

OGC 77-3700

9 June 1977

MEMORANDUM FOR THE RECORD

FROM :
Associate General Counsel

SUBJECT : Organization under PRM-29

1. The first meeting of the PRM-29 group was held yesterday in the Executive Office Building chaired by Rick Neustadt of the Domestic Council Staff and Bob Gates of the National Security Council Staff. At Tab A is a list of attendees with addresses and telephone numbers.

2. Mr. Neustadt opened, by way of background, that the President is quite committed to this effort. It is intended as one of his actions to carry out his campaign promise of openness in government.

3. Bob Gates then took over and outlined his plans. The plans are that there will be two working groups, each of which would study issues and problems which PRM-29 and Executive Order 11652 present. At Tab B is his paper outlining the two charters for the two groups. Note my penciled comment on page two transferring that item from the Implementation and Review working group to the Classification and Declassification working group. Bob Gates asked Art Van Cook of Defense to chair the latter group and of ICRC to chair the former. Each agency is to be represented on both.

4. Attached at Tab C is a proposed work schedule also distributed by Bob Gates. The work schedule indicates that yesterday's ad hoc committee would not meet again until 13 July, the working groups in the meantime would be developing the options/issues/recommendations papers based on their charter assignments. This schedule was changed and the ad hoc committee is now to meet tomorrow primarily for the purpose of having the two working groups chairmen outline their plans and programs.

5. Mr. Gates made particular point of the fact that he and Neustadt have been in touch with staff members of the Senate Intelligence Committee and they propose to contact also Jim Davidson, Irene Margolis, and Tim Ingram, who are also staffers on the Hill with background and responsibilities in these areas. They had done this by way of inviting the participation of

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significant Hill people and Gates urged that the working groups do the same.

6. It was noted that the PRM is unclassified and it seemed probable that most, if not all, documents produced in the course of the study would be also. It was urged, however, that all concerned be discreet, the point being to avoid over publication. It was suggested in this connection that in the event of press inquiries, the inquirer be referred to Jerrold Schecter of the White House Press Staff.

7. Gates referred to the report of the Attorney General's committee under PRM-11, insofar as it applies in this area, and noted that a number of issues were referred by that PRM group to the PRM-29 group.

8. He noted also that there are perhaps four major controversial issues:

(a) the intelligence community has abused the exemption authority, in effect they classify so much as to exempt themselves from the Order;

(b) the value, cost, etc. of compartmentation systems;

(c) there has been over classification and over exemption; and

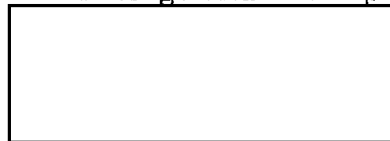
(d) the relationship of classification problems and requirements to sources and methods information and cryptographic information.

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9. I am asking [redacted] to be the CIA representative on the [redacted] [redacted] subcommittee and [redacted] our representative on the Art Van Cook subcommittee. We will need to communicate with various components and officials of the Agency on these subheadings as work develops and, in view of the tight schedule outlined, there will not be time for formal coordination throughout the Agency and at varying levels on all points. What we will attempt to do is get to the Agency people who have expertise and interests, insofar as we know them, so that we can participate in the work of these committees on that basis. It may be that we will take a position or make contributions at the subcommittee or at the ad hoc committee level which the Agency at a higher level may want to reject. I am sure the other agencies participating will have to do this also.

10. I think we will have to work closely with [redacted] also and to some degree the IC and CIA memberships will merge and overlap.

Attachments



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PRM 29 WORKING GROUP ASSIGNMENTS

Art Van Look

Classification and Declassification Working Group

E.O. 11652

- Section 1: Security Classification Categories
- Section 2: Authority to Classify
- Section 3: Authority to Downgrade and Declassify
- Section 4: Classification
- Section 5: Declassification and Downgrading
- Section 8: Material Covered by the Atomic Energy Act
- Section 9: Special Departmental Arrangements
- Section 10: Exceptional Cases
- Section 11: Declassification of Presidential Papers
- Section 12: Historical Research and Access by Former Government Officials

PRM 29

- How to promote increased public access to this information through a more rapid and systematic declassification program;
- Overlaps between the new Executive Order and the Freedom of Information Act as amended and the Privacy Act;
- Which information requires protection and for how long and what criteria should be used in making this judgment;
- Which categories of classified material more than 20 years old could be declassified in bulk under appropriate guidelines;
- How the classification system can be simplified to make it more understandable and easier to implement.

Implementation and Review Working Group

25X1

E.O. 11652

Section 6: Policy Directives on Access, Marking, Safekeeping, Accountability, Transmission, Disposition and Destruction of Classified Information and Material

Section 7: Implementation and Review Responsibilities

Section 13: Administrative and Judicial Action

PRM 29

- How unnecessary and duplicative practices and procedures can be eliminated, reducing expenses;
- Whether the Departments and Agencies should prepare classification and declassification guidelines for their employees;
- What kinds of disciplinary actions can be taken to prevent the misuse of the security classification system by government officials;
- How best to implement the provisions of the new E.O.
- Examine the role and effectiveness of the Interagency Classification Review Committee.

*Should
go into
this part*

PROPOSED WORK SCHEDULE

June 8	Initial meeting of ad hoc committee; organization
June 9	Working Groups begin work; organization
July 6	Working Group options/issues/ recommendations papers due to NSC
July 8	Consolidated drafts to be sent to all agencies by NSC
July 13-15	Ad Hoc Committee meets to decide preferred options to be recommended to principals; narrow and identify issues for decision by principals
End of July	SCC meeting on new classification system recommended by Ad Hoc Committee
August 15	Circulation to agencies of draft Executive Order
August 25	Final Agency comments due to NSC
September 1	Proposed Executive Order to the President
September 15- November 1	Preparation of implementing directive (if decided this is the appropriate implementing instrument)
January 1	Effective date for Executive Order and implementing directive

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UNCLASSIFIED CONFIDENTIAL SECRET

OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
1	D/DCI/NIO		
2	7E62		
3			
4			
5			
6			
	ACTION	DIRECT REPLY	PREPARE REPLY
	APPROVAL	DISPATCH	RECOMMENDATION
	COMMENT	FILE	RETURN
	CONCURRENCE	INFORMATION	SIGNATURE

Remarks:

Attached is a copy of a National Security Council memorandum launching a study called for by the recently signed PRM-29. Some addrees did not receive this when it was received by the Agency.

Also attached for some addrees is a copy of my memorandum of 6 June concerning the same study.

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DATE

6/8/77

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