

REPORT DOCUMENTATION PAGE

Form Approved

OMB No. 0704-0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188), Washington, DC 20503.

1. AGENCY USE ONLY (Leave blank)		2. REPORT DATE Nov - Mar 96		3. REPORT TYPE AND DATES COVERED Minutes of Nov 15, 96 Panel Meeting	
4. TITLE AND SUBTITLE Historical Records Declassification Advisory Panel Declassification Program Advisory Committee				5. FUNDING NUMBERS NA	
6. AUTHOR(S) Executive Court Reporters					
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) OASD(C3I)/ODASD(I&S) 6000 Defense Pentagon Washington, DC 20301-6000				8. PERFORMING ORGANIZATION REPORT NUMBER NA	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES) same as block 7 POC: Cynthia Kloss, (703) 695-2289				10. SPONSORING/MONITORING AGENCY REPORT NUMBER NA	
11. SUPPLEMENTARY NOTES The report reflects verbatim transcripts of the Panel Hearing convened on November 15, 1996 at the National Archives building.					
12a. DISTRIBUTION /AVAILABILITY STATEMENT Unclassified/Unrestricted				12b. DISTRIBUTION CODE	
13. ABSTRACT (Maximum 200 words) See attached					
19970127 006					
14. SUBJECT TERMS Declassification Historical Records EO 12958, Classified National Security Information				15. NUMBER OF PAGES 173	
				16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT U		18. SECURITY CLASSIFICATION OF THIS PAGE U		19. SECURITY CLASSIFICATION OF ABSTRACT U	
				20. LIMITATION OF ABSTRACT U	

Executive Order 12958, Classified National Security Information, requires automatic declassification of non-exempt historical files over 25 years old. The Department of Defense (DoD) Historical Records Declassification Advisory Panel (HRDAP) is established under the Federal Advisory Committee Act as a subcommittee to the Historical Advisory Panel. The HRDAP charter is to recommend information and topic areas that would be valuable to historians and the public. DoD will consider those recommendations for immediate declassification. The HRDAP is chaired by Dr. Alfred, OSD Historian. Six civilian historians and historians from the military services and JCS comprise the panel. The transcripts for the November 15, 1996 meeting were prepared by a contract transcription service.

UNITED STATES OF AMERICA
DEPARTMENT OF DEFENSE
FOURTH SESSION OF THE
DoD HISTORICAL RECORDS DECLASSIFICATION
ADVISORY PANEL

Friday, November 15, 1996
0900-1430 hours
National 3801 North Fairfax Drive
5th Floor Conference Room

CHAIRPERSON: DR. ALFRED GOLDBERG, Historian
Office of the Secretary of Defense

PANEL MEMBERS:

ERNEST MAY
MARC TRACHTENBERG
ROBERT WAMPLER
GERHARD WEINBERG
WILLIAM EPLEY
WILLIAM DUDLEY
WILLIAM HEIMDAHL
DAVID A. ARMSTRONG
FRED GRABOSKE
MERVYN LEFFLER

STAFF MEMBERS:

CYNTHIA KLOSS

AUDIENCE MEMBERS:

JIM DAVID, Smithsonian Air and Space
WARREN KIMBALL
PAGE MILLER, NCCPH
DONNA KNOX, ESQ.
STEVE AFTERGOOD, FAS
JANET O'CONNELL, DOE
RAY SCHMIDT
WILLIAM HARWOOD, USIA
SHELDON GOLDBERG, AF HISTORY
HELEN BRAGG, Army

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P R O C E E D I N G S

9:10 a.m.

Administrative Announcements

MS. KLOSS: Non-panel participants have a number of different restaurants to choose from up and down the strip. There's dining-in restaurants within a two-block walk any direction -- just about any direction you go. If you need additional information on restaurants, please see me.

We'll have about an hour and a half lunch break, if that sounds sufficient. Reconvene in the afternoon at 1330.

We will try to have one break in between following our orientation briefings from the Department of Energy and Department of State Historical Advisory Panels.

Unfortunately, telephones don't seem to be available in this building. There is one phone that we can make out-going calls, but we can't receive any calls in. So, you have a cellular? Bob Wampler has a cellular phone. I'm sure he will be pleased to accommodate you.

Let's see. Anything else that we need to cover for Admin Announcements? If you have not seen the Web site that has all of the proceedings, I have

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1 copies of print-outs that list the Executive Summaries
2 and the Web address, and you can just call up any of
3 the previous meetings right off the Internet.

4 Thank you.

5 Opening Comments

6 DR. GOLDBERG: Just one addition to that.

7 The door to the men's room is propped open. I can't
8 tell you anything about the women's room. I didn't
9 notice if that was propped open. That should be a
10 help.

11 I just want to make a few remarks at this
12 point, probably take 10 or 15 minutes.

13 This is our fourth meeting. It's the end of
14 the first year of operations of this panel, and it
15 seemed to me that it would be a good idea to look back
16 at what we have recommended, and as far as can be
17 determined what has been the fate of those
18 recommendations, and I can tell now it's a very mixed
19 fate, as might be expected. After all, we are dealing
20 with complex problems.

21 We have made an effort at analysis to resolve
22 those problems into their simple elements, and to some
23 extent, we have succeeded, but that's in large part a
24 theoretical process, and we are now faced with the
25 pragmatic part of this work, and that is how do we get

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1 these recommendations put into practice?

2 As you all know, within theory and practice,
3 there's often a very great gulf, and that's especially
4 true perhaps in the government and most large
5 institutions, and there aren't many that are larger
6 than the Department of Defense or more complex or more
7 difficult to make one's way through.

8 I would like to recapitulate the
9 recommendations that we have made thus far, and there
10 are 11 of them, during the last three meetings.

11 We started, as one would expect a panel of
12 this sort to start, with the recommendation that the
13 high policy items, high policy records be given
14 priority, possible top priority, and attention.

15 The result has been very mixed. Some top
16 priority items are being declassified, certainly not to
17 the extent that this panel would prefer, and we have to
18 face it, there are differences of view as to
19 preferences for priority and procedure.

20 The panel may have one view, the people who
21 actually do the work are often going to have a
22 different view of what is required. So, this has been
23 mixed.

24 We can't give a really definite answer till
25 we get some kinds of reports on what has been done, and

1 we are hoping to get some of those, and we have some in
2 connection with the pilot projects.

3 Second. We did what always happens in
4 situations of this kind. We asked for more people and
5 more money to do the job. It is quite clear that in
6 Defense, it is unlikely that more money will be made
7 available from the top. If it does happen, it will be
8 by the individual services and agencies.

9 What is happening, however, is that some of
10 them, to some extent, are meeting the requirements by
11 simply allocating more of their own people to do the
12 job. The Army apparently has had to go this route
13 because they don't have the money. They're simply
14 moving people from one function into declassification.
15 So that at least some bodies are being made available,
16 and the Navy has done this to some extent, and they
17 also, I think, are doing it by also responding to
18 another recommendation that we made later, that is, to
19 use reserve officers, and this is happening.

20 Some of the entities are using reserve
21 officers to a greater extent than they have in the
22 past. So, some movement on that front. More people
23 are going to be available to do it. So, perhaps more
24 is going to get done.

25 It was also recommended very strongly that we

1 put a higher priority, greater priority, on the early
2 records. Well, there's some dispute about that on the
3 part of the declassifiers because they have a great
4 deal of pressure on them to deal with more recent
5 records, which are sensitive and have to be disposed of
6 sometimes because higher authority requires it.

7 Some of those have been declassified already.
8 A great many of them actually, particularly in OSD, I
9 believe, and in JCS, so that a lot of these earlier
10 records are available, perhaps not to the extent we
11 would like. A lot of them are still exempt, and it
12 remains to be seen how this is going to come out. We
13 have another four years to see. But it's slow-going.

14 On the pilot projects, I think we have a
15 report which gives you figures on those. The Navy and
16 OSD are the two that responded. I think if you look at
17 the figures, you can see what happened there. They're
18 rather interesting.

19 The percentage declassified is obviously not
20 what we would desire. There's a great mixture of
21 levels of information. The subject areas, I think, are
22 the sorts of things that we are interested in. So,
23 there will be more of that available.

24 On the other hand, there's a great deal of
25 skepticism on the part of the declassifiers as to how

1 useful this is, and the possibility of using these
2 projects as a particular device.

3 The Navy thinks it's very low. OSD thinks
4 it's very high. The difference in man hours to do the
5 job is very considerable. I am frankly astonished at
6 that difference between the two, and the time that it
7 took to do the work.

8 If this is typical of perhaps what is going
9 to happen, it need not necessarily be because we're
10 dealing with high policy sensitive materials here, so
11 it's possible that this is not as good a predictive
12 device as we had hoped it would be. But, any rate, I
13 think it gives us some notion of the formidable job
14 that is represented in going about this
15 declassification.

16 Now, we also recommended substituting the
17 organizational for the topical approach. That's no
18 problem. I think most of them have been moving along
19 these lines anyhow. They were not smitten with the
20 notion of adopting a topical approach to
21 declassification. So, I think we probably scored on
22 that.

23 The matter of delegating authority to
24 declassify, one of my own pet projects, I would guess
25 that the action to date has been zero. There is

1 resistance to this notion. The individual services and
2 the other entities are very much jealous of their
3 prerogatives in classifying and declassifying. They're
4 not prone to delegate any authority to anybody else to
5 do it. They want to do it themselves. The result is
6 that there is very strong resistance to the notion of
7 the Army, for instance, giving the Navy, the Air Force,
8 permission to declassify its records.

9 Now, that -- having said that, we do -- we
10 can keep in mind that some of this does take place
11 informally. It's not entirely all bad. There is some
12 kind of informal delegation, so that some records are
13 getting declassified by agencies that did not issue
14 them.

15 Now, we recommended that there be earlier and
16 more frequent transfer of records to the Archives, and
17 I have been told that apparently that is speeding up,
18 that the services are perhaps improving in getting the
19 records out of their own possession into the Records
20 Center.

21 How much, I don't know, and therefore I can't
22 give you any kinds of figures on that. All I know is
23 that there is a disposition to accept that
24 recommendation and to move them faster.

25 I've already mentioned the reserve officer

1 matter.

2 The policy letter that was supposed to be
3 issued is still going through drafts and coordination
4 as usually happens, and it may drag on still longer.
5 It's been going on for months. It's a matter of
6 getting some kind of accord among all of the elements
7 involved in it, and that will take time. So, we don't
8 have -- we have some movement on it, but we don't have
9 any final action.

10 We've kept stressing, and we made the
11 recommendation last time, that attention be paid to
12 quality as well as quantity in declassifying the top
13 level materials, and the very fact that we have
14 recommended again and again that attention be paid to
15 the top policy records, that they be given priority, in
16 spite of that, we know that the declassifiers are doing
17 it to some extent, but that they have a preference for
18 doing things their own way, and it's very difficult to
19 turn them around, and nobody has exercised the
20 authority to do it, and failing providing them with the
21 resources to do it, it's likely that they will continue
22 to go their way.

23 We also recommended more central mechanisms
24 for speeding up declassification. That is getting
25 referrals handled more quickly by some kind of a

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1 central mechanism, getting other things done, including
2 centralized guidance, some kind of general guidance
3 that would apply across the board. There isn't much
4 enthusiasm for that on the part of declassifiers.

5 We have had some success in training. Some
6 of the groups engaged in meetings for declassification
7 discussions and sessions have held training sessions
8 for people, and the services, I think, are doing more
9 of that, also, in an effort to make their people more
10 proficient in carrying out declassification.

11 But once again, and I keep returning to this
12 theme, and we're going to have to do it, the Defense
13 Department, after 50 years, is still not unified.
14 Unified in the sense -- sense that directives can come
15 down from above, and that the people above can be sure
16 that they will be carried out as intended by the people
17 who issued them.

18 So that you still have individual services
19 and agencies within the department that do things their
20 way, that have their own procedures, prefer them to any
21 others that might be asked of them, and will continue
22 to do it.

23 I guess the basic problem is that they can
24 always say you want us to do things, but you are not
25 giving us the resources to do them, and therefore all

1 we can do is the best we possibly can under the
2 circumstances, and this is the situation that we face
3 now, and that we want to discuss some more later on.

4 It seems to me that what we have left is
5 several basic issues that we've been dealing with at
6 all of our meetings. The first one is the allocation
7 of resources. Money has not been forthcoming. The
8 only money forthcoming for defense project on
9 intelligence has gotten some money. Whether they're
10 going to get any more is another matter. Energy may
11 have some of its own resources.

12 But the only money that's been forthcoming
13 has been for special declassification projects, for
14 human radiation, for prisoners of war, for Gulf War.
15 These things have gotten money because they've had a
16 lot of political pressure behind them, and the services
17 have had to put up the people that they have gotten the
18 money to do it.

19 So, this is a problem we face. It's a lack
20 of resources. The only way it can be solved is for the
21 individual elements of the department to use their own
22 resources, their own people. What they have is people,
23 not money.

24 On priorities for declassification, we've
25 already discussed those. We know where we stand on

1 those. That is a major problem because, as I say, each
2 element has its own preferences for priority and
3 procedure.

4 As mechanisms for speeding up
5 declassification, this is the third issue, some of that
6 has happened. Declassification is going on. It hasn't
7 ground to a halt. It isn't exactly what we would like
8 it to be either in quantity or in quality, but it's
9 moving, and some of it has changed, as a result, I
10 think, of the efforts of this panel.

11 Now, it may be a small change, not as much as
12 we would like to see have been, but it has happened.
13 There has been some movement.

14 As for measurement, measures of progress,
15 that's the fourth issue I think we have to deal with,
16 we have tried the pilot projects, two of them have been
17 done, and we hope that the others will also come
18 through.

19 What we still need, of course, is reports on
20 the progress of declassification work, and I keep
21 saying something is happening. There's been some
22 movement. You perhaps would like to know how much
23 there has been, and we hope we're going to do that, and
24 then, the other progress, of course, is in actual
25 disposition of the records, the transfers to the

1 Archives, and the accessibility of those records.

2 We need reports on those things, too, and we
3 hope that we will be getting them some time in the
4 coming year.

5 From my standpoint, I think that sums up
6 pretty much what I have to say at this point, and if
7 there aren't any questions, I would like --

8 DR. WEINBERG: There is -- there is a
9 question.

10 DR. GOLDBERG: Yes, indeed.

11 DR. WEINBERG: On the pilot project, you've
12 indicated you've now identified what Component 1 and
13 Component 2 is, but what is missing from this and seems
14 to me critical, and I assume we'll come back to it, is
15 that there is no date indicated for the period of time
16 of the records on which these pilot projects were
17 concentrated.

18 Were these records from the 1950s, the 1960s,
19 the 1970s?

20 DR. GOLDBERG: It's what we indicated. We
21 did --

22 MS. KLOSS: That's what you asked for on the
23 minutes. You have listed the record groups that you
24 want to review and the dates. That was on the original
25 document.

1 DR. GOLDBERG: The specific records. We
2 indicated what we wanted done. Part of the projects
3 specified --

4 DR. WEINBERG: Well, which ones are these?

5 DR. GOLDBERG: These are Navy and OSD.

6 DR. WEINBERG: No, no, no. I know the
7 agencies. What I'm talking about is the --

8 DR. GOLDBERG: Do you have --

9 DR. WEINBERG: -- ones that they actually
10 picked from which dates. That was my question.

11 DR. GOLDBERG: They were the 1950s.

12 DR. WEINBERG: These were the 1950s.

13 MS. KLOSS: '50s.

14 DR. GOLDBERG: 1950s and perhaps into the
15 early '60s.

16 DR. WEINBERG: Okay. And the OSD?

17 DR. GOLDBERG: Same.

18 DR. WEINBERG: Same. Okay.

19 DR. GOLDBERG: OSD got into 1960s. Yes, they
20 were earlier records.

21 DR. WEINBERG: I can give you one piece of
22 encouraging news since you said that the Department of
23 Defense is not yet unified.

24 I learned this year that the three service
25 academies have independently decided to use my book as

1 the textbook. So, there was some unification in a
2 critical area.

3 DR. GOLDBERG: That's very good news. Let's
4 hope they can move on.

5 DR. WEINBERG: In a few other things, yeah.

6 DR. GOLDBERG: Yes?

7 MR. DAVID: On this question of OSD records,
8 I've been orally informed by OSD's declassification
9 office that through the years, all the pre-1964 records
10 and 330s of NRC have been systematically reviewed.

