

**Views from the Field:**  
**Observations about the Declassification Process and Historical Research**

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The Hoover Wargaming and Crisis Simulation Initiative houses a wargaming collection within the Hoover Library and Archives. The collection is designed to be easily searchable across a wide array of substantive and methodological terms, facilitating both large-N analysis and deep case studies. The material provides a rich dataset for understanding patterns of outcomes, trends across substantive topics, and longitudinal data on changes in beliefs and perceptions. In addition, by making a large repository of wargames available, the collection increases methodological transparency and rigor within the wargaming discipline, allowing the games to be evaluated, replicated, and tested. Finally, the collection is a pedagogical resource that provides open-source game design and materials for use in the classroom and other non-profit training environments.

We began the collection last May. As part of the collection and curation of these documents over the last year, we launched an expansive search for declassified and unclassified wargames within US archives. We then digitized and tagged with the aim to make publicly available a collection of games, simulations, and exercises for historical and contemporary research. We explored holdings within Presidential archives, university libraries and personal papers, NARA, as well as archives located within individual agencies and commands, armed service repositories, and professional military education libraries. To date, we have compiled over a thousand documents related to wargames, simulations, and exercises from the late nineteenth century to today. Many of these documents have never before been digitally accessible and are being re-introduced to the historical record.

Through this process we found a complicated web of classifications and regulations, lack of standardization and accountability about access to government records, and a general apathy or outright dismissal of legislative requirements to preserve and make available government records. None of these issues are particularly novel nor are the individuals who run these programs at the highest levels ignorant of the problems. However, the congruence of an explosion of government records in the digital era, new information control procedures enforced starting in the Trump Administration, and a long-standing lack of accountability (or, on the flip

side, funding) means that trust in a system designed to enforce government transparency is precariously close to failure.

**Finding the records.** The problem begins with finding records of interest. In our case, we have been search for a series of games run by the Joint Staff in the 1960s. We visited NARA and requested records that indexes suggested included some of these declassified wargames. However, upon arrival at the archives, the records could not be located. The problem appeared to be in the transfer itself (i.e. the documents may have never arrived at NARA), but it is extremely complicated tracking down where the transfer failed and if the documents may still exist. Here we found ourselves spectators in what seems to be a constant battle between the National Archives and Records Administration (NARA) FOIA department and other agencies' FOIA departments over who has possession of the materials and therefore legal oversight and responsibility for them.

Technically, federal agencies are required to provide permanent records to NARA annually. In our case, this means wargames and crisis simulations as well as their related play materials and memorandum should be “permanent records” included in those transferred by Department of Defense to NARA on or around October 1st of every year. When records are transferred, there is a record transfer number that the agency must retain as proof of the transaction. When the NARA cataloging is completed, it should show that a document was sent from that agency to now reside at NARA. When—like in our case—these permanent records cannot be found in the NARA catalog, the lack of documentation suggests that an agency's Records Management department has either improperly transferred these materials or failed to do so altogether. In order to try and understand where the transfer failed in our case, we submitted a FOIA to the JCS office for the transfer numbers of the documents in question and were told, *“Although it is possible that the records you have requested were once maintained by the OSD/JS, due to the age of the records, if they still exist, they would be maintained at the National Archives and Records Administration (NARA), who operates their own FOIA program. NARA is the independent Federal agency that helps to preserve and care for records of historical value.”*

Most of the materials we are searching for are far beyond their MDR requirement of 25 years and our best hope is that these papers are hiding in cabinet in the basement in the Pentagon or a nook in NARA. Because we are searching for physical materials, our FOIA efforts must focus on incentivizing an agency to search for records that may no longer exist. However, this problem is likely far worse in the digital age as the sheer quantity of what is a “permanent record” makes it even less likely that a process designed before the computer will be able to keep track of the sheer quantity of digital records produced annually.

**Accessing the records.** The first step in our process is finding documents that should be in the permanent record. However, even documents that have been successfully transferred to an archive and gone through MDR still may not be accessible due to contemporary control determinations. There were instances when we travelled to an archive and requested boxes or

files that were listed as unclassified. However, upon arrival, we were told we could not view requested boxes because some materials in the boxes were deemed CUI. Sometimes archivists were able to tell us why the boxes were CUI (for example, one archivist cited a 50-year old floor plan of a building that has since been renovated which were included in wargame materials to show exits for safety briefings). However, in many cases the archivists could not explain why the boxes were CUI. This is because CUI does not require portion markings and so entire collections can post-hoc be deemed “CUI”, often without the archivist or classification authority having to explain to the requester why or what portion of the materials would be CUI. In order to access these materials, the records therefore require a separate FOIA and must go through a de-control process (often delegated back to ODNI) in addition to the already accomplished MDR.

This process of accessing permanent records becomes more complicated when documents need to go through an MDR. MDRs, unlike FOIA, do not allow for litigation processes to protect requesters’ rights. The process offers only one attempt to appeal and once that is completed there is no opportunity for requesters to make a case that an error has occurred in declassification. Further, the organization holding the materials can reject the MDR for procedural reasons like incomplete information about document title or location. This can lead to a complicated system of FOIA for document information before submitting a subsequent MDR. However, we have run into issues where agencies will refuse to give any information about a record which may be required for an MDR because the record is classified. This effectively make it impossible to submit an MDR that will survive review. The current MDR appeal backlog is over 1200 requests. Last year, ISCAP decided 18 of those appeals.

**Navigating the process.** These problems are complicated by a process so opaque and broken that even the systems designed to manage or enforce the process don’t function as intended. Past or current FOIA/MDR requests are not properly maintained, regularly updated, or made public. This not only creates a knowledge vacuum and a sort of request purgatory for requesters, but it also means that duplicate requests are likely often made—increasing the workload of those within the FOIA and MDR process. Further, knowledge of resources and access points for the public aren’t publicized properly. Even the agency FOIA liaisons or archivists are unaware of the existence of their own tracking sites/systems with some websites without updates since COVID. Finally, the federally designated ombudsman, the Office of Government Information Services (OGIS) responds slowly, if ever, to mediation requests between requesters and agencies and are unable to enforce compliance even if they find fault. Congress, ostensibly the final check in the process, is torn on the value of government transparency and the highly partisan committees that oversee this process are often unable to make headway on any issues—much less the complicated and somewhat boring process of archiving government records.

Is there a solution? Redefining the limits or applicability of CUI and control designations created after a document has already been through MDR may be a first step. We need to delegate to lower levels the ability to decontrol CUI information and make individuals

accountable for over-control of historical records. It would help to require clearer rationale for CUI on portions of records so that entire records are not summarily kept from public release.

It is, of course, no secret that this process is underfunded with too few personnel that do not receive enough training or oversight. This can incentivize individuals to use the byzantine process to keep records from being reviewed and released as employees are not rewarded for timely release of documents. Here the government needs to both change incentive structures and find ways to use technology to decrease problems with standardization, automating many of the processes from documenting the transfer of materials to declassification review and, ultimately, the dissemination of public declassified and unclassified records.

Finally, the information age has introduced an extraordinary quantity of material for government record. However, there is potentially a historical black hole in the early days of the information age when digital records were not understood as permanent record and therefore not preserved for the archive. In particular, materials from the late 90s and early 2000s (even into the 2010s) were not consistently saved and transferred for historical preservation. In order to not lose important historical materials about decisions made in this period, we may need to perform more oral histories, accomplishing these before decisionmakers and leaders pass away or are unable to remember their experiences.