



8 APR 1982

MEMORANDUM FOR: Deputy Director for Administration

FROM:

Director of Information Services

25X1

SUBJECT: Staff Paper on Systematic Classification
Review and Its Future1. Statement of the Problem:

a. Executive Order (E.O.) 12065 has placed a burden upon the Agency in the form of an inefficient systematic classification review program that is of little value to the public. It has resulted in almost negligible document declassification at a considerable expenditure of manpower and money. This led the Agency to join with others in the Intelligence Community to seek major changes in the order. The new order that has been signed, E.O. 12356, allows each agency to conduct an internal systematic classification review program at its option. This raises two issues: (a) the extent and character of the future internal systematic classification review program that should be established in the Agency (if at all), and (b) the future mission and organization of the Classification Review Division (CRD) which has been responsible for the systematic classification review program under E.O. 12065. Recommendations for approval are proposed in paragraph 5.

b. Tab A is a brief history of systematic classification review in the CIA. Tab B is a discussion of the activities that will require our continued efforts regardless of the decision on an internal systematic classification review program. Tab C provides a justification and rationale for structuring a limited systematic classification review program.

2. Background:

a. Executive Order 12065 charges the Agency with the review of its 20-year-old classified material that is assessed to be of permanent value. It was apparent early-on that the burden of this systematic classification review program was intolerable and, with the change of administration, management sought to join with other members of the Intelligence Community to have E.O. 12065 amended or replaced. Through this effort, a new order was drafted that proposed that each agency conduct an internal systematic classification review program at its option. That order, Executive Order 12356, has just been signed and will be effective as of 1 August 1982.

b. Simultaneously with systematic classification review, we have been reviewing the OSS classified records that have been categorized by the Archivist of the United States as permanent. A determined effort by the task force of independent contractors is underway to complete the review of these records by the end of Fiscal Year 1982, which appears probable. Money has not been budgeted for continuing the OSS review beyond that point. Also, in the latter part of 1978, additional security classification review responsibilities were assigned to CRD, its resident expertise having been recognized. The Division assumed the responsibility at that time for the Agency's review of documents proposed by the Department of State for inclusion in its Foreign Relations of the United States (FRUS) series. The Division reviewed and cleared a few volumes then remaining in the 1950 and 1951 series, went on to review and clear the volumes of the 1952-54 series, and has recently begun to work on the first several volumes of the proposed 1955-57 collection. Further, by direction of the Director of Information Services, who serves as the representative of the Directorate of Administration on the Agency's Publications Review Board, CRD began reviewing for that Directorate (with the exception of the Office of Security) the nonofficial publications and oral presentations by employees and former employees. Finally, the Division has taken on miscellaneous security classification reviews such as the review of former-employee publications ex post facto to determine if the authors have violated their agreements by revealing classified information; proposed publications by former high-ranking government officials (e.g., former Secretary of State Kissinger); documents in the possession of other agencies and organizations which contain information concerning intelligence matters (e.g., records retired to the National Archives and Records Service (NARS) by the Departments of State and Defense; Presidential papers held at the Presidential Libraries); and proposed histories and other publications produced by other agencies, their employees, or former employees (primarily the Department of Defense (DoD)).

3. Discussion:

a. There is sound rationale for maintaining a systematic classification review program in the Agency -- although not along the lines promulgated by E.O. 12065 -- and for maintaining a centralized organization such as the Classification Review Division to manage that program. The justification for such a program is provided in Tab C. We need, in any case, to provide for the Agency the capability to undertake a variety of tasks involving security classification review in liaison with other agencies. With systematic classification review being optional under Executive Order 12356, the principal agencies that have been involved in the program, namely, the Department of State, the National Security Agency (NSA), the National Security Council (NSC), the various elements of DoD, and -- of course -- NARS, have all decided to continue the program in some form. Essentially, the purpose is to identify information of high interest that need no longer be withheld to protect national security interests. Their rationale includes: (a) the contribution of such a program to records management ("housecleaning" -- indeed, NSA believes that it will be inundated in short order if it fails to continue the program); (b) the need to release some information to the public in order to ease the burden in the

Freedom of Information Act, Privacy Act, and Mandatory Review programs; and (c) the need to demonstrate a good faith effort in releasing information to the public. The latter reason is most important from a good public relations point of view.