11 DR. GOLDBERG: Did you say '54 or '64?

12 MR. DAVID: '64.

13 DR. GOLDBERG: '64, yes.

14 MR. DAVID: And earlier this year,
15 approximately 3,100 of the 330 records were transferred
16 from WNRC to College Park. Most of those are
17 classified as actions. Most of those are pre-'64
18 records.

19 DR. GOLDBERG: They're classified, not
20 declassified.

21 MR. DAVID: Classified sessions.

22 DR. LEFFLER: What does it mean to say that
23 they've been reviewed, but yet they're classified?

24 MR. DAVID: They're still -- the -- the
25 sessions or selections are still classified because

1 under Reagan's EO, OSD declassifiers went through these
2 many thousands of pre-'64 records. They declassified
3 some items. They did not declassify other items, and
4 the still-classified materials are in the same boxes
5 with the declassified materials.

6 DR. LEFFLER: So, nothing is available?

7 MR. DAVID: Nothing is available.

8 DR. LEFFLER: And what is being done about
9 that, and who's responsible for trying to get those
10 documents that have been declassified out of the boxes
11 and accessible to the public?

12 MR. DAVID: The National Archives has the
13 responsibility with respect to the approximately 3,100
14 feet of 330 records that were transferred earlier this
15 year from WNRC to College Park, and those still have
16 not been processed.

17 It's a very, what I'll call, labor-intensive
18 process. Someone -- hopefully when the
19 declassification review is done, things that were
20 declassified were clearly marked, including the
21 authority, etc., and things that were not declassified
22 were somehow tabbed, which would make it much, much
23 easier for the NARA personnel to segregate the two, get
24 the declassified materials in Archives boxes, properly
25 labeled and make them available in the research.

1 MR. GRABOSKE: If I could just explain to
2 Professor Leffler how the archival system works. We
3 just got an instruction from Mr. Kurtz, I think it's
4 Instruction 96.2, that classified and declassified
5 documents are not to be segregated. The file group is
6 to be left intact, and the archivists on the scene will
7 have to go through the box and pull out the still-
8 classified materials before they can provide the box to
9 a researcher.

10 That is the Archives' position. Records must
11 stay intact. They cannot be disturbed by segregating
12 out classified from declassified.

13 DR. TRACHTENBERG: So, why is that so
14 difficult to do, just to go through and --

15 MR. GRABOSKE: Because they just don't get
16 put back together again. There's a point to having
17 records filed the way they are. If you are pulling
18 pieces of the file out that is still classified and
19 putting them somewhere else, in practice, they don't
20 get back to where they should be.

21 As a researcher, you need to know that this
22 document is related to that document in a decision-
23 making process.

24 DR. TRACHTENBERG: That's purely a clerical
25 problem. You just -- you take it out, you xerox it,

1 you put it back. Is it -- we're talking, for example,
2 in this pilot project here not about a massive amount
3 of materials. Six cubic feet, just to pluck out 15
4 percent of that, that's been declassified, shouldn't
5 take very long.

6 MR. GRABOSKE: I'm just telling you what the
7 instructions are to us as agencies.

8 DR. LEFFLER: Okay. So, those are the
9 instructions. These things were done 10 years ago
10 under the Reagan EO, and they've been sitting in DoD
11 for the last 10 years, and nothing's been done.

12 MR. GRABOSKE: I'm just describing the
13 archival practice of how they handle classified and
14 declassified records.

15 DR. LEFFLER: Okay.

16 MR. GRABOSKE: There are provisions in the
17 National Archives for their staff to remove classified
18 records via withdrawal sheets and put them somewhere
19 else, but for us as agencies we can't do that.

20 DR. LEFFLER: Well, can we put on our agenda
21 for the next meeting to have Mike Kurtz come here and
22 explain when he's going to get to work on this project?

23 DR. GOLDBERG: Well, it's not a simple
24 clerical problem, unfortunately, if you have large
25 volumes of materials. I mean it's a lot of people, and

1 most archivists shy away from segregating on demand.

2 It can be a big problem for them if there's a
3 large quantity of materials involved. Now, what is
4 involved here, it seems to me, is what might be called
5 refried beans. They have to go through again the same
6 materials that have been exempted and passed under the
7 new Executive Order and make a determination of whether
8 they're classified or not. So, that's doing it again.

9 DR. TRACHTENBERG: But in the meantime, why
10 cannot the material that's already been declassified be
11 made available? It's there. It's marked. Just pluck
12 it out, make a copy of it, replace the original and
13 make the copies available.

14 DR. LEFFLER: You're going to have to have
15 Mike Kurtz tell you that.

16 DR. TRACHTENBERG: Did you look into this
17 whole issue? Did you call up the --

18 DR. GOLDBERG: No, but I can understand, I
19 think, what's involved. We're talking about thousands
20 or tens of thousands of pages of materials and many
21 hundreds of boxes to be gone through, materials to
22 pluck out and xeroxed and made available and then
23 replaced. It's a lot of work. It takes a lot of
24 people.

25 DR. LEFFLER: How long have these materials

1 been in the Archives? Do you know? How long --

2 DR. GOLDBERG: Pre-1964 material?

3 DR. LEFFLER: Yeah.

4 DR. GOLDBERG: It varies, depending on when
5 they were actually --

6 DR. LEFFLER: Well, I know that, but we --
7 the whole group of papers from 1954 to '64, I take it
8 that was accessioned as one group from '54 --

9 MR. DAVID: The roughly 3,100 feet of OSD
10 records that were transferred earlier this year from
11 WNRC to College Park as with several other thousands,
12 thousands of feet of pre-'54 OSD records from WNRC,
13 have been systematically reviewed through the years.

14 There's 3,100 feet that were transferred to
15 College Park earlier this year, were transferred under
16 what NARA calls a P-95 project. Originally, they were
17 scheduled to be transferred to NARA some years ago, but
18 until Archives II was built, there weren't -- there
19 wasn't the room in the classified vaults.

20 So, their transfer was delayed until earlier
21 this year.

22 DR. GOLDBERG: That was a transfer from the
23 Records Center to NARA at College Park. They had
24 already been in the Records Center, obviously, for
25 varying periods of time, depending on when they had

1 been retired along the way.

2 MR. DAVID: Again, there is -- there are
3 several thousand feet of pre-'64 OSD records still in
4 the Records Center that have been systematically
5 reviewed, and they have not been transferred to College
6 Park.

7 I met with several people at College Park in
8 the last month and asked if there were any current
9 plans for transferring the balance of the
10 systematically-reviewed records to College Park, and
11 they said that there are no current plans.

12 DR. GOLDBERG: Well, that's a matter for the
13 Archives then, isn't it?

14 MR. DAVID: Pardon?

15 DR. GOLDBERG: I say it's a matter for the
16 Archives' decision then --

17 MR. DAVID: Correct.

18 DR. GOLDBERG: -- on directive --

19 MR. DAVID: Correct. There -- OSD obviously
20 has some input into the decision as to what OSD records
21 are transferred from WNRC or some OSD site to College
22 Park, but in this vein, I would urge the advisory panel
23 to write a letter to the Archivist of the United States
24 asking that the balance of the OSD records from before
25 '64 that have been systematically reviewed be

1 transferred over to College Park.

2 This issue of processing by the NARA
3 personnel at College Park is a huge problem. This
4 meeting I had within the last month, people said there
5 were many thousands of feet of unprocessed records from
6 all sorts of Executive Branch agencies, and, for
7 example, even if they get unclassified Department of
8 Labor records, let's say 600-foot accession or
9 collection, there may be Privacy Act problems, not
10 national security information or restricted data, but
11 Privacy Act, which hasn't been dealt with by the
12 Department of Labor, and, so, before they make those
13 available to the public in the Central Research Room,
14 they have to do something with them.

15 DR. GOLDBERG: Thank you.

16 Mel? Excuse me. I'm going to recognize
17 Warren Kimball before he bursts a blood vessel.

18 MR. KIMBALL: No, no. It's true. Yeah.
19 You're right. Thank you.

20 The fact is that -- that -- that you --
21 you're not getting the full story. You're just not,
22 and it's not for me to sit here and give it. State
23 Department Archives are open all the time with
24 classified material in them. The material is pulled in
25 one manner or other, whether they have segregated files

1 which are only temporarily segregated or not.

2 In fact, that's not your concern, how the
3 Archives does it. You just do what they say, and they
4 should take care of it. I just tell you that State
5 Department Archives with classified materials, boxes
6 with classified materials, are made available to the
7 public. Classified material is taken out.

8 So, there's a way to do it that's being done
9 by another agency on a routine every-day basis.
10 Michael Kurtz, given some questions that you have to
11 ask and some specific questions to ask, Michael can
12 come over here and straighten it out. He knows what
13 he's talking about, and he can sit here with this group
14 and really give you the straight information. I'm not
15 about to try because I just know one side of the house.

16 DR. GOLDBERG: All right.

17 MR. KIMBALL: And I think that Mel's
18 suggestion would -- would, you know, just save you an
19 awful lot of time. Get Michael over here and find out
20 what the heck the real story is, but give him heads up
21 so he's ready with specific answers to specific
22 questions.

23 DR. LEFFLER: I'd like to ask. These
24 materials that you're alluding to that have been moved
25 to -- to the Archives, they were reviewed under the old

1 Executive Order. They've not been reviewed under the
2 new Executive Order.

3 MR. DAVID: Why re-review them?

4 DR. LEFFLER: Why re-review them? Pardon me?
5 You think the Carter Executive Order provides and the
6 end of the Cold War and this criteria are still the
7 same as they were prior to 1988?

8 MR. DAVID: I would say my guess would be
9 that very few further materials would be declassified
10 with the new review.

11 DR. LEFFLER: That's really an alarming
12 statement. Let me just say that is an alarming almost
13 preposterous statement.

14 MR. DAVID: Well, characterize it as you
15 want, but, for example, OSD has no authority to
16 declassify RD. So, all the RD, NSI RD documents, the
17 330 records, are not going to be declassified under the
18 new EO. They weren't declassified obviously under
19 Reagan's EO.

20 My point is, is that currently, there's 3,100
21 feet of OSD -- additional OSD records in College Park
22 that have been systematically reviewed. Obviously a
23 lot of documents have been declassified. I was told in
24 some cases there was coordination with other agencies.
25 In other cases, there wasn't. In some cases, there was

1 action. In other cases, --

2 DR. LEFFLER: Well, is --

3 MR. DAVID: -- there hasn't been.

4 DR. LEFFLER: Is the 15 percent on this pilot
5 project illustrative of the large number of documents
6 that --

7 MR. DAVID: I haven't seen the documents
8 you're looking at.

9 DR. LEFFLER: I see. Hm-hmm.

10 DR. GOLDBERG: We --

11 DR. WEINBERG: Well, it seems -- oh, excuse
12 me.

13 DR. GOLDBERG: Yeah.

14 DR. WEINBERG: If the reading -- obviously at
15 the present time, when Archives services the records
16 that we're talking about, they have to do exactly what
17 Kimball just referred to; that is -- I mean I've worked
18 with records like this many times. The person
19 servicing has to pull out the classified and give you
20 the rest of the box.

21 But if people in the Archives seriously think
22 that the Clinton Order is -- makes no difference when
23 it has different time schedules in it and different
24 criteria, then they need a lesson in elementary English
25 and need to read the new Executive Order again.

1 Time limits and factors are different.
2 Classifications in certain areas are different.
3 Certain of the major exemptions are the same. That's
4 entirely correct, but because two Executive Orders have
5 a certain number of words that are the same in both
6 does not mean that they are the same, and the real
7 issue will be at some point down the pike that not only
8 in the DoD records, but in others which were screened
9 under the prior Executive Order, over a period of time,
10 re-screening will be necessary, and my own experience
11 has been that with dealing with the Archives when the
12 stuff was still in Suitland was that as material that I
13 asked for was serviced on, I gave them lots of numbers
14 way ahead of time, and then they would check under
15 whatever the latest order was, and certain things that
16 had been -- that had been hung up on the prior one
17 could be released, and some couldn't be, and, of
18 course, they were marking them as they went along, and
19 as a result, the classified and removed part was slowly
20 shrinking, and at some point, it seems to me that's
21 going to have to be done in College Park, probably as
22 people ask for the boxes, because they will not have
23 the personnel to do the whole thing systematically over
24 again, but that doesn't mean that when somebody asks
25 for eight boxes, they cannot take those eight boxes.

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1 MR. KIMBALL: They won't do it. You won't
2 give them the declassification authority. I mean I
3 just warned you. You're going to have to fight -- I
4 don't want to refer to that. You bring that up with
5 Michael. They won't do it for you.

6 MR. GRABOSKE: They have in the past.

7 MR. KIMBALL: It's going to be -- they'll do
8 little nit-picking things. It's a DoD responsibility
9 to declassify, just like you said the Navy won't give
10 it to DoD Central. Same problem throughout the
11 government. So, be careful with that.

12 MR. GRABOSKE: Well, they have done -- all I
13 know is from experience at Suitland that they have done
14 that.

15 DR. LEFFLER: Well, let's ask the question
16 specifically. Will OSD provide the authority to the
17 National Archives to review and declassify the records
18 that are now already accessioned? That's the -- that's
19 the precise question that needs to be asked.

20 Then we know who to really address our
21 subsequent complaints to, if it's not done. If it's --
22 if OSD is retaining the authority to do it, then we
23 should be talking to OSD. If OSD is willing to
24 allocate the authority to declassify to the Archives,
25 now that those records are at the Archives, then we

1 should be speaking to the people at the Archives about
2 it.

3 DR. GOLDBERG: Well, once they have been
4 accessioned, the Archives does have authority. On the
5 other hand, they can still go back and check --

6 DR. LEFFLER: They do not have authority -- I
7 mean --

8 DR. GOLDBERG: They have a very large
9 declassification organization.

10 DR. LEFFLER: Yes, but only -- only -- only
11 when that authority has been allocated to them by the
12 agency.

13 MR. KIMBALL: In writing.

14 DR. LEFFLER: In writing. This is stated on
15 the basis of long experience with State Department
16 records.

17 DR. GOLDBERG: And you are saying that no DoD
18 agencies have given that authority?

19 DR. LEFFLER: I do not know that. I'm saying
20 let's find out which ones have.

21 DR. TRACHTENBERG: Jean Schaebl told us at
22 the last meeting that -- that when we were discussing
23 this whole issue of the delegation of authority within
24 the Defense Department, she said that the authority had
25 been delegated to the Archives for the material that

1 had been turned over. She's not here today.

2 DR. LEFFLER: No, that's not what she said.

3 DR. TRACHTENBERG: She told me that.

4 MS. KLOSS: DoD has had issue directives for
5 systematic declassification for years. That is
6 primarily what NARA has been working on in the past.
7 They still identify the records in advance. They still
8 notify the agencies. The agencies have the opportunity
9 to review the records and coordinate the action.

10 Minus that, NARA has and for years had broad
11 general guidance via systematic declassification
12 instructions to carry on their functions.

13 DR. TRACHTENBERG: So, there has been a
14 delegation.

15 DR. LEFFLER: They have broad general
16 guidance that they do not feel provides them with the
17 specific ability to declassify specific records, and
18 unless -- unless that authority is allocated to them,
19 they do not do it. They come back because it's general
20 coordinating. That essentially means they must come
21 back to the agency to really get the precise
22 authorization to open up the records.

23 DR. GOLDBERG: And this applies to all
24 categories?

25 DR. LEFFLER: I don't know if it applies to

1 all categories, but it certainly applies to --

2 DR. GOLDBERG: I think -- I think not. Yes?
3 Can you make this brief? Because I want to get on with
4 two briefings now, please.

5 MR. DAVID: Jean Schaebel has told me several
6 times that NARA has very little authority from OSD to
7 classify OSD information.

8 DR. LEFFLER: Very little authority?

9 MR. DAVID: Very little authority.

10 DR. LEFFLER: Yes, of course.

11 DR. GOLDBERG: Are you talking about OSD or
12 DoD?

13 MR. DAVID: It varies by DoD component. From
14 OSD very little authority. From other DoD components,
15 more authority.

16 She also told me that recently, College Park
17 has issued guidelines to all the agencies instructing
18 them how to send to the Archives collections,
19 accessions, boxes, etc., that have been reviewed.

20 Is anyone in this room familiar with those as
21 to the markings that need to be put on the declassified
22 documents? How the still-classified documents are to
23 be marked, so on and so forth, to help College Park
24 process? I did not see a copy of that.

