



Washington, D.C. 20505

The Honorable David A. Stockman
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Stockman:

In response to the 5 February 1982 letter from your General Counsel, Michael J. Horowitz, enclosed are the Agency's comments on the proposed Executive order entitled "National Security Information." These comments are keyed to the section and page numbers of the proposed order.

In the comment relating to Section 4.2(a) of the proposed order, I am recommending that the sentence concerning "special access programs pertaining to cryptology" be deleted, in lieu of my previous suggestion that a limiting definition of "cryptology" be added. This has been coordinated with the National Security Agency, and I understand the Department of Defense is making a similar recommendation.

Beyond the deletion of this sentence, I am also recommending the deletion of the newly added Attorney General authority prescribed in Section 4.1(d). The question of when classified information may be used in court is an inappropriate subject to be addressed in this Executive order. This subject is covered in detail in the draft procedures developed under Executive Order 12333.

Overall, the proposed order is a decided improvement over the current Executive Order 12065. I endorse in particular the simplification of requirements in the new order, as well as the increased emphasis on safeguarding national security information.

Sincerely,

William J. Casey
Director of Central Intelligence

Enclosure

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DLA/OIS/RMD/RSB: br (18 February 1982)

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