

*LEG Searby
Intel Check*OCA 95-2504
10 October 1995

MEMORANDUM FOR THE RECORD

SUBJECT: Briefings for HPSCI and SSCI Staff on 25-Year
Declassification Review Program Under
Executive Order 12958

1. CIA representatives Rich Warshaw (C/RDP/OIT), [redacted] and [redacted] and I briefed HPSCI staffers Mark Lowenthal, Louis Dupart, Susan Oulette, Chris Barton, Mike Sheehy, and Chris Healey on 11 September 1995, and SSCI staffers Suzanne Spaulding, Pat Hanback, Mark Heilbrun, Ed Levine, Don Mitchell, and Mary Sturtevant on 21 September 1995, regarding plans to implement Executive Order 12958's 25-year declassification review program. EXDIR/ICA Keith Hall briefly addressed the HPSCI staffers on the DCI's support for the program and his desire to release as much historically significant material as possible. Rich's briefing charts are attached.

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2. The HPSCI briefing was difficult. Louis and Mark were critical of the White House for imposing the 25-year review requirement on agencies without indicating how it was to be funded. Louis said that Chairman Combest is adamant that the FY 1996 program be capped at [redacted] per agency until they have some cost experience with which to make reprogramming decisions. He also chided agencies for not having identified candidates for reprogramming. Finally, he was particularly concerned that some agencies, like NSA, had changed their cost estimates of the 25-year program over time. Fortunately, CIA's estimates have remained constant at [redacted] over the five-year life of the program. Louis asked the NSA representatives present to provide him with more definitive cost estimates. Rich stressed that the cap seriously underfunded the program such that it would be very difficult to complete the required review in the five-year period allocated by the Executive Order. If the Order is not modified, any unreviewed material 25 years old or older is automatically declassified, thus potentially jeopardizing intelligence sources and methods. Following the briefing, Chris Healey said that any relief on the cap would have to come from the SSCI.

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3. The SSCI briefing went considerably better. Far from wanting to curtail the program, the staffers supported CIA's efforts and suggested creative ways to address the HPSCI cap in conference. Mary suggested raising the cap to 0.5 percent of an agency's budget on the ground that it

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would be difficult to argue against such a small amount being spent for potentially worthwhile gains in information released. She also proposed that agencies identify their reprogramming candidates prior to conference so that the committees could act on them in the context of the authorization bill. While agreeing with the 0.5 percent cap, the Comptroller later decided not to identify reprogramming candidates prior to conference for fear of losing budgetary control over those programs. She and Mary agreed that the SSCI would push for conference language supporting early reprogramming consideration.



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Legislation Group
Office of Congressional Affairs

Attachment

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DCI/OCA/LEG/[redacted];ac/37909 (10 October 95) OCA 95-2504
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