25 MS. KLOSS: It's quite a lengthy instruction.

1 Quite lengthy. Tabbing records, expanding them, color-
2 coding and so forth.

3 DR. GOLDBERG: Right. All right. I'd like
4 to get on now with the briefings that we have
5 scheduled. One of them by Brian Littel for the
6 Intelligence community, we will not have because he's
7 still wandering around Europe somewhere and hasn't
8 gotten back for this.

9 We have two on the schedule, one from the
10 Department of Energy and one from the State Historical
11 Advisory Committee.

12 Is Mr. Gosling here from Energy?

13 (No response)

14 DR. GOLDBERG: It looks like we're only going
15 to have one, doesn't it?

16 MS. KLOSS: Well, I did do good instructions.

17 DR. GOLDBERG: Do you think they're outside
18 wandering around?

19 MS. KLOSS: Why don't you come up?

20 MR. KIMBALL: Does this mean I get a full
21 hour since the other one didn't show?

22 DR. GOLDBERG: No, absolutely not.
23 Absolutely not.

24 MR. KIMBALL: Gee whiz. I'll talk in
25 shorthand then.

1 DR. GOLDBERG: Good.

2 Orientation Briefings

3 Department of State Historical Advisory Panel

4 MR. KIMBALL: Thank you.

5 I think the first point I'd like to make is
6 that the job can be done, it really can be. It's not
7 easy. It's very difficult. It takes an awful lot of
8 focus, and it takes a lot of pushing, but the job can
9 be done, not perfectly. I'm not happy with the State
10 Department, and I don't think anybody on the committee
11 is happy with it, but we're sure happier than we were
12 before, and -- and I think the job can be done.

13 So, I mean in the long term very optimistic,
14 and I'd like to give you some reasons why I think the
15 State Department committee has had some success, and
16 whatever lessons that might offer to you that are
17 useful, that's great.

18 State Department Advisory Committee, as you
19 probably know, in 30 seconds or less was created
20 because the State Department did a really ridiculous
21 thing by publishing a volume of foreign relations that
22 contained virtually no intelligence information, yet
23 the volume was about the period of U.S. relations with
24 Iran when Mossadeck was overthrown, and we have enough
25 memoir and British material to demonstrate beyond a

1 measure of doubt that in fact it was a covert
2 operation.

3 Then a little investigation, and they found
4 out the same thing with Guatemala in the mid-'50s. So,
5 this created a furor, and the long and short of it is
6 that a -- a curious triumvirate of David Boren, who had
7 some problems with the CIA, and Claybourne Pell, who
8 was -- you know, liberal credentials are bona fide, and
9 Jesse Helms, whose simple position was that he didn't
10 think a bunch of pinko homosexuals in the State
11 Department should be allowed to keep secrets, whatever
12 their reasons, whatever their reasons, -- that quote is
13 from one of his staffers.

14 Whatever their reasons, they passed a law
15 which created a requirement that the State Department
16 review its materials for declassification, everything,
17 review everything on a 30-year basis. Okay?

18 In addition, it made the foreign relations
19 series a requirement by law as opposed to custom.
20 Okay.

21 In that process -- this is 1991. In that
22 process, -- and I should give Page Miller some credit
23 for helping to write the law. She and Frank Severts in
24 some smoke-filled rooms over on the Hill.

25 But in any event, in addition, it created the

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1 committee, and if I may say with extraordinary
2 immodesty since I've been on it since it was created, I
3 think we, and I mean we, the nine people on the
4 committee, have done a valuable service to the American
5 public because we were given an opportunity to do it.
6 Anybody here in this room could have done the same
7 thing, but we had a chance because of the law.

8 The committee is independent. No government
9 officials, no government officers may serve on it.
10 They all sit in a room, and they all offer things, and
11 the executive secretary of the committee is the
12 historian of the Department of State, roughly your
13 equivalent, I guess, in this situation.

14 DR. GOLDBERG: Very roughly.

15 MR. KIMBALL: Roughly speaking. And -- and
16 -- and he is the executive secretary. We're not
17 allowed to have meetings without him present, which is,
18 I think, absolutely proper. This is not an adversarial
19 relationship, but nonetheless every one on the
20 committee is independent of the government.

21 DR. GOLDBERG: Who's the appointing
22 authority?

23 MR. KIMBALL: The Secretary of State, but the
24 Secretary of State must take the names from nominations
25 from various professional groups, except for the at-

1 large members, where, although the Secretary has always
2 taken then from these lists, there is no requirement
3 that the Secretary take them for the at-large.

4 The six professional organizations
5 represented and three at-large members, serving
6 senatorial-type staggered terms in three years each, so
7 you lose three each year.

8 The committee has real authority.
9 Fundamentally, it has real oversight authority. It is
10 responsible to the Secretary of State and to Congress
11 for the implementation of the provisions of the law.
12 We have to send a report to Congress. We keep Congress
13 informed if there are problems, which, generally
14 speaking, there have not been in the last few years.
15 Difficulties but not problems.

16 But we have real oversight responsibility and
17 authority. I wore this today not because I needed to
18 get in here but to remind you all, we also have
19 clearances. So that no one is able to say to us, well,
20 I can't talk about that. You know, the argument from
21 expertise which frequently has nothing to do with
22 classification, it has to do with other situations.
23 Nobody can argue from expertise with us. They have to
24 tell us show us the documentation. That, by the way,
25 has -- I don't think any of us have reported anything

1 illegal in the front page of the New York Times yet.
2 We actually can be trusted.

3 The -- the committee is not then a purely
4 advisory committee. It has certain specific
5 responsibilities. The law, fortunately, sets forth
6 some very specific time schedule responsibilities as
7 well.

8 For example, I was intrigued to hear you
9 talking about -- a question came up about when things
10 would be accomplished and when certain reviews would be
11 accomplished. If you read that law, which is short,
12 readable, you will find that in declassification review
13 for the foreign relations series, there are specific
14 30-60-90-120-day deadlines that people have to meet,
15 and in fact, the historical office itself has imposed
16 some of its own internal deadlines, in addition, on its
17 own people, in addition to the law.

18 That's been pretty effective. It wasn't easy
19 at first, but it's been pretty effective. Progress.
20 It's been a fascinating journey. Because we had --
21 just as an example, because we had clearances, we were
22 inclined to ask the Department of State's Bureau of
23 Intelligence and Research, gee, do you have any
24 records? We don't see those records. We don't see
25 them in the Archives. We don't see them cited in

1 foreign relations, but we know you have a big
2 operation, and so on. Oh, yeah, we have records.
3 Sure. You can't see them.

4 I said yeah, we can. Said, oh, well, yeah,
5 but you don't have need to know. Well, it happens in
6 the law, it says the committee by definition has the
7 need to know. Stated in the law. Okay. So, we got
8 past those little hurdles, had a wonderful briefing
9 from a very erudite smart guy who I hope in his
10 retirement writes a book about this stuff because he'd
11 be a great writer, and he tells us some great stories,
12 and he's going through the whole thing. He says, but,
13 of course, we'll never declassify these records, not in
14 your lifetime. They're now appearing in the foreign
15 relations series. They're now scheduled for accession
16 to the National Archives with declassification review,
17 with access in the Archives to those portions of the
18 INR records that have been declassified.

19 DR. GOLDBERG: Who declassified those?

20 MR. KIMBALL: State Department.

21 DR. GOLDBERG: Who in the State Department?

22 MR. KIMBALL: State Department has a -- the
23 HDR.

24 DR. GOLDBERG: What does the panel do by way
25 of declassification?

1 MR. KIMBALL: Nothing.

2 DR. GOLDBERG: How many documents can you
3 possibly look at?

4 MR. KIMBALL: Okay. We are not -- good
5 question. I'm glad -- let me clarify. We're not in
6 the declassification business. We have no
7 declassification authority nor would we want it. Okay?
8 We're not interested in damaging national security. I
9 might point that out to the -- some people may doubt
10 that.

11 We're interested in giving the American
12 public access to its history. It's as simple as that.
13 If it's a democracy, it should have access, without
14 jeopardizing national security. Okay.

15 We are there with oversight not on
16 declassification decisions, but we are there to ask
17 questions about declassification standards, and we
18 raise those all the time, and in the process of
19 discussing with HDR, that's -- what the heck is HDR?
20 Document Review Section. H must be Head. I keep
21 getting these memos from HDR.

22 Anyway, we discussed with HDR what are your
23 standards? Let us see your written standards for
24 declassification review. We have teams of State
25 Department people in the Archives going through records

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1 that were accessioned prior to review. That -- that --
2 that's too complex for a committee to deal with, but
3 the bureaucrats are handling that and handling that
4 very well. I don't use the word "bureaucrat" as a
5 pejorative, by the way. I've been criticized for that.
6 I don't mean it that way.

7 The review that we do is designed to examine
8 standards, to make sure that Cold War standards that
9 are no longer relevant, for example, aren't being
10 applied routinely to documents, and so that we sample
11 things.

12 Foreign relations series is a little bit
13 special because there, we actually get into specific
14 appeals on declassification to higher authority because
15 we're trying to get those documents covered. That's
16 not really relevant to your situation. Your situation
17 is the archival one, and we review the Archives. We do
18 random sampling of the Archives to see what the
19 declassification standards being applied are, and
20 that's how -- how I think Mel and I know that State
21 Department is the one that has to set the standards and
22 do most of the declassification work in the Archives
23 because Archives backs away from anything that is not
24 really very simple and obvious.

25 DR. LEFFLER: I might add, the committee

1 samples and then raises questions about whether the
2 criteria is being implemented in a precise way.

3 MR. KIMBALL: Absolutely.

4 DR. LEFFLER: Yeah.

5 MR. KIMBALL: Absolutely. Yeah. I mean we
6 try to get a sense of are they being implemented
7 consistently, for example, and we'll find times when,
8 one declassifier is, you know, applying this standard
9 in one way, another one is doing it in a different way.
10 That's understandable. That's human beings. But
11 that's part of our job.

12 The other thing is that we are tasked with
13 the responsibility to ensure that the State Department
14 records are reviewed for declassification by the time
15 they're 30 years old, and all declassified records are
16 made available to the public, and, so, we -- we not
17 only look at the standards for declassification, but we
18 look at some questions that you've raised which are
19 where are those records, why are they sitting in a
20 warehouse or in a pallet or in a -- in a -- in a closet
21 somewhere in Archives or in DoD or State or wherever
22 they are, and why aren't they moving on, and by -- by
23 focusing on those specific tasks, we have managed to --
24 we have managed to find out that most of the
25 bureaucrats that we work with want to do a good job.

1 We found out that most of the bureaucrats we
2 work with don't want to break the law. We found out
3 that most of the bureaucrats we work with are honest-
4 to-God good Americans who believe that the American
5 public ought to see this stuff.

6 We also found out that intra-agency and
7 inter-agency communications virtually don't exist. We
8 have found -- our committee has acted as a broker for
9 arrangements between other agencies, including DoD. We
10 brokered an arrangement with DoD and stayed on some
11 declassification you had given us. Some of your people
12 had given us, State, declassification authority over --
13 over certain records, and there's been a vice versa.
14 So that we can clean up each other's equities that are
15 in our own records.

16 But we've brokered --

17 DR. GOLDBERG: Have you found that
18 information is withheld from you?

19 MR. KIMBALL: No.

20 DR. GOLDBERG: You don't know?

21 MR. KIMBALL: No. It -- ah. Yes and no.
22 Yes and no. Some agencies withhold. I wish Brian
23 Littel were here. I'd flatly say I do not believe the
24 CIA's candid with us.

25 DR. GOLDBERG: Oh, I'm talking about State,

1 within State.

2 MR. KIMBALL: Perhaps we don't hear the full
3 story. If we ask questions, we get straight answers.
4 You're right. We have to ask the right questions, but
5 I don't -- I'm not uncomfortable with the degree of
6 knowledge that the committee has been afforded by State
7 and by most agencies. I'm not uncomfortable with it,
8 even if we don't know the whole story on certain
9 things, particularly the politics of certain things.

10 DR. GOLDBERG: Ignorance can be bliss.

11 MR. KIMBALL: Well, no, I don't mean that. I
12 don't think that's fair at all. I think that -- that
13 if you look at the total amount of accomplishments that
14 -- that -- that this whole new process under the law
15 has achieved, then, okay, if we're missing some things,
16 I wish we weren't, but we -- we -- we've moved a huge
17 step in the right direction, and my point is that the
18 law gave us something that advisory committees
19 sometimes don't have. It gave us oversight authority
20 and responsibility, and it gave us focus.

21 There are certain requirements in the law.
22 We're supposed to do certain things. So that if I'm in
23 a meeting, and -- and we start wandering off into areas
24 that don't really relate to the law and are brief, my
25 tendency is to say, hey, this is not what we're here

1 for, and we get down to business, which has been
2 extraordinarily useful because, you know, advisory
3 committees only meet occasionally, and if they're going
4 to have an impact, they have to really have a lot of
5 focus, and we've been able to do that because of the
6 law.

7 We do play some role in a question you're
8 wrestling with, which is trying to help declassifiers
9 set priorities. It struck me in -- in the discussion
10 that you were having that you almost really ought to
11 have three advisory -- four advisory committees, one
12 for each branch of the service and one for the broad
13 OSD problems because the kind of questions you're
14 dealing with are so very different.

15 Policy, national security policy is a DoD
16 function or an OSD function, rather, not a service
17 function, and military strategy, tactics and all of
18 that sort of thing are -- are -- arms and what have you
19 get down to the -- so, that's for you to talk about,
20 but it just struck me that, you know, that that's --
21 it's a very complex thing to try to discuss those
22 different levels of things at a meeting like this.

23 I'm disappointed that -- unless he's here.
24 Steve Garfinkel?

25 (No response)

1 MR. KIMBALL: He's going to be here. I'm
2 quite honest, and I wish he were here to say this, and
3 you tell him I said it, I think that one of the things
4 that we need is an energized intelligence oversight
5 office, ISOO. I think that we need to have some
6 energetic, vigorous, dynamic leadership from that
7 office, which is now under the Archivist of the United
8 States, and I think anything this committee can do to
9 push ISOO to provide inter-agency leadership in this
10 whole process, I think, would benefit everybody.

11 I'm not sure -- I'm not sure I need to -- I
12 need to -- I'd almost rather answer questions. I'm not
13 sure I need to give you more detail on this.

14 Mel, can you -- you know this committee and
15 what it knows and what it doesn't know and where I
16 could fit in what I have better than I do.

17 DR. LEFFLER: I think you provided the
18 essential --

19 DR. MILLER: I thought you were going to talk
20 about risk management.

21 MR. KIMBALL: I am. That was the last item.
22 I have it right here. Yes, ma'am. Is it okay?

23 MS. KNOX: I would like to know if the matter
24 of the Korean War POW and MIAs is under your panel.

25 MR. KIMBALL: Okay.

1 MS. KNOX: And if so, can you give us any
2 priorities? I am legal counsel to the Korean War
3 Association. We have tried for years to get any
4 attention whatsoever. We've FOIA'd documents. We are
5 routinely told --

6 MR. KIMBALL: Let me answer your question.
7 Let me answer your question. Very simply. We do not
8 -- and this was a decision the committee made early on.
9 We are not involved and do not intend for the present
10 to get involved in specific requests because if we get
11 involved in trying to deal with specific -- no matter
12 how good the cause, with specific organizational
13 requests for documentation, there's nothing in the law
14 that says that's a responsibility or that we have any
15 authority there. As individuals, we might, but -- but
16 as a committee, we have stayed away from that.

17 So, my answer is no, we haven't gotten into
18 that. The second thing is our committee has taken a
19 very strong stand against targeted review. Now, that
20 isn't really targeted because that's -- if it's just
21 Korean War, that's -- and Vietnam, those are both older
22 than 30 years.

23 So, our position is that it is a very bad
24 idea to go in for JFK assassination things and what
25 have you because while these are sexy topics that have

1 a great deal of pizzazz as far as the public is
2 concerned, they steal money from systematic
3 declassification, and the only way we're going to get
4 this monkey of -- of Washington washing classified
5 materials -- the only way we're going to get that
6 monkey off our back is to move toward more effective,
7 more cost-effective, more efficient systematic
8 declassification of everything, and that would include
9 your documents. Okay?

10 MS. KNOX: You said prioritizing. What other
11 criteria that you use --

12 MR. KIMBALL: Okay. What we tried to do is
13 assist the State Department in prioritizing the kind of
14 records that we think are historically important.

