

Why “Glomar” is such an apt name for preemptive denial of FOIA claims¹

The invocation of a so-called Glomar response to Freedom of Information Act requests, though usually inappropriate, is oddly symbolic.

The USNS Hughes Glomar Explorer was a ship built in 1971 under CIA’s Project Azorian to recover the Soviet submarine K-129 which sank in 1968. The CIA spent \$1.68 billion (\$10.63 billion in current value) in a no-bid contract to build the massive, sole-purpose ship. Glomar Explorer’s cover story was that it would “extract manganese nodules” from the ocean floor. But the nautical boondoggle ultimately failed.

During an attempt to winch the K-129 to the surface, the submarine broke up, and the most-sought items such as codebooks and nuclear missiles were lost. The vessel was subsequently reflagged the GSF Explorer and roamed the seas like an albatross, searching for a buyer and a new purpose.

The massive sums of taxpayer dollars that paid to build and sail the vessel were never recouped and in 2015 it was announced the ship would be sold for scrap.

Ever since “boilerplate” refusals to properly respond to public interest FOIA requests about publicly known programs became known as “Glomar” responses. Essential details of Project Azorian were ultimately disclosed in the news media, starting with reporter Jack Anderson in the mid-1970's who claimed, "Navy experts have told us that the sunken sub contains no real secrets and that the project, therefore, is a waste of the taxpayers' money."²

¹ Excerpt from ECF 13-1, FOIA Case 1:15-cv-01431-TSC, pages 2-3

² Robarge, David (March 2012). "The Glomar Explorer in Film and Print" *Studies in Intelligence* 56 (1): 28–29.

The CIA refused to release any of its own files about the failed operation until 2010.³ However, given the history of Project Azorian, any “Glomar” response should be an immediate red flag to FOIA plaintiffs and judges that the request may involve an illegal, ill-advised, failed, embarrassing or financially questionable operation that the federal government wishes to cover up in order to forestall accountability.

³ *Intelligence in Public Literature: The Glomar Explorer in Film and Print*, CIA Website, posted May 2, 2012
<https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol.-56-no.-1/the-glomar-explorer-in-film-and-print.html>