) reverse its position that further scientific investigation of UFOs is unwarranted; 2) immediately declassify and release all its UFO documents which do not legitimately effect national security; and 3) unconditionally waive all search and copying fees for UFO documents. CAUS calls upon the American people to come forward with any information concerning UFOs and this government's suppression of UFO evidence.

CAUS believes the time is long overdue for an objective re-appraisal of the implications of the UFO phenomena.