b. The impact of this rationale on the Agency is that the documents that will be reviewed by other agencies contain much information that bears on our equities. This information will surface as the entirety of an Agency-originated document passed to them, as a portion of a document originated by that agency, or as comment upon a matter of joint interest. Indeed the quantity of Agency classified material located with our "customers" elsewhere in the Government is staggering in certain instances (see Tab B). To assume that our equities will be protected by shutting down our own systematic review program and barring our doors would be ostrich-like. To the contrary, the Agency must face the fact that release of information of concern to us will continue regardless of our position. We should, therefore, be positive in our efforts to control the flow of that information in a liaison arrangement whereby the Agency is seen as being cooperative, responsive, practical, and consistent.

c. In the press of classification review, one is constantly burdened with the problem of monitoring the status of all documents in process, while being faced with questions concerning the need to coordinate given documents with another agency -- an unwelcome requirement which imposes additional control problems and inevitable delay. In simple terms, if an agency imposes a difficult coordinating process or is known to be unresponsive, one will choose not to coordinate with that agency unless it is unavoidable. Considering the sensitivity which the Agency places upon even the slightest reference to its activities -- the serious import of which is often not recognized by others -- we will place our concerns in considerable jeopardy if we fail to posture ourselves to be responsive to the needs of other agencies as they continue to pursue their classification review programs.

d. An organization such as CRD, staffed with qualified reviewing officers, can expedite inter-agency and intra-Agency classification review and thus ensure the Agency's responsiveness. It can serve as the focal point for coordination of external requests, and thus make coordination relatively simple and practical. More importantly, CRD would be in the best position, in its focal-point role, to ensure the consistency of release that is so vital in this kind of activity. Already, several agencies, upon learning that CIA is considering the termination of its systematic review program, have expressed the fervent hope that some unit such as CRD will be maintained for the purpose of coordinating their continuing programs. They see, as the alternative, confusion regarding coordination procedures, probably reduced coordination, and total frustration in having to submit essential requests via the less responsive and more cumbersome mandatory review program.

e. Lacking a classification review unit, the Agency probably would have to invent one. If for no other reason, the Agency needs to provide a capability

in the Directorate of Administration for the review of unofficial publications written by present and former employees. The publications volume to be reviewed by each directorate has increased by about 40 percent in each of the last two years and presently figures over 200 per year in the number of items and 20,000 in the number of pages. We believe, however, that there is a larger issue: that the present, decentralized publications review process is not an efficient one. We are therefore on record (DDA 81-1799/1, 18 November 1981) with a recommendation that the effort be consolidated in CRD which would administer the program, efficiently and expeditiously review the simpler drafts, review and coordinate the more complex ones, and report its findings to the Publications Review Board for concurrence. There is a compelling need for consistency in this process, which consolidation of the review activity and the administration (monitoring) of the program would realize, since it would be in the hands of a qualified professional group with considerable experience in the business of classification review. This would ensure the continued application of special and current substantive expertise when necessary through internal coordination.

4. Summary:

a. The demand for efficiency, consistency, and a positive posture argue strongly for the continuation of CRD with application of its expertise to the management of a classification review program in its several forms -- internal systematic review, consolidated publications review, and support to external review programs. As the only component in the Agency with long-term, Agency-wide experience in security classification review, CRD is in the best position to shoulder these responsibilities. While we do not project a workload that would justify a Division with the present [redacted] one must bear in mind that a professionally balanced cadre of reasonable size must be maintained if the component is to have the proper mix of personnel. There must be sufficient experience, sense of organizational history, and breadth of expertise to comprehend most of the Agency's professional and technical functions in the context of the geographical areas where it has operated over time, and to have the capability to make and co-

25X1

25X1

b. Should the decision be made to consolidate publication review in the DDA/OIS, as has already been proposed, CRD would need an additional five positions. These positions would allow for three additional intelligence officers at the GS-13 level for classification review, one additional intelligence assistant and one additional clerk-typist/data transcriber.

5. Recommendations:

We recommend that:

a. The Agency continue with a systematic classification review program, as outlined in Tab C, that is tailored to review only those permanent records that would be of interest to the general public and could be released within a reasonable period without damage to national security, and that the Classification Review Division be authorized four positions to conduct this program,

25X1

DIS APPROVED:

[Redacted Signature]

Deputy Director for Administration

5/13/82
Date

25X1

b. The Classification Review Division be authorized five additional positions, a total of 23, when and if publication review is consolidated in DDA/OIS.

X DIS APPROVED:

[Redacted Signature]

Deputy Director for Administration

5/13/82
Date

25X1

[Redacted Signature]

25X1

Attachments:
As stated

** This will be addressed if this occurs.*

Attachments:

1. Tab A - Brief History of Systematic Classification Review in CIA
2. Tab B - Activities which Require a Classification Review Function in Liaison with other Government Agencies
3. Toward a Limited Customized Systematic Review Program

Page Denied