15 MS. KNOX: Isn't that a --

16 MR. KIMBALL: It might be, but I'm not going
17 to discuss that here.

18 MS. KNOX: No, but I --

19 MR. KIMBALL: But -- but it could be. It
20 could -- it could fall under a prioritization thing
21 that we would do, although we tend to look at it in a
22 broader sense.

23 DR. LEFFLER: Well, we tend to look at types
24 of record groups, not topics, but types of record
25 groups, central files, lot files, post files, which

1 types of files, those types of things, but we don't say
2 or we have rarely said, well, let's focus attention on
3 Western Europe or Southeast Asia or this country or
4 that country.

5 MR. KIMBALL: Right.

6 DR. LEFFLER: But have focused more on -- on
7 the nature of the record groups themselves and which
8 ones historians generally deem as most important in
9 terms of the value of information to the American
10 public.

11 DR. GOLDBERG: Panels of this kind are not
12 really in a position to direct particular specific
13 topics be given priority. We can make recommendations.
14 We can suggest perhaps. We certainly cannot direct it.

15 It seems to me that your best bet would be to
16 get political support as other special areas of this
17 kind are done, and they've gotten --

18 MR. KIMBALL: Steal some more money from the
19 systematic declassification.

20 DR. GOLDBERG: That's right. This is -- and
21 this is going to continue. As long as you can get
22 political support for things of that sort, it will go
23 on.

24 MR. EPLEY: How much resources has the State
25 Department? Has the State Department allocated

1 additional resources for this project or --

2 MR. KIMBALL: Okay.

3 MR. EPLEY: -- is this out-of-pocket? You
4 know, out of the normal operating budget?

5 MR. KIMBALL: All right. State Department
6 has taken bigger cuts than any of the other major
7 agencies as they announce on a regular basis, and in
8 this case, I think they're pretty right.

9 However, the law requires that the State
10 Department support this process. It's in the law, and
11 moreover, I must say that under both the Bush and
12 Clinton Administrations, so it's a non-partisan thing,
13 this committee, our State Department Advisory
14 Committee, and the declassification process have had
15 truly solid and effective support from the top, and I
16 was disturbed when you said you couldn't get support on
17 the -- you know, money and so on from the top.

18 The decision --

19 DR. GOLDBERG: It's not a matter of support;
20 it's a matter of intention.

21 MR. KIMBALL: No. I understand that. What
22 I'm saying is the intention in the State Department was
23 to make sure that this process received sufficient
24 resources in order to make it work, and that was the
25 decision from the seventh floor, and the details were

1 left to other people, but that was the decision, and
2 that's been carried out by both Administrations.

3 DR. WAMPLER: And the fact that it's a
4 legislative mandate to do this?

5 MR. KIMBALL: Oh, yes.

6 DR. WAMPLER: I mean --

7 MR. KIMBALL: Oh, yes.

8 DR. WAMPLER: -- without that, --

9 MR. KIMBALL: Without that, --

10 DR. WAMPLER: -- the support wouldn't be
11 there.

12 MR. KIMBALL: -- would the State Department
13 have told us to go pedal its papers? I fear maybe not
14 quite in that nasty a term, but we would not be
15 anywhere near a -- I mean that's part of the problem
16 that any advisory committee has, if it exists at the
17 sufferance of the secretary of whatever, then that
18 advisory committee, if it says ugly things, it's going
19 to disappear.

20 I mean I know of one advisory committee that
21 has had a purge recently. It's not called a purge, but
22 it was a purge because certain members of that advisory
23 committee were saying things that the head of that
24 agency didn't like, and, so, all of a sudden, there's a
25 purge.

1 DR. GOLDBERG: But you are aware to the
2 extent to which legislative mandates and executive
3 directives are often watered down or even ignored,
4 aren't you?

5 MR. KIMBALL: Well, once again, I would -- I
6 would say that I have a great deal more faith in the
7 bureaucracy, most bureaucrats, who are loyal Americans
8 who want to obey the law. They try hard. That's our
9 experience. They try hard.

10 We don't always agree on what they're trying
11 to do, and we have great arguments, and we bang the
12 table and so on and so forth. But since we won't go
13 away, the -- the -- the ultimate thing is let's work
14 together, and -- and I'm pretty well convinced -- I
15 don't think I accept your position. I'm sorry. I
16 think we disagree.

17 I think most of the people that we run across
18 in the government really want to do what the law and
19 what the Executive Orders and what the directives say.
20 Part of the problem is communication, part of the
21 problem may be enthusiasm from the top. I -- you know,
22 there's a lot of different reasons, but I think --

23 DR. GOLDBERG: I can accept --

24 MR. KIMBALL: -- I disagree.

25 DR. GOLDBERG: -- that. I'm simply pointing

1 out that there are exceptions, also, and that they have
2 occurred in the past and are probably going to occur in
3 the future.

4 MR. KIMBALL: Sure. And if you have a law,
5 and you violate it, you go to jail, and you lose your
6 pension.

7 DR. GOLDBERG: Not necessarily. It doesn't
8 -- yes?

9 DR. AFTERGOOD: Warren, it seems in a
10 nutshell what you're saying is the reason your
11 committee has been successful is (a) you have a law to
12 back you up, but (b) you have a specifically-identified
13 task in the form --

14 MR. KIMBALL: Yes.

15 DR. AFTERGOOD: -- of FRUS. So, you have --
16 so, you know --

17 MR. KIMBALL: More than FRUS. I -- I -- I --
18 I hasten to add --

19 DR. AFTERGOOD: Okay.

20 MR. KIMBALL: -- and the Archives.

21 DR. AFTERGOOD: The more --

22 MR. KIMBALL: Equally important.

23 DR. AFTERGOOD: But you have a well-defined
24 task. So, --

25 MR. KIMBALL: Yes.

1 DR. AFTERGOOD: -- at a minimum, you know
2 whether you're succeeding or failing. I mean it's
3 clear whether you're -- and I mean --

4 MR. KIMBALL: We set goals for ourselves.

5 DR. AFTERGOOD: -- on the one hand, that's --
6 that's -- that's nice to hear. On the other hand, it's
7 kind of discouraging in the context of this panel. I'm
8 wondering what is the analog that would be possible for
9 this panel or for DoD generally.

10 Are you saying to get anything done, we need
11 a law, and we need a well-defined program of activity
12 along the lines of FRUS?

13 MR. KIMBALL: No and yes. No, I mean I'm
14 realistic, getting a law like that passed for every
15 agency is a long, hard task. We might say that we want
16 Page to do nothing else but that, see if she can get
17 that done, but, no, I don't think a law is absolutely
18 necessary, though God knows it helps. All right.

19 I do think, yes, I absolutely do think that
20 focus is needed. I think that -- that -- that there
21 needs to be a charter for any advisory committee with
22 some very clear goals and objectives that will aim that
23 committee in the direction that is advisable, if you
24 will. I think that's important, yeah, trying to get
25 that together.

1 The other thing that's important is -- and
2 what would make a law less necessary is a commitment
3 from the leadership. If the leadership is willing to
4 commit to the process, then that substitutes a great
5 deal for the law. Even though you can't bind the next
6 Secretary of Defense, if you get a process rolling, and
7 you get, you know, you get momentum, you get the big mo
8 rolling along there, the next Secretary of Defense is
9 going to be caught up in it, too.

10 BRIG. GENERAL ARMSTRONG: Do you have that
11 sort of a commitment from State?

12 MR. KIMBALL: Yes, absolutely.

13 BRIG. GENERAL ARMSTRONG: When did that
14 happen?

15 MR. KIMBALL: I really do. That -- no
16 question, it came with the law. No question that it
17 came with the law. But what was interesting is that
18 two assistant secretaries for public affairs, who also
19 were close advisors, it's where the Secretary of State
20 frequently plops his or her close advisor, in one case,
21 Margaret Tutweiler, who was Jim Baker's close advisor,
22 in the other case, Tom Donovan, who was up on the
23 seventh floor, he's never down in public affairs, he
24 was always up in the Secretary's office, they were
25 our -- our boss, if you will, the public affairs, and

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1 that's the division that handles all that.

2 They were adamant in their support for
3 opening up documents. Very interesting. Margaret
4 Tutweiler felt it was a good thing for James Baker,
5 made no bones about it, said that. This is good makes
6 the Secretary look good, and Tom Donovan just was a
7 classic liberal who said that the public ought to know.
8 Neither one of them said just open it up. That wasn't
9 their point. But systematic declassification was
10 agreed.

11 DR. LEFFLER: Warren, why don't you talk a
12 little bit about the accessibility that the committee
13 has had to key officials?

14 MR. KIMBALL: Yeah. That's a good point,
15 too. We have been happy at working luncheons to have
16 really all of the senior leadership in the State
17 Department right up to but not including Secretary
18 Christopher. We've had the Under Secretary of State
19 for Management. We've had more assistant secretaries
20 of State that I can remember their names.

21 We've had the Archivist of the United States.
22 We've had -- Michael Kurtz comes over any time. He
23 is -- he's a -- he cares about the process. He really
24 does. He's an excellent person to work with. I have
25 great admiration for him and never -- never misled us,

1 not once.

2 Yeah. We've had great access, and that's
3 important, too. I mean government has a human face,
4 you know, and if you talk to the people, all of a
5 sudden, when it looked like intractable problems, can
6 get worked out over a bottle of beer at lunch time, and
7 that's been very effective.

8 DR. WEINBERG: I'd like to make a comment.
9 After all, I'm a historian, and there's a history to
10 this, which I think relates to your questions.

11 I dealt with the State Department Records and
12 Historical Division for decades and knew very well G.
13 Bernard Noble and William Franklin and his successor
14 who ran the Historical Division. I'm sure you would
15 agree with me they were decent, honest, honorable
16 people, who fit your description, but did not have the
17 law and did not have the commitment from the top, and
18 the reality was that I have high admiration for both of
19 these, but the fact of the matter was that things
20 didn't get opened up.

21 I mean that was the reality, not because the
22 people trying to make life hard for everybody. It is
23 simply that the push of the law and the push from the
24 top and the commitment from the top was simply not
25 there, and under those circumstances, with good

1 intentions, honest dedication to the work, things
2 simply did not move, and, ironically, the fact that
3 they didn't contributed to their eventually moving
4 because it meant that the foreign relations volumes not
5 only were silent on critical issues, but they got an
6 additional decade behind every decade or two, and it
7 was the new push that really made the difference.

8 MR. KIMBALL: I -- Bill Franklin was a
9 graduate professor of mine. So, I -- I -- he and I are
10 old friends. We correspond, and Bill was at the point
11 he wouldn't even ask. He wouldn't even ask for
12 declassification, unless he was absolutely certain it
13 would come.

14 Yeah. The law changes that. The climate
15 changes that. The Cold War's over. But you have a
16 law. It's not a law, but it's going to be here for
17 another four years, courtesy of the American Electric.
18 That's the Executive Order.

19 The Executive Order carried out with any
20 degree of enthusiasm is extraordinarily effective, and
21 this -- I am -- we have been in contact with Tony Lake
22 and various people in the National Security Advisor's
23 office about White House intentions regarding this law.
24 All right. This Executive Order, and we are assured
25 repeatedly in writing as well as informally that the

1 White House Executive has every intention of enforcing
2 this Executive Order. So, in a sense, you have a --
3 you have something that approaches a law.

4 I also wanted to read something to you, very
5 brief. I won't read all the supporting documents.
6 I'll read the decision.

7 This is from the Under Secretary of State for
8 Management to the Secretary but also to everybody in
9 the State Department.

10 "The subject Executive Order requires
11 systematic review of 25-year old documents to permit,
12 unless specifically exempted, automatic
13 declassification. I have approved a managed risk
14 approach, which means that documents in the highest
15 sensitivity categories will receive the most scrutiny,
16 including line-by-line review, if necessary.

17 Conversely, those in less sensitive
18 categories will receive less detailed attention. At
19 any time documents are reviewed for declassification,
20 an element of risk is involved, but we believe that the
21 risks involved in systematic review are very low.
22 Resource and time constraints and logic make this the
23 most sensible approach."

24 Now, cutting out all of the words, what
25 they've just said is that on records where classified

1 material, significant national security information is
2 unlikely to be found, they're going to bulk declassify.
3 They're going to take a look at the records, make sure
4 that there aren't some obvious mis-filings in there,
5 and they're just going to declassify them, and our
6 experience in the Department of State since 1945 has
7 been that none of -- none of these types of
8 declassification projects have had any effect
9 whatsoever, any significant effect whatsoever or damage
10 to, and I got to use the right phrases, national
11 security.

12 The altered documents came out to great
13 screams and cries, my God, it's the end of the world.
14 So did the Pentagon papers. Just to take two that are
15 obvious.

16 A number of volumes of foreign relations have
17 come out where desk officers have come in to us and
18 said that's it, it's going to ruin our relations with
19 this country. It's not true.

20 The last point I would make, last, is that
21 the people that you deal with in terms of
22 declassification fundamentally live in the real world.
23 They live in a world of today, and they fight fires,
24 and they work hard, and it's a -- it's a difficult --
25 they have difficult choices to make all the time, but

1 they're mostly, almost exclusively, choices of today.

2 The highest classified materials, the
3 compartmentalized materials, normally are declassified
4 in a time sequence that's very short, a couple of days
5 sometimes. When I was a -- I spent 23 years in Naval
6 Intelligence. So, I'm not totally ignorant of this
7 stuff.

8 Most of the stuff I saw that had, you know,
9 bells and whistles and three and four compartments deep
10 and so on and so forth became declassified within a few
11 days after it had been created. All right.

12 Now, I mention that because that's the world
13 that our -- the reviewers -- not -- not the -- the --
14 the reserve people who are reviewing it, but the -- the
15 desk officers and the ambassadors, they live in a world
16 that once it's six months old, it -- it's -- it might
17 as well be back in Ancient Greece. Okay.

18 We've had desk officers come in and say to us
19 during reviews, actually say to us, what this document
20 relates to, and they start talking about current
21 events, and we say time, 30 years old, 30 -- well,
22 actually, most of them by now are 35 years old, by the
23 time we get there. Okay.

24 So, I think that's a problem of education and
25 sensitizing the people that -- that you're talking to

1 that will just take some time. We work at it all the
2 time. We haven't succeeded.

3 DR. GOLDBERG: All right. Thank you very
4 much.

5 MR. KIMBALL: Thanks for the time. I
6 appreciate it.

7 DR. GOLDBERG: The only comment I will make
8 is that we must keep in mind that there is a difference
9 between the State Department and the Department of
10 Defense, and it's very considerable.

11 We'll take a break now for 10 to 15 minutes.

12 (Whereupon, a recess was taken.)

13 DR. GOLDBERG: Can we reconvene now, please?
14 Will you be seated?

15 (Pause)

16 DR. GOLDBERG: As you know, there are a
17 number of other agencies and departments engaged in
18 declassification. They have advisory groups and
19 panels, also. We've heard from the chairman of one of
20 these, Mr. Kimball, and I have now learned that we have
21 a representative from DI -- DOE, Department of Energy,
22 and from USIA here, and I think we can give them at
23 least a few minutes to give us some notion of what
24 their agencies are doing and to answer any questions
25 that may come up.

1 Ms. O'Connell?

2 Department of Energy

3 MS. O'CONNELL: Good morning. I'm Janet
4 O'Connell, and I'm from the Office of Declassification
5 at the Department of Energy. I haven't prepared
6 anything for the group. I was expecting this morning
7 to be here, but I can speak a little bit about our
8 program and the reason I think we've been successful.

9 We had a program in place before the
10 Executive Order. We had support from Secretary O'Leary
11 as part of the openness initiative and had resources to
12 back us up.

13 Some of the other things that have been good
14 for our program is we have a system that's heavily
15 based on classification guides and standards that we
16 are continuously working to update, and we also have
17 formal training for all of our classifiers and
18 declassifiers.

19 In terms of our Openness Advisory Panel, the
20 first meeting was held in July. We're struggling with
21 a lot of the same issues that you are. This is a panel
22 of all outside historians, and Page Miller is on the
23 group.

24 The group has chosen to break into four sub-
25 groups, which I think has helped our panel. There's

1 one that's focusing on legal issues, looking at the
2 Atomic Energy Act and how it affects classification and
3 declassification; a group which is focusing on
4 accessibility, dealing with the NARA issues that we
5 talked about; one that's looking at productivity,
6 declassification productivity, how we can use
7 automation to improve our productivity; and another
8 that's looking at priorities, and they're still
9 struggling with developing a mechanism for how we
10 determine priorities.

11 We have a lot of outside stakeholders
12 meetings and soliciting input from stakeholders, but
13 we're still struggling with what is the best means to
14 set priorities.

15 I did want to pass on a couple other things.
16 In terms of our program, we're focusing on both
17 national security information and the nuclear-related
18 information restricted data.

19 Our program has focused a lot on the risk
20 part of it because we found, as I mentioned before in
21 our previous group, we're different than other agencies
22 in that this older records, that are 25-30 years old,
23 it's harder for us to bulk declassify because in the
24 older records, we still have nuclear weapons designs
25 and technologies that are old, but they're still of

1 value to proliferant terrorist groups. So, we still
2 have to do almost a page-by-page review for a lot of
3 our things.

4 We are working better inter-agency
5 cooperation, working with DoD and some of the other
6 agencies. Rather than just shipping documents back and
7 forth between agencies for review, we're trying to send
8 reviewers to sites to do reviews, that sort of thing,
9 and looking at electronic exchange.

10 That's pretty much it. I just wanted to pass
11 on the main things. Our panel is also going to be
12 meeting December 3rd and 4th downtown, and I'll leave
13 the information with Cynthia, and they're going to --
14 hopefully these four sub-groups will have some things
15 to report as to what they've achieved at that point.

16 MS. KLOSS: Let's talk about the composition
17 of your panel because it is a little bit different than
18 --

19 MS. O'CONNELL: It is.

20 MS. KLOSS: -- a panel of pure historians.

21 MS. O'CONNELL: The -- I can probably have
22 Page speak to that better. I think it's nine members
23 outside, some historians, some former DOE scientists,
24 some attorneys, all interested in and have some
25 experience with requesting records or interested in

1 historical programs. It's not strictly historians.

2 DR. GOLDBERG: Sounds like an explosive mix.

3 DR. MILLER: I might just add a couple of
4 things. We do have clearances. We went through that
5 process, and most of us received our clearances last
6 month, and I think that's important. We -- we haven't
7 seen how this is going to play out, and how it's going
8 to be used, but I think it's a -- it shows a commitment
9 from the Secretary to want us to have that -- that
10 level of involvement.

11 I am the only historian on the panel, and one
12 of the things that I've learned from this is that
13 historians care about older policy records, and a lot
14 of the people around that table that are concerned
15 about environment and safety and health, they're
16 interested in field records that have not been
17 classified -- that haven't been categorized as
18 permanent records, and they're interested in
19 information, certain levels of testing, and not
20 documents.

21 So, I'm finding that we're frequently talking
22 past each other on issues of information as opposed to
23 documents and on issues of whether records have been
24 deemed to be of historical significance are to be
25 permanently sent to the National Archives.

1 So, those -- those are issues that come up
2 that would not come up in your group, but I -- I -- I
3 sense a real commitment with this group because we have
4 these working groups, we have assignments. I mean I
5 have a writing assignment that I've got to get into the
6 agenda.

7 Yeah. I think it is. It's focused, but we
8 -- the bottom line for us is are the records available
9 in the National Archives, and -- and to this extent,
10 actually DOE has fewer records than CIA in the National
11 Archives.

12 So, you know, that bottom -- if that -- if
13 that is your measurement, the measurement of what is
14 available for researchers, DOE has a very long way to
15 go, but the commitment to catching up seems to be
16 there.

17 MR. SCHMIDT: Dr. Goldberg, I have a question
18 for Dr. Miller for clarification. You said that the
19 historians are interested in documents, and that the
20 other people are interested in --

21 DR. GOLDBERG: Can you speak up, please?

22 MR. SCHMIDT: The information that the other
23 people are interested in is in databases or what? In
24 other words, is --

25 DR. MILLER: It's in field tests. In other

1 words, you want to know levels of chemicals that are in
2 the air and those sorts of things. I mean they're
3 interested in safety and health, and that frequently is
4 not a headquarters policy issue, but it's a field
5 record.

6 MR. SCHMIDT: There's still paper records,
7 though, or are they databases?

8 DR. MILLER: Well, they're both, but I think
9 a lot of them are paper records.

10 DR. WEINBERG: Could I ask a question? In
11 your presentation just now, you alluded to a mechanism,
12 and I'm not sure I quite understood, where you are
13 dealing with the equities of other agencies in the --
14 where other agencies have equities in records which are
15 held by the Department of Energy, and if I understood
16 you correctly, what you're doing is, so to speak,
17 importing people from there or sending your people
18 there to look at these or -- or how is this being
19 handled? Would you --

20 MS. O'CONNELL: Yeah. I can speak to that.
21 I wasn't speaking specifically about the DOE records,
22 but, for example, other agency records. I know the CIA
23 has asked us to have a reviewer go to their site --

24 DR. WEINBERG: Okay.

25 MS. O'CONNELL: -- and help them with their

1 records, and we've been open to suggestions like that.

2 We met with the State Department and actually
3 tried to pursue the exchange of authorities which you
4 mentioned is not a popular thing among people, and
5 there's some risk involved, and that's why we are
6 hesitant to give authority to people to declassify
7 restricted data but we're willing to give other
8 agencies authority to declassify our national security
9 information. We'll give them our guides, and we'll
10 train them and allow them to do that.

11 DR. WEINBERG: In the other agencies?
12 Correct. Yeah. I'm just trying to make sure I
13 understand what you're doing.

14 In -- in connection with something I want to
15 suggest a little later, let me ask you this. When you
16 do, if you will, transfer authority over your interests
17 to the other agencies, is that in terms of blanket or
18 is there a chronological break of any sort?

19 In other words, you may do this with our
20 records pre a certain date or how -- if you can, would
21 you give us a little bit more information on that?

22 MS. O'CONNELL: It would be pre-'75
23 historical records, and again it's not going to be
24 restricted data. They aren't going to have authority
25 over that, but anything national security information

1 that is Department of Energy-related.

2 Now, we haven't yet done this for any agency.
3 Our first agency that we were going to give the
4 authority to was State Department, and we're still
5 working up a program to train their reviewers, and then
6 they in turn will give us authority to declassify their
7 historical records, which we're going to pursue very
8 carefully because we don't have expertise in foreign
9 relations area, but if we have their guidelines, some
10 of our reviewers can be trained to apply them, and --

11 DR. WEINBERG: And then there's a cut-off
12 date there, and if it's later than that, they have to
13 come back to you in effect?

14 MS. O'CONNELL: Yes.

15 DR. WEINBERG: Okay. That's what I was
16 trying to get at.

17 DR. GOLDBERG: What about contractor records
18 which constitute perhaps the greater part of DOE's
19 records?

20 MS. O'CONNELL: We're not handling them any
21 differently. They are handled through -- whether
22 they're permanently valuable or not, you know, is
23 determined by the records schedule and

24 DR. GOLDBERG: Do you have custody?

25 MS. O'CONNELL: Yes.

1 DR. GOLDBERG: They're not held by the
2 contractors?

3 MS. O'CONNELL: Well, they're held at our
4 field sites, but we have contractors that are
5 authorized to do declassification. We do have
6 contractors that do declassification.

7 DR. WEINBERG: Excuse me. If you would be a
8 little more specific, is this the contractor who did
9 whatever the work was or do you have a private contract
10 for declassification people?

11 MS. O'CONNELL: Well, we have both.

12 DR. WEINBERG: You have both?

13 MS. O'CONNELL: Yeah. We have contractors in
14 the field who are managing operating contractors. They
15 pretty much run our sites, and at that site, the
16 classified was generated, and they have knowledge over
17 it, and they could also declassify it, but --

18 DR. WEINBERG: Okay.

19 MS. O'CONNELL: -- we also have a core of
20 declassification reviewers in Germantown, Maryland,
21 that do declassification across broad -- and they are a
22 contract that --

23 DR. WEINBERG: They're a contract. They're
24 not government employees?

25 MS. O'CONNELL: No.

1 DR. WEINBERG: The agency assigned the
2 contract. Your business is declassification, not
3 building something?

4 MS. O'CONNELL: Right.

5 DR. WEINBERG: Okay. Thank you.

6 DR. GOLDBERG: Yes?

7 MR. DAVID: DOE has estimated on various
8 occasions in writing that it's whole library is 2.2
9 million cubic feet of records, and the Manhattan
10 project at the present day is somewhere around seven or
11 eight billion pages.

12 Have you arrived at any ball park estimate on
13 -- on how many classified pages might be subject to the
14 new Executive Order? I know RD is a special community,
15 but voluntarily have taken that position.

16 Is it 600 million? 800 million?

17 MS. O'CONNELL: I really don't want to speak
18 to numbers because I'm not the person to do that, but I
19 can give you percentages. Of our workload, 80 percent
20 of what we do is the restricted data, 20 percent is
21 this national security information under the Executive
22 Order.

23 MR. DAVID: And these are -- these are
24 regardless of dates? So, if you're looking at MED
25 records still at the History Division, it's at

1 Germantown, it's that rough breakdown or records from
2 '75?

3 MS. O'CONNELL: Yeah. It should be the same.

4 MR. KIMBALL: Some coordination kind of
5 questions. Your comment about working with State
6 Department, I'm pleased to hear that. That's still
7 going along with the report.

8 I was curious. The first question would be,
9 I'm curious that you're working to establish that kind
10 of coordination with DoD and various agencies because
11 so much of your RD stuff may in fact be weapons stuff
12 as opposed to -- you know, there's a -- there's an
13 overlap there of equities.

14 The other thing -- the other question I had,
15 which I think is related to this, is are you willing to
16 empower your advisory committee to take a look at the
17 standards that are applied for labeling things RD?

18 I have this unsettlingly feeling that RD is
19 -- is -- you know, unless it's stamped RD, you know, it
20 kind of glows in the dark, and -- and -- and no one's
21 allowed to look at it, and it's there, and it's
22 permanent, and there's no exemptions, and it's --
23 that's it. It's gone forever.

24 And our experience at State has been that
25 classification, even original classification and

1 declassification review, which is two different steps,
2 in both cases, the standards differ. It depends on the
3 human being that was doing it at the time, and I'm just
4 curious, if you're going to allow your committee to
5 examine those standards with some random sampling.
6 They are going to have Q clearances, right?

7 MS. O'CONNELL: Yes.

8 MR. KIMBALL: Okay. So, they can do random
9 sampling and look at those and perhaps give you some
10 advice on that. So, that was a two-part question.

11 MS. O'CONNELL: Oh, okay. Yeah. The first
12 part, we are working -- well, not specifically with
13 DoD. I would say that you've heard of this external
14 referral working group which is an inter-agency group
15 that is dealing with all this equity exchange between
16 agencies, and, so, we're participating in that forum --

17 MR. KIMBALL: Right. The CAP project and all
18 of that.

19 MS. O'CONNELL: -- and working with DoD that
20 way.

21 I think I can ask Dick Friendly, but I don't
22 think that has come up on the panel, giving our panel
23 authority to -- I mean it is in the charter, the broad-
24 ranging charter, that they're to look at any openness-
25 related issues related to classification and

1 declassification. So, they could, and they are
2 cleared, look at documents and examine them with random
3 sampling like you do, but they haven't done it yet, and
4 there's no plans to do that.

5 DR. GOLDBERG: All right. We have a
6 representative -- thank you very much.

7 We have a representative from USIA, William
8 Harwood, who is prepared to tell us what's happening
9 over there.

10 United States Information Agency

11 MR. HARWOOD: Thank you very much, Dr.
12 Goldberg.

13 Now I see what a complicated operation you
14 have compared to ours. The U.S. Information Agency,
15 our scale of problems is much less than what I have
16 heard today. We have only 5,300 boxes under review
17 right now of sorts. Quite a bit of difference.

18 MS. KLOSS: We'll swap.

19 MR. HARWOOD: Yes. I'm going to discuss two
20 things. One is the conference we're having on December
21 5th, and the other is how our operation is working.

22 On Thursday, December 5th, we are hosting a
23 conference of all government agencies, including the --
24 I don't know how many dozens of Defense Department
25 agencies involved in declassification. We didn't know

1 how many people were involved in this until we put
2 together the guest list. We're now over 500 people.
3 Just amazing.

4 So, anyone who is here today is certainly
5 welcome to come. Some of you have already received
6 these invitations. If anyone would like them, just let
7 me know, and they'll be right here.

8 We've got a registration form on here you can
9 fax back to us or send it to me on e-mail. We'll be
10 happy to have you come.

11 MS. KLOSS: Will that be open for government
12 and industry? Will you allow contractors?

13 MR. HARWOOD: Contractors are welcome.
14 Academics are welcome. The press is welcome. This is
15 not classified. We just want to make sure that the
16 people at VOA don't get nervous about who these people
17 are at the door. So, we just want to have some way of
18 saying yes, everybody's okay, let them in, and that's -
19 - but it's non -- it's not classified, and we expect to
20 get a pretty good turn-out.

21 DR. GOLDBERG: You said 500. That sounds
22 pretty good.

23 MR. HARWOOD: We've invited 500. We'll see
24 what happens.

25 BRIG. GENERAL ARMSTRONG: What's the meeting

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1 going to do?

2 MR. HARWOOD: We're going to -- we're going
3 to have Governor Carlin, the Archivist of the U.S.
4 He's going to speak. We're going to have someone there
5 from ISOO. We're going to tell what we do, and then
6 CIA, NSA, NRO is going to make a presentation. Navy,
7 Air Force, and Energy are going to tell what they're
8 doing.

9 Then the referrals group is going to have a
10 presentation on the trials and tribulations of how to
11 exchange all these documents we find. We have half a
12 million State Department documents in our holding.
13 What do we do with them? And then we're going to have
14 the Commission on Protecting and Reducing Government
15 Secrecy, that's the Moynihan Commission, and a
16 presentation on the Gulf War Declassification Office.

17 What I'm going to do when I get back on
18 Monday morning is to ask that we expand the program to
19 include a presentation from some of you folks who are
20 here today representing academia. I think that's very
21 important, to say we are the consumers. These are our
22 concerns, the same sort of concerns we've heard raised
23 here today. I used to be an academic, and now I do
24 this.

25 BRIG. GENERAL ARMSTRONG: Back to my

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1 question. What's the outcome you intend out of this
2 meeting, other than just to have a lot of people talk?

3 MR. HARWOOD: Okay. One of the major
4 problems we have found is lack of coordination on
5 policies, on technical equipment. There are
6 technical -- the technical abilities right now to
7 declassify documents with redaction are incredible.
8 What it involves is techniques of scanning classified
9 documents, bulk scanning thousands of documents, into a
10 database, and then having teams of declassifiers redact
11 the documents and then make these available to the
12 public on -- by e-mail or to a Web site.

13 This is -- this is a very ambitious project.
14 It's -- the software is being developed right now, and
15 we're going to be doing some of this in our office.
16 We've only got eight people. So, it will be eight
17 stations, so that we can handle referrals from other
18 agencies that have our documentation.

19 It's very ambitious, and it's something that
20 the CIA, for example, with their new operations, is
21 going to be very deeply involved in. It's electronic
22 declassification of documents. So, this will be a
23 chance for all these folks to get together with the
24 contractors who are developing the databases to see
25 what is available.

1 DR. GOLDBERG: DoD did this in the same way.
2 Instead of eight people, we need 800 --

3 MR. HARWOOD: Right.

4 DR. GOLDBERG: -- at least to do that job.

5 MR. HARWOOD: Yeah.

6 DR. WEINBERG: A question. If you declassify
7 electronically, if I understand you correctly, what
8 happens to the original piece of paper? Does it get
9 stamped or not stamped --

10 MR. HARWOOD: Okay.

11 DR. WEINBERG: -- or does the box it's in get
12 -- I mean what happens?

13 MR. HARWOOD: Okay. Right now, all I can
14 speak of is what we do.

15 DR. WEINBERG: Yeah.

16 MR. HARWOOD: We're not stamping any
17 documents. According to the Archives, stamping
18 documents is -- is passe. They don't do that anymore.

19 DR. WEINBERG: Are you going to label the
20 box?

21 MR. HARWOOD: The box will be labeled, and
22 then within the box, the equities which are exempt or
23 referred are put under tabs.

24 DR. WEINBERG: Okay.

25 MR. HARWOOD: So, then the material that is

1 available will be there. Say a folder has, you know,
2 15 classified documents in it. There will be no
3 markings on the document saying it's been declassified.

4 MR. KIMBALL: Gerhard, I can tell you what
5 the -- what the project -- the broader project, the
6 inter-agency. It's called the Remote Archives Capture
7 Project, RAC. It's being -- there's a pilot test being
8 done at the LBJ Library and at Eisenhower and others.

9 DR. LEFFLER: Kennedy.

10 MR. KIMBALL: Kennedy. Thank you. I knew it
11 was two. And -- and, fundamentally, what they're going
12 to do is scan the documents, which takes preparation,
13 put them on a CD, a CD-ROM disk. All right. The disk
14 then gets sent around to all the agencies who can with
15 the keyboard censor whatever they want censored. Okay.

16 Then they -- so, the document stays right
17 where it was. The document isn't touched. This is now
18 an electronic image on the CD-ROM. They then send that
19 -- two CD-ROMs, one, the original classified one, and
20 the other is the censored one, and the censored one is
21 then made available in one form or another, probably on
22 electronic readers, but I mean I don't think they
23 decided that yet, to the general public. The
24 uncensored one remains in the files for storage. The
25 documents remain right where they were.

1 DR. WEINBERG: But as long as the documents
2 are there, that's critical because you can guarantee --

3 MR. KIMBALL: Documents are not --

4 DR. WEINBERG: -- in a few years, nobody will
5 be able to read the CD-ROMs. Nobody will be able to
6 access the electronic stuff, and that will all have
7 vanished or evaporated --

8 MR. KIMBALL: According to what we were
9 briefed on, the documents are scanned and put right
10 back in the files. The integrity of the files is not
11 disturbed.

12 DR. WEINBERG: Okay.

13 DR. WAMPLER: Somebody goes to the Johnson
14 Library, they can find the document?

15 MR. KIMBALL: Can't answer that.

16 MR. HARWOOD: The document -- the Johnson
17 Library. Okay. What we have discovered is our
18 documents which went to the White House under Lyndon
19 Johnson are -- are stored down in Texas. We have a
20 team that went there last week. There -- they are held
21 there. The document that went to the President didn't
22 indicate the source of the information.

23 So, when we will be getting these documents
24 on CD-ROMs, we will read through and identify our
25 equities and declassify.

1 DR. WAMPLER: What I mean is once you finish
2 the process, and you get the CD-ROM with all the
3 redactions or the censorships, as Warren prefers, will
4 they then go back and mark the documents in the files
5 at the Library? If somebody goes to the Library, they
6 can --

7 MR. KIMBALL: Oh, yeah. I see what you're
8 getting at. My understanding is yes.

9 DR. WAMPLER: Okay.

10 MR. KIMBALL: My understanding is that, yes,
11 they will -- they will make a notation on the document
12 that it's been -- if it's declassified in full, but if
13 it's not declassified in full and is just censored, no,
14 they will not censor the original document.

15 That's one of the reasons the current
16 archival practice throughout the National Archives
17 system is that they will not censor documents. That is
18 to say, they won't cut them out. They won't black them
19 out.

20 See, it's not as easy as you thought. You
21 can't black them out anymore because current electronic
22 readers can read right through anything you use to
23 black out.

24 The only way -- the only way in which that
25 any of the intelligence agencies will allow you to

1 censor pieces of a document is to physically cut those
2 pieces out, physically. All right. Then they xerox
3 what's been -- I'm telling you. They xerox what's --
4 or -- or they have to do a xerox in which they cover it
5 up with special paper. Those are the two ways. All
6 right?

7 DR. WAMPLER: Okay.

8 MR. KIMBALL: They're not going to do that.

9 DR. WAMPLER: They're not?

10 MR. KIMBALL: You're going to have -- no.

11 Unless the document is declassified in toto. The
12 reason there is simply cost effectiveness. I mean to
13 go back and -- why bother to do it electronically if
14 you're going to do it on the document?

15 MS. KLOSS: Dr. Goldberg?

16 DR. WAMPLER: They're going to have a CD-ROM
17 reader with a printer, if you want it at the Library.

18 MR. KIMBALL: You have to use a CD-ROM.

19 MS. KLOSS: Ray Schmidt has been very active
20 in this whole process. Would you clarify a couple of
21 points for us, Ray?

22 First off, the concept of sending the
23 documents around electronically for in-place at-desk
24 kind of redaction ended up to be a paperwork process.
25 So, that's the first clarification. Hit it.

1 I've had three or four clarifications.
2 Marking of the original documents was another
3 clarification. They stayed pure at the presidential
4 libraries.

5 Third is the presidential libraries were only
6 talking a sampling. We are not talking --

7 MR. SCHMIDT: So far.

8 MS. KLOSS: -- at this juncture the whole
9 presidential library. Just a very narrow one. There
10 was another one, Ray.

11 MR. SCHMIDT: When -- when they send the
12 material around, the plan is not to send every document
13 to everybody, but to do an indexing. I -- I think they
14 will send the Air Force only the Air Force documents.

15 Now, if the Air Force has CIA equities in
16 those documents, it's up to the Air Force to contact
17 the CIA and on like that. So, it's -- it's not a
18 simple -- a simple-minded process, but at this point,
19 we have not been able to get everybody up and running
20 with automation so that we can read the CDs. So, we're
21 doing this as a paperwork exercise.

22 But, remember, this is the first time that
23 anybody has ever done this, but it's the most cost
24 effective approach anybody has come up with to this
25 point.

1 MR. KIMBALL: Once they get to the electronic
2 reading.

3 MR. HARWOOD: Yeah. And it does work, and I
4 think I told you last time that we had 225 documents
5 that we reviewed in the Navy out of the Vietnam
6 collection from the LBJ Library, and all of them were
7 released in toto. No -- nothing was held back in those
8 225 documents.

9 DR. GOLDBERG: Page Miller?

10 DR. MILLER: I would just point out that this
11 pilot project is a sample of -- of -- I think it's
12 seven million records, and compared to the classified
13 records of DOE or DoD or -- or CIA, that is just a tiny
14 drop in the bucket, and there are a lot of us that,
15 while we have a lot of respect for what new technology
16 can do, preparing these documents that are all
17 different sizes and not necessarily narrative, not
18 necessarily all text, to go through a scanner and all
19 of that is not as simple as it may appear, and we're
20 not as convinced that this scanning is going to be
21 the -- the -- the great panacea.

22 I think it's going to turn out to be very
23 expensive, and -- and CIA has been working on it for
24 well over a year and has come up with no software that
25 they're satisfied with.

1 DR. GOLDBERG: I think you're quite correct.
2 From the limited experience I've had with this, another
3 problem with scanning is that a lot of the copies do
4 not come out well. You can't read them right, which
5 means they have to be rekeyed, and that's a very
6 expensive and long-time process, and there are quite a
7 few of these. I mean they don't always have good type.
8 They're not always clear.

9 DR. MILLER: I mean you're talking old
10 records of different sizes.

11 MR. KIMBALL: But this is not supposed to be
12 done. Page and I disagree a little bit but not
13 fundamentally on this. I think it's useful so long as
14 you -- you -- you -- you have some parameters.

15 DR. MILLER: A target, a pilot, a small
16 pilot.

17 MR. KIMBALL: Well, more than that. One of
18 the parameters is you need a high proportion of
19 sensitive material to make it worth while. This should
20 not be a substitute for what's stated in that thing I
21 read to you, risk management-type of declassification.

22 This should not be a substitute or you'll go
23 bankrupt trying to do it, but when you get -- take
24 National Security Council files, in which almost every
25 sentence is classified. All right. There -- and --

1 and multiple agencies -- multiple agency equities.
2 Okay. That's when the -- the recapture project, I
3 think, becomes very cost effective.

4 DR. WAMPLER: Doesn't State also have a
5 process where they were already automatically capturing
6 all the cable traffic electronically going back quite
7 some ways? They've got this stuff there to work with.

8 DR. MILLER: Yes.

9 MR. KIMBALL: It depends. There is a section
10 of records that's that way, but those -- the -- the
11 word is incompatible. Okay?

12 DR. WAMPLER: Okay.

13 DR. GOLDBERG: Any more questions? Yes?

14 BRIG. GENERAL ARMSTRONG: On the issue of --
15 of placing records in an electronic facility, the Army
16 out of Fort Leavenworth has been doing this with
17 classified records for about two years now. It's, I
18 think, as has been pointed out, an expensive and slow
19 process for paper documents.

20 You can, with -- they have actually turned it
21 into an industrial process, which the Navy Printing
22 Office interestingly is running. That's how
23 bureaucracy and government works. But they can enhance
24 things. Electronically, the -- there is a process
25 where they can not only enhance print, they can enhance

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1 handwriting, and, of course, this is quite important
2 for operational records.

3 As I said, they're doing this mainly for
4 classified records at this point, and the interesting
5 thing that has come out of this is that while it is
6 quite expensive and laborious to do it for paper
7 records, increasingly the Army, like other agencies, is
8 going even in the field to electronic records, and
9 electronic records are much, much easier to put into
10 this sort of a database.

11 So, what you have is sort of a confluence of
12 technologies at this point which doesn't solve the
13 current problem of dealing with past records but
14 promises in the future to make dealing with currently-
15 generated records easier.

16 However, the -- the point that -- that
17 Professor Weinberg brought up about the fact that 30
18 years from now, all of the systems, both the hardware
19 and software, may no longer exist unless we're very
20 careful, is an extremely valid one. It's one which the
21 Archives themselves are wrestling with, and which I
22 don't believe anybody has come up with a solution, and
23 there -- there are concerns about things like CD-ROM,
24 what's the shelf life and so forth and so on.

25 So, a lot -- a lot is being done in this

1 field. Unfortunately, to my knowledge, there is no
2 central government agency that actually exchanges on a
3 routine basis this kind of information, and it's
4 something I'm personally interested in because it's a
5 way to get current operational records into an
6 accessible database quickly.

7 DR. GOLDBERG: And the problem of
8 deterioration of these records already exists, of
9 course, as we know. It's not that they've
10 deteriorated; it's that they no longer can be accessed
11 because the readers aren't there.

12 This is a problem that's going to go on, and
13 it's a problem with all the electronic data, including
14 microfilm which is going to go one day, too.

15 MS. KLOSS: Dr. Goldberg, --

16 DR. GOLDBERG: Yes?

17 MS. KLOSS: -- I believe that Mr. Harwood
18 also wanted to just briefly describe --

19 DR. GOLDBERG: Oh.

20 MS. KLOSS: -- his -- the organizational
21 approach to declassifying within USIA.

22 MR. HARWOOD: Just very briefly. When we
23 first started, we discovered a lot about ourselves
24 since we did this. We started back in 1942 as the
25 Office of War Information, and we were split off from

1 the OSS. They did their business, we did our business,
2 but we thought -- and then what happened was this gray
3 area in between, and that's where our difficulties come
4 in with declassification.

5 Especially during the Vietnam War, we were
6 engaged in a lot of intelligence operations. It's all
7 still classified, and that's going to be a major
8 headache for us in determining what to do about this.

9 We also discovered that Senator Fulbright had
10 quite a bit of classified material in the documents
11 that were down at the Fulbright office, and we've been
12 down and declassified most of them. So, we're finding
13 our equities all over the country.

14 Even though we're a very small agency, we've
15 found that all the presidential libraries, we
16 discovered them in -- in Bayonne, New Jersey, in
17 Springfield, Massachusetts, you know. We've -- we've
18 got stuff all over.

19 We are also developing a database and a Web
20 site to provide a folder-by-folder description of our
21 holdings. Because we're a small enough agency, we're
22 doing this to see are the scholars interested in
23 knowing, for example, Edward R. Murrow Vietnam Policy?

24 So, a -- a scholar would be able to go to
25 Archives II and say I want the following boxes because

1 I know they contain Mr. Murrow's positions on Vietnam,
2 for example, and what -- we will have this all worked
3 out in a database where someone can just call up our
4 Web site and type in Murrow, and they'll get a full
5 description of all of our holdings, classified,
6 classified holdings on Mr. Murrow.

7 The unclassified holdings will be available
8 to the general public, but we will have specific
9 descriptions of the classified holdings, like Carl
10 Rowan's trip to Vietnam in 1964, for example. That was
11 a very interesting holding, and, so was this hate mail.
12 It's incredible stuff he has.

13 So, those of you who -- who would like
14 invitations, please pick one up.

15 DR. GOLDBERG: This briefing on USIA confirms
16 my sense that small is beautiful.

17 Yes, Ray?

18 MR. SCHMIDT: I would like to ask the
19 gentleman from USIA a question.

20 DR. GOLDBERG: We can't hear you.

21 MR. SCHMIDT: About the 5,300 boxes.

22 MR. HARWOOD: Right.

23 MR. SCHMIDT: I understand that these are not
24 accessioned into the National Archives as yet?

25 MR. HARWOOD: No. These are still at

1 Suitland.

2 MR. SCHMIDT: Do you have a records room at
3 the National Archives?

4 MR. HARWOOD: Yeah. We're at 306.

5 MR. SCHMIDT: Would you then, after you're
6 finished, put the records in the National Archives?

7 MR. HARWOOD: Okay. Our records go back to
8 Suitland. After we have completed declassification and
9 quality control of the boxes, they're all going back to
10 Suitland for storage until they're accessioned out of
11 Archives II.

12 MR. SCHMIDT: Thank you.

13 MR. HARWOOD: And then they'll still have to
14 go through Privacy and FOIA.

15 MR. SCHMIDT: Thank you.

16 MR. HARWOOD: But at least the basic work
17 will be done.

18 DR. GOLDBERG: Thank you very much. This has
19 been enlightening. Good to know that some agencies are
20 making good progress.

21 Open Panel Discussion

22 DR. GOLDBERG: Gerhard, you wanted to bring
23 something up, which I think we ought to discuss here,
24 and I think it's a positive suggestion.

25 DR. WEINBERG: Well, at our third meeting, we

1 had recommended that there be a central mechanism for
2 handling referrals on behalf of all DoD components, and
3 that's along the lines that we had recommended before,
4 and we have gotten, it seems to me, a general rejection
5 of that concept.

6 I'm interested that in the pilot project
7 reports that we have, let me read you the figures, in
8 the Navy Department project, the other agencies'
9 equities, according to this report, were 66 percent.

10 The -- and this is from the 1950s, if I
11 understood what was said earlier.

12 In the OSD records from the 1950s and early
13 '60s, the other agencies' equities were 66 percent.
14 Okay? That obviously means that the proportion of
15 records that -- that are being -- have to be shuffled
16 around by one way or another is very, very high, and on
17 our suggestion that there be some kind of delegation of
18 authority, the answer is clearly no. All right?

19 Now, let me suggest that we think about
20 recommending to the Secretary of Defense something that
21 might be a little bit acceptable, even though it, too,
22 would almost certainly have to be imposed by the
23 Secretary, and that is a central referral where
24 equities before a certain date, let's take 1965 or
25 1970, are in effect delegated, so that the -- the parts

1 of the Department of Defense would know that if the
2 documents were dated -- were files from the 1970s or
3 the 1980s, they would come back in a sense. They would
4 retain, if you will, the authority, but a central
5 referral would have authority over the equities of
6 other agencies within the Department of Defense up to
7 -- perhaps we should take a cut-off date 1965 or 1970,
8 because the records that they're most concerned about,
9 by definition almost, are the ones that under the
10 Executive Order are going to be clumped open which
11 means the ones before 1975. 25-year records from the
12 year 2000, my mathematics tells me that.

13 Now, it may be that again, as I said, this
14 would have to be imposed, but there might be less
15 screeching from the components of DoD. If it did not
16 go right through the whole period, but it had a
17 chronological cut-off, 1965 might be a reasonable one,
18 where the agencies then -- in other words, would know
19 that they retained on-the-spot control for anything
20 later than that, and that was being centrally done
21 instead of referred around, were the things that were
22 1965 or earlier.

23 I'm not going to argue endlessly about the
24 specific date, but I just suggest that perhaps we could
25 get a little further if we recommended something along

1 those lines.

2 BRIG. GENERAL ARMSTRONG: I think what you
3 propose runs into one obvious problem, and that is
4 resources. There have to be people to do this. That's
5 the issue that -- as you know, every time we come to
6 something like this, it comes to resources.

7 DR. WEINBERG: Well, let me answer that, if I
8 may. It does not take more people to look at the
9 record in one place than in another. In fact, it takes
10 less resources to handle the referral from three
11 agencies that have equities in the same document, to
12 have it done by one person than to have it shuffled
13 around and worked on in each of three, and it seems to
14 me, quite frankly, and I come back to Professor
15 Kimball's earlier presentation, that the critical issue
16 here is commitment from the top, and as I indicated, in
17 the State Department, as I know from personal
18 experience, things changed when the Secretary -- a
19 series of Secretaries of State and their key underlings
20 -- I don't mean that in any pejorative way.

21 I mean the key people directly under them
22 said we're going to get this done, and if the Secretary
23 of Defense is serious about complying with the
24 Executive Order within the department, then it is in
25 fact a more intelligent and efficient use of resources

1 to have the multiple equities handled by one group of
2 people than by a separate group of people in every
3 single segment of the office; that is to say, under the
4 jurisdiction of the office, far from taking more
5 resources, it takes less.

6 BRIG. GENERAL ARMSTRONG: I'm not going -- I
7 won't argue with that, and I think you're exactly right
8 to get this done, it's going to have to be directed by
9 the Secretary of Defense.

10 DR. WEINBERG: Well, yes. Oh, no, no. I --
11 I thought that I made that clear. My point was that I
12 thought, Number 1, the Secretary was perhaps more
13 likely to do it, and there would be decibel level of
14 the screaming in the segments would be slightly lower
15 if, instead of being as we originally asked, a general
16 transfer of authority, if you will, that we made it
17 clear or we recommended to the Secretary that there be
18 a -- a chronologic cut-off before which the documents,
19 the Archives, before which the authority would be
20 transferred to the central declassification group with
21 the eight parts of the Department of Defense knowing
22 and the Secretary, of course, knowing that for records
23 of the late '60s, '70s and so on, the referral back to
24 the different agencies that have equities in them would
25 continue.

1 This was the point that I was trying to make,
2 that maybe we'd get a little further this way.

3 DR. GOLDBERG: And if the resources have to
4 come from the agencies, would they still scream if that
5 were the case? We're talking about a very large volume
6 of documents. Referrals are -- you -- you yourself
7 pointed out 66 percent and 60 percent.

8 DR. WEINBERG: But -- but the people in the
9 agencies are going to have to look at these records
10 anyway. This is the point. It isn't as if what we're
11 doing is looking at the same records a smaller number
12 of times.

13 DR. GOLDBERG: They're not as concerned about
14 declassifying somebody else's records as they are about
15 their own.

16 DR. WEINBERG: Yeah. But --

17 DR. GOLDBERG: That's why they're willing to
18 send them out and refer them, and if it takes a year or
19 two or 10, that's perfectly all right with them.

20 MS. KLOSS: Dr. Goldberg, I think the issue
21 is tied in most cases just to having the expertise.
22 Within the Department of Defense, we have over 1,200
23 classifiers. Those individuals make original
24 decisions. 1,200. That's a heck of a lot of
25 expertise.

1 We've got over 2,000 guides out there telling
2 us what to classify. So, conversely, that would tell
3 us, also, the type of information that no longer needs
4 classification.

5 Now, you find a cell of individuals that can
6 bring the expertise of all of those 1,200 stakeholders,
7 those offices, agencies, principals, that generate the
8 bulk of our declassification, and that's a very
9 formidable group. It has to be a fairly senior level.

10 We're not deeming anything by having the
11 central office ship papers from one office to another.
12 We gain something only if we can take the best judgment
13 of the classification officials and tie it to
14 declassification.

15 The thought of bringing them into a central
16 functional office and degrading their current work
17 because the same expertise that is classifying
18 information is going to be declassifying the same kind
19 of information, that's unmanageable. We tried it.

20 That's the second issue. We did in fact
21 propose centralizing declassification under an
22 executive agent. Same end result. You would have a
23 clearinghouse. You would have one agency overall
24 responsible for managing the flow of information. That
25 was the least popular option from the resource

1 perspective when we submitted it this last year for
2 funding.

3 DR. WEINBERG: Well, my point here is that
4 having had this -- and -- and I'm not disagreeing with
5 you. It's that I'm suggesting that we look at this
6 again. I guess this is my historic training, is that
7 we look at this in terms of chronology. The risks, it
8 does seem to me, are likely to be lower in the 1950s,
9 and the people involved may be less scared, and the
10 risk management issue, which was raised earlier, is
11 more appropriate for records from the '50s and the
12 early '60s.

13 As I said last time, the place you hide a
14 tree is in a very large forest, and one simply has to
15 get used to the fact that if any of the targets are
16 going to be met, you know, if we're ever going to get
17 through these enormous piles, then there is going to
18 have to be a willingness to assume that in a 30-million
19 page record group from the 1950s, there may be left
20 eventually a couple of pages, and it will be 50 years
21 before anybody finds them, and under those
22 circumstances, if this project is ever going to be
23 completed, you know, not just in this century but by --
24 in the next century, then there's going to have to be
25 some attention to the practicalities, and I'm sorry if

1 I seem to be disagreeing with you.

2 I'm suggesting that the practicalities
3 suggest that especially for the earlier part of this,
4 there's some people who are going to have to take some
5 minimal risks, and they're going to have to do some
6 things in bulk, and they're not going to be able to do
7 them with every agency and every declassifier and every
8 section going over them line-by-line-by-line because
9 it's not going to be done in the next millennium.

10 There are too many pages. You sent us the
11 numbers, and I looked at them, and they're staggering.
12 That's all I'm saying.

13 DR. GOLDBERG: Sheldon?

14 MR. GOLDBERG: Well, if -- I don't want to
15 comment on the practicality of central location, but if
16 you set up a date earlier, and you created a two-tiered
17 system where the stuff from '65 would be done one way
18 and the stuff between '65 and '75 would have to be done
19 on a different referral system, that would probably --
20 I think would be the worst possible approach.

21 It should either be all one way or all the
22 other way.

23 MR. WAGNER: I'm sorry. I don't understand
24 why you say that.

25 MR. GOLDBERG: Well, if you put -- if you're

1 going to send everything to a central -- through '65 to
2 a central referral operation that's operating one way
3 with the declassifiers pulling it out of the staff in
4 there, but then if you're -- you're going to have to
5 send the stuff from 1965 to '75 around the horn in the
6 referral process, you've got two different systems
7 operating, and -- and that would kill -- that would bog
8 down the thing completely.

9 MR. WAGNER: I'm sorry. I suppose that you
10 simply had the authority. Anything before 1965, you
11 possess it, you declassify it without referral.

12 MR. GOLDBERG: Well, that -- you would have
13 to have people with --

14 MR. WAGNER: Maybe it's 1935. At some
15 point --

16 MR. GOLDBERG: All I'm saying is that having
17 a dual system would be less effective than going just
18 one way or the other.

19 DR. WEINBERG: We're going one way now, and
20 we're not getting there, and I'm suggesting that rather
21 than abandon the possibility of our recommendation of a
22 central referral, we try to make central authority and
23 central referral workable in terms of protecting the
24 interests of the agencies to which something has to be
25 referred.

1 The fact of the matter, sir, is that we have
2 that system now. The Archives of the United States has
3 authority to declassify things from the 1940s. We are
4 now operating, whether you realize it or not, with
5 several systems.

6 All I am saying is that we need to look a
7 little further down the track as to what we're going to
8 do with this literally billions of pages of classified
9 stuff, and since we have worked more or less
10 successfully with several systems since 1945 or,
11 rather, since the Eisenhower Executive Order of the
12 early '50s, I don't quite understand why it is
13 inherently impossible, inherently impossible and makes
14 things more difficult to set some other time limit in
15 there.

16 We're working with an earlier time limit
17 where the Archivist of the United States has authority
18 now and has been using it and lots of us have in fact
19 been there and used records which the National Archives
20 has already had the authority.

21 So, I -- I'm sorry. It -- it just doesn't
22 fit the experience.

23 MS. KLOSS: Could I respond to a couple of
24 points? First off, I take no offense at you
25 disagreeing with me. I have 18 components that

1 disagree with me daily. So -- and one more is
2 certainly -- and especially someone from outside the
3 system is rather a welcome change.

4 On the referral process, one flaw with
5 delegation of declassification authority is you will
6 find the end result is the most conservative
7 declassification decision possible out of necessity.

8 I do a lot of reviewing nowadays. When in
9 doubt, I'm going to save it because as Dr. Dudley so
10 eloquently said in a previous meeting, it is the
11 declassifier that is being held responsible.

12 If I know the information intimately, I've
13 worked the program, I can actually manage the risk of
14 the declassification decision, as Navy can do with the
15 Navy systems, as Air Force can do with the Air Force
16 systems.

17 When I delegate the authority, I will
18 minimize the amount of information i can get to the
19 public. That's Issue 1.

20 Issue 2 is strictly a matter of confidence.
21 You are looking at a workforce, with the exception of
22 Air Force and WHS and the Department of Defense. This
23 workforce has just been stood up within the last 12
24 months. We are very new in the game.

25 Now, maybe over time, you will find the

1 confidence-building factor, where Air Force and Navy
2 easily can say, okay, you have what? Declassify it.
3 We understand what you are saying. They bridge the
4 terminology problem.

5 We're not there yet. We are still in a
6 build-up training mode, and I don't discount in the
7 future you may see much more reliance on reciprocity
8 agreements as we have in many cases for protection
9 issues. You may see that in declassification.

10 DR. LEFFLER: What are you doing to foster
11 that? What are you doing to promote that type of
12 coordination and exchange?

13 MS. KLOSS: The DoD staff is staying out of
14 it. We're finding that the military departments and
15 the principal agencies with declassification programs,
16 not all of the agencies have this vast volume of
17 information, they are working through various referral
18 forums and networks to exchange the information needed
19 to do the declassification reviews.

20 Probably the best thing that has occurred is
21 the de-politicizing of the Intel community's referral
22 network, their referral working group.

23 DR. LEFFLER: I don't understand how you can
24 say that progress seems to be made when in, for
25 example, this group here, 60 percent and 66 percent,

1 they can't even begin to deal with the majority of the
2 paper because there's no mechanism, and you're
3 telling -- what I hear you saying, Cynthia, maybe I --
4 maybe I did not hear correctly, but what I hear you
5 saying is that DoD or OSD is not making any effort to
6 see to it that the majority of papers are reviewed in a
7 coordinated way or that reviewers can coordinate a
8 review of the majority of the papers.

9 DR. GOLDBERG: There is a mechanism. It's
10 just not a very good one.

11 DR. LEFFLER: Well, what is that?

12 DR. GOLDBERG: They refer them to the
13 originating agencies, to these 60 percent or 66 percent
14 --

15 DR. LEFFLER: What does refer precisely mean?

16 DR. GOLDBERG: It means that you send a copy
17 to the other agency and say can this be declassified,
18 and they say yes or no.

19 DR. LEFFLER: So, when they've reviewed these
20 pages here, for example, 60 percent of the pages in the
21 Navy -- that the Navy went through were copied and then
22 sent out to all the other agencies, and now the Navy is
23 waiting for the feedback from all the other component
24 parts?

25 MR. SCHMIDT: I just want to get an --

1 DR. GOLDBERG: You want to speak to that,
2 Ray?

3 MR. SCHMIDT: I would just like to say that
4 that kind of project is useful for almost nothing.
5 Okay. Because we wouldn't have gone after that record
6 group and those materials. So, we can set that aside.

7 I want to respond to Dr. --

8 DR. GOLDBERG: Why wouldn't you have gone
9 after it?

10 MR. SCHMIDT: Well, because we have other
11 priorities --

12 DR. GOLDBERG: Okay.

13 MR. SCHMIDT: -- that the National Archives
14 has established for us and the presidential libraries
15 have established for us, and that --

16 DR. LEFFLER: So, -- so, I understand -- let
17 me just --

18 MR. SCHMIDT: If I may, --

19 DR. LEFFLER: Let me just --

20 MR. SCHMIDT: -- where we have people who are
21 trained and qualified to review the material under
22 discussion, we broke people away from the Office of
23 Naval Intelligence to look at that. They are not
24 trained in most of the equities that you saw in that
25 piece of paper.

1 DR. LEFFLER: So, what -- what did you
2 actually do with the piece of paper that had, let's
3 say, an Air Force or -- or -- or an OSD equity? Did
4 you copy it and send it to OSD or the Air Force or the
5 Army?

6 MR. SCHMIDT: In the time limit we had for
7 this pilot project, we went through -- we had people go
8 through the boxes. That's all.

9 DR. LEFFLER: Okay. So, it's still sitting
10 there?

11 MR. SCHMIDT: Absolutely.

12 DR. LEFFLER: And, so, there's no -- so,
13 that's my point. There's no mechanism then for this
14 material.

15 DR. GOLDBERG: Well, there are referrals that
16 are made.

17 DR. LEFFLER: Oh, then please --

18 MS. KLOSS: For the other -- for the other
19 component, the copies were either provided to the
20 agency or office affected, or they were notified to
21 review the documents in that particular box.

22 MR. KIMBALL: What happens if they don't?

23 MS. KLOSS: We're really bound to --

24 MR. KIMBALL: The answer is nothing.

25 MS. KLOSS: We're bound to respect that

1 agency's equity. The second point on the --

2 DR. LEFFLER: Cynthia, let me just -- I just
3 want to understand what you're saying. I'm not
4 disagreeing with you.

5 So, in other words, let's say for the 60
6 percent in some instances, not apparently in the Navy,
7 in the OSD, you -- you wrote a letter, let's say, to
8 the Army and said we have certain numbers of equities
9 in our boxes here. We would like you to know about
10 that. Some day, come over and take a look, or what
11 precisely did you --

12 MS. KLOSS: The declassification team
13 physically sent the material out with a suspense date
14 to review the information and make a determination.

15 The 60 percent was not that surprising to me
16 given that almost 100 percent of the documents were
17 high policy. So, you're taking the cream of the crop
18 documents that has -- that comprises a multitude of
19 different inputs from various agencies. 60 percent
20 referral should have been an expected outcome.

21 DR. LEFFLER: I'm not surprised, but --

22 MS. KLOSS: No. Maybe you could see --

23 DR. LEFFLER: -- much of the materials that
24 this committee has said that we're interested in, and
25 since these are the materials that we're interested in,

1 we want to find an effective way to deal with these
2 materials.

3 We're not interested in finding a way to deal
4 with the materials that no one's interested in.
5 We're -- we want to find the means to deal with those
6 that are really of significant importance.

7 So, what type of response will you get back
8 or what are your cut-off dates for these 60 percent?
9 Have you heard back? How much time did you give the
10 various --

11 MS. KLOSS: Again, I did not. I am not doing
12 the OSD records.

13 DR. GOLDBERG: That was a Navy
14 responsibility.

15 DR. LEFFLER: Well, the Navy hasn't --

16 MS. KLOSS: No, no, no.

17 DR. LEFFLER: They've not said --

18 MS. KLOSS: That was WHS was the other
19 component.

20 DR. LEFFLER: What's WHS? What's that?

21 MS. KLOSS: Washington Headquarters Service.
22 They're the ones that do the declassification.

23 DR. GOLDBERG: That's OSD.

24 DR. LEFFLER: That's OSD?

25 MS. KLOSS: Right.

1 DR. LEFFLER: Okay. So, what I hear -- what
2 I heard you say, OSD did actually copy the 66 percent
3 of the --

4 MS. KLOSS: I received my packet of goodies
5 on my desk one day saying Kloss, review.

6 DR. LEFFLER: Okay. So, -- and -- and -- and
7 inferentially then, some of those materials went to the
8 Army, some went to the Navy, some went to the State
9 Department --

10 MS. KLOSS: To the Navy?

11 MR. SCHMIDT: Just got a referral slip.

12 MS. KLOSS: Okay. Army?

13 MR. SCHMIDT: We didn't get our own package.

14 MS. KLOSS: Army, did you get any referrals
15 as a result of pilot project?

16 MS. BRAGG: No, not to my knowledge, and I
17 would like to address the point of what -- because I
18 think it's an excellent point. What does the referral
19 actually mean?

20 In the past, before this Executive Order was
21 signed, it meant just what you heard. You xerox the
22 document, you mail it to the agency, you ask them to
23 take a look on it, and you check the suspense on it.

24 But because there are so many hundreds of
25 millions of pages, that methodology really can't be

1 applied by the larger agencies anymore.

2 In future, what we envision to be the
3 referral process will be a notification that the
4 information that is of the equity of, say, the
5 Department of Energy is in Army record group such and
6 such in box whatever, located at the Archives or the
7 Records Center or wherever it is, and then it will be
8 up to that agency to go and review that material.

9 Now, the question was, well, what if they
10 don't? Then the Executive Order tells us what if they
11 don't. It's at their peril if they don't review it
12 prior to 17 April, the year 2000.

13 MR. KIMBALL: Have you got that in writing?

14 MS. BRAGG: Yes, it's in the Executive Order.

15 MR. KIMBALL: No, no, I don't mean the
16 Executive Order. I mean your internal policy that
17 says, you know, you're notified, you're -- it's at your
18 peril. Have you got a policy statement written in your
19 department?

20 MS. BRAGG: We don't need it.

21 MR. KIMBALL: Okay. All right.

22 MS. BRAGG: The Executive Order --

23 MR. KIMBALL: I need something to wave in
24 front of some people.

25 MS. BRAGG: It's automatic declassification.

1 MR. KIMBALL: I understand.

2 MS. BRAGG: The word automatic.

3 DR. GOLDBERG: Some of them are going to
4 waive until the year 2000.

5 MS. BRAGG: The other point I'd like to make
6 is we support what Cynthia said because she made some
7 excellent points in terms of the central referral
8 office.

9 The issue is not is the Army, Navy, Air
10 Force, so jealous of its own information, that we
11 refuse to give authority to our sister services to
12 declassify the information.

13 We worked this out amongst ourselves. We're
14 more than happy to cooperate. That's not the problem.
15 The problem is in the area of expertise, just like it
16 is with the Archives personnel.

17 The Army personnel cannot review information
18 on the nuclear submarine matters. Why? Because we
19 don't have the expertise. It's not because the Navy
20 won't give us the classification guide that tells us
21 what is classified and what is declassified about those
22 matters. It's because our people, we're going to
23 struggle enough with the over 400 classification guides
24 that we have on -- from the alpha to the omega of what
25 the Army deals with.

1 We really can't try to educate ourselves on
2 Navy issues and Air Force issues and BIA issues and
3 everybody else's issues. It's going to be tough enough
4 for a large agency to do their own.

5 in terms of the resources, if -- let's say we
6 did have a central referral office. The reality of the
7 situation is each of the services and defense agencies
8 would have to pony up the people to man that office.

9 So, for us, we would look at it in terms of,
10 okay, if -- if they say to us, you will give us 20
11 people to man this office, why don't we just have the
12 20 people review our own records at the Archives rather
13 than trying to look at Navy and Air Force and Army
14 information in the central office?

15 DR. WAMPLER: But you have to deal with
16 referrals anyway, and those people are going to be
17 tasked for that.

18 MS. BRAGG: But what would we save by that?

19 DR. WAMPLER: You -- you have to divide your
20 staff up in some way anyway. Somebody dealing with
21 your own materials, somebody dealing with the
22 referrals. If you have somebody to deal with the
23 referrals, that's not taking away.

24 MS. BRAGG: But what advantage does that
25 have?

1 DR. WAMPLER: But you have a suspense date
2 you're going to assign them anyway, aren't you?

3 MS. BRAGG: See, we'll have to -- if -- it's
4 not that the --

5 DR. WAMPLER: Can you plan better if you were
6 there?

7 MS. BRAGG: We have to go to the Archives and
8 --

9 DR. WAMPLER: Yeah.

10 DR. WEINBERG: May I ask, do you actually
11 then send people or do you have a priority where, when
12 you get the notification, you say, well, in that group,
13 we're not going to worry, but this group is critical,
14 and we'll send somebody over? Do you see what I'm
15 driving at?

16 MS. BRAGG: That's a very good point, and I
17 would answer it in two ways. One, we haven't gotten to
18 that stage yet, but, Number 2, it would depend on the
19 detail of the information that we get in the referral
20 notice.

21 If it's just we've got some Army stuff in Box
22 XYZ, who knows, but if we're told we've got some Army
23 stuff, and it's on the design of the nuclear weapons in
24 Box XYZ, then we can make a better prioritization. So,
25 we're kind of at the mercy of whatever is in the

1 referral.

2 DR. WEINBERG: Well, the reason I raise that
3 question, it again comes back to my concern about
4 chronology.

5 At some point, the Army is going to have to
6 set some priorities because you can't have all your
7 people sent over to the Archives, right? You're going
8 to have to decide which ones of these notices raise a
9 flag, we better look at this, and which ones you
10 decide, well, we just have to take a chance.

11 It's the risk management issue again, it
12 seems to me, and isn't it very likely as a practical
13 matter that at that point, chronology is going to play
14 some role? You're going to get more excited about
15 stuff from the '70s than the stuff from the 1950s
16 because you're going to have to make priorities at that
17 point, are you not, because you won't have the
18 personnel to go at everything, and -- and the issue
19 that I think was being raised to you a moment ago is
20 that in fact such a high proportion of records,
21 evidently especially the policy records, are having to
22 be sent to a whole batch of people, and then a whole
23 batch of people have to work on them again, and I'm not
24 sure that that's necessarily the most efficient way.

25 That's the point which we were making.

1 You're going to have to look at them in any case, if
2 that's not done. It isn't as if you were being asked
3 to do double work.

4 DR. GOLDBERG: Mel, did you have --

5 MS. BRAGG: Right.

6 DR. GOLDBERG: -- something?

7 MS. BRAGG: But the person who will look at
8 that record and make an informed decision will have to
9 be the person who has expertise in that information,
10 and I think it's -- when you look at OSD records, my
11 understanding of what they consider to be a referral
12 was that if it was within OSD -- in other words,
13 Cynthia's office, I was under the impression that those
14 -- they did make copies, and they actually gave to the
15 OSD offices, but the ones who reported -- it was only
16 viewed as just a test of how we could tackle these
17 kinds of questions.

18 So, it might have been kind of a false sense
19 in that -- in that particular way because there was
20 that time constraint. But my understanding was that
21 outside the OSD, the Office of the Secretary of Defense
22 unity, in other words, the Army, Navy and Air Force
23 would be outside of that, that we were not furnished
24 those records for review. That was my understanding.

25 MS. KLOSS: You were notified only?

1 MS. BRAGG: I don't think we were even
2 notified. I think what -- what they did was just
3 annotated that as part of the 66 percent.

4 DR. WEINBERG: May I ask one more question?
5 It follows what Professor Kimball was asking.

6 At some point, you will be getting these
7 notifications, right, and at that point in time, the
8 people who then decide we're going to send somebody to
9 look at this, but we're not going to bother to send
10 anybody to look at that, I mean that then, if I
11 understood you correctly, is going to be made within a
12 framework of understanding that if we don't look at
13 this between now and April 2000, we are in fact going
14 to implicitly decide to let it go open.

15 DR. LEFFLER: Well, let me just ask --

16 MS. BRAGG: We're not deciding to make it go
17 open, but what we're doing is we are -- we are -- we
18 have the knowledge, and we have the understanding that
19 it will automatically be declassified, and, so,
20 therefore, it will have to fall into some sort of
21 prioritization, and obviously if we don't get to it by
22 April, it may not need -- it should not be construed to
23 mean that the Army or -- or whatever the agency is is
24 agreeing to bulk declassify that, but they are saying
25 that we understand that by the President's mandate, it

1 will be declassified.

2 DR. LEFFLER: Let me just ask a question on
3 that point. Will that occur in all those voluminous
4 categories that have been identified for exemption?

5 MS. BRAGG: No, not in the exempt file series
6 themselves, but each of the exempt file series, it was
7 not -- with the exception of those that contain the
8 actual identification of a human source of information,
9 with that one very small exemption, all the other eight
10 categories -- there are a total of nine exemption
11 categories, of which you could have files go into.

12 The other eight, we had to select a future
13 date for the declassification. It wasn't just forever
14 it will remain --

15 DR. LEFFLER: But it couldn't go long beyond
16 2000, but it may go long in those --

17 MS. BRAGG: I wouldn't say long, but it will
18 go beyond 2000. Otherwise, it wouldn't be --

19 MR. KIMBALL: And none of those have been
20 approved by the White House. The last call I made, not
21 a single one had been approved by the White House.
22 Agencies are operating on the assumption their
23 exemptions are going to be approved, and that, I hope,
24 will be a false assumption.

25 DR. GOLDBERG: Anything can happen in --

1 MR. KIMBALL: You betcha.

2 DR. GOLDBERG: -- this town and probably
3 will.

4 MR. DAVID: None of them have been sent to
5 the White House.

6 MR. KIMBALL: That's not -- that's -- maybe
7 not by you, but others have.

8 MR. DAVID: No, I have not sent in anything.

9 MR. KIMBALL: I'm just saying ISOO has
10 forwarded --

11 MR. DAVID: I spoke to the ISOO
12 representative this morning. No proposed file series
13 exemptions of any agency have been forwarded to the
14 White House.

15 MR. KIMBALL: You have better information
16 than I have or they lied to me, one of the two.

17 I just want to make one quick point, and that
18 is that resource issue is a red herring that can
19 absolutely destroy the process. At a certain point
20 during our meetings, we outlawed the discussion of
21 resources. We just said, look, because anybody can --
22 can -- you can hold up anything by saying we don't have
23 the money for it.

24 You got to have the will to say you're going
25 to get the job done, and you have to persuade your

1 superiors that that's the right thing to do.

2 DR. GOLDBERG: It's --

3 MR. KIMBALL: Resource allocation -- let me
4 finish. Resource allocation. I mean I've heard you
5 say now at least 30 times this morning, resources. Not
6 you personally. I mean around the table. It's -- it's
7 -- it's the standard way to avoid dealing with the
8 problem. Okay?

9 Ultimately, sure, it goes on the desk of
10 Congress and on the desk of the President, and all you
11 have to do is get a superior to state it in those bald
12 terms. We can't do this job without these resources.
13 All right.

14 When that sort of thing happens, you get a
15 different result from Congress, as we found out. The
16 main point is, if you think in terms of why you can't
17 do the job, you're not going to get it done, and so
18 far, I mean I have to say that I'm disappointed that --
19 that -- that -- that the -- there's been a tendency
20 around the table particularly to -- to think in the --
21 of all the reasons why we can't get the job done.

22 I would much prefer that every advisory
23 committee, every declassification authority, every
24 agency in this government stop and say, all right,
25 here's the job we want to get done, and here's how we

1 want to do it, and I just think if -- and the other
2 thing I think in response -- let's make it 21 who
3 disagree with you. I was adding up.

4 It's a small one, and that is that perfection
5 is the enemy of progress. If you try to develop a
6 perfect declassification review system, then you're in
7 the wrong job because you can't do it. It's an
8 absolute -- but which is what Gerhard said, and I
9 endorse his remarks.

10 DR. GOLDBERG: We're not trying for perfect
11 system; we're trying to make some progress, and it's
12 very --

13 MR. KIMBALL: For how long have you been
14 trying is the question I think the public would ask?

15 DR. GOLDBERG: This committee has been trying
16 since early in the year, and committees don't do the
17 work. This is the other point. Committees don't have
18 the authority to order others to do the work, and this
19 is why I say we have to keep on getting the attention
20 of people in authority, and if we don't get their
21 attention, we're not going to get their support.

22 So, the problem always has been how to get to
23 the top and to convince somebody up there to pay
24 attention and do something about this. We get some
25 attention at different levels, but you know how

1 policies are made in government, especially -- well,
2 let me tell you about the Department of Defense.

3 I said it wasn't very unified yet. Policies
4 are supposed to come out of OSD. Somebody in OSD
5 proposes a policy. It's sent out to all of the other
6 elements of the department, and they review it, and
7 they come in with their comments. They come in with
8 their criticisms and their negative attitudes toward
9 it. They want changes made here and there, and the top
10 people, including the Secretary of Defense, are very
11 reluctant to say you do it this way and no other way
12 and that's it. They don't -- it doesn't happen that
13 way.

14 It's -- there is an effort to achieve a
15 consensus because these are people who are actually
16 going to do the work, and the Army and the Navy and the
17 Air Force and the Marines have been around a whole lot
18 longer than OSD and the Department of Defense, and
19 their bulls, and they're not easy to convince often,
20 and they're often going to do it their own way.

21 Now, --

22 MR. KIMBALL: Why not focus on OSD?

23 DR. GOLDBERG: We have.

24 MR. KIMBALL: Just focus on it.

25 DR. GOLDBERG: We have.

1 MR. KIMBALL: You don't run up -- I mean I --
2 I agree. Expertise. I don't want to talk about
3 nuclear submarines secrets. Christ, I don't even know
4 what one looks like, and I agree that expertise is very
5 important, particularly at the technological, military,
6 military operations level, but OSD -- I suspect anybody
7 at this table could in a half a day briefing be able to
8 declassify OSD or declassify review OSD level secrets
9 that are non-technological.

10 DR. GOLDBERG: Half a day?

11 MR. KIMBALL: Half a day with guidelines.

12 DR. GOLDBERG: Can we take him on as a
13 consultant?

14 MR. KIMBALL: With the right salary.

15 MS. KLOSS: Can we break for lunch? And
16 could I stop it with one positive comment? Because I
17 do -- I do believe that there is reason for you to feel
18 this at the progress.

19 Let me put this in perspective. Navy alone
20 has declassified twice as many pages of classified
21 information as USIA owns. So, -- so, put this in a
22 frame of reference. There is not a stagnant process to
23 declassification.

24 In fact, we are progressing, whether it is
25 smart, it is the most efficient way, it doesn't matter.

1 At this juncture, we are getting results. Information
2 is being declassified, and information is being made
3 available to the public.

4 So, at least we leave with some good news.

5 DR. GOLDBERG: Yeah. I think it's true that
6 a lot more people have become sensitized and aware of
7 the problem. They know it exists. They don't really
8 know how to solve it yet, and everybody's still working
9 on it. Whether it's going to happen or not, we don't
10 know either.

11 Meanwhile, we will break for lunch.

12 MS. KLOSS: We'd like everybody back at 1330.
13 Again, restaurants all the way up and down Fairfax.

14 (Whereupon, at 12:00 p.m., the meeting was
15 recessed, to reconvene this same day, Friday, November
16 15th, 1996, at 1:30 p.m.)

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A F T E R N O O N S E S S I O N

1:40 p.m.

DR. GOLDBERG: Jim David, I think you asked
for a few minutes.

MR. DAVID: Yes, if I could, please.

DR. GOLDBERG: Please make it a few, will
you?

MR. DAVID: Okay. As I said this morning,
I've been informed orally by OSD's declassification
people that through the years, all the pre-'64 records
and WNRC have been systematically reviewed. In some
cases, there was redaction coordination mentioned, and
in other cases, not.

What I'd like to do is go through the 31 July
'96 list and just state for the record --

DR. GOLDBERG: Can you come up here? You
can't be heard.

MR. DAVID: Sure. Which of --

DR. GOLDBERG: If you want it on the record,
you will have to come up here.

MR. DAVID: Which of the accessions in the
OSD record sessions, OSD again, have been
systematically reviewed and have been transferred to
College Park in that roughly 3,100 feet that went to
College Park earlier this year.

1 Starting on Page 1 of the list, 63-1765, 63-
2 1766, 73-1078. On Page 2, down near the bottom, 78-
3 104. Page 3, 61-1339, 61-1672, 63-1672, 64-2382, 65-
4 3501, 67-4660. Page 4, at the top, --

5 DR. GOLDBERG: You have 11 pages of this?

6 MR. DAVID: No. I'm almost done with OSD.

7 DR. GOLDBERG: Oh, good.

8 MR. DAVID: I have a few pages of Air Force.

9 DR. GOLDBERG: We can let that go.

10 MR. DAVID: All right. Finishing up OSD, 68-
11 4023, 69-925, and 69-926, 67-4655, 71-4551, 67-4656,
12 61-1639, 67-4673, and 69-2243. The last page, Page 5,
13 down near the bottom, 74-067 and 74-068, 63-1567, and
14 67-4719. All those have been systematically reviewed
15 and are at the College Park National Archives. None of
16 them have been processed.

17 With respect to the OSD records, I would urge
18 the panel in the very near future to write a letter to
19 the Archivist of the United States and (1) ask him to
20 accession the other pre-'64 records on the 31 July list
21 that are still with WNRC, and, furthermore, give a
22 priority for processing to all these accessions.

23 DR. TRACHTENBERG: Could you make a copy of
24 that list and give it to us?

25 MR. DAVID: Actually, I faxed a complete list

1 of the 486 330 accessions transferred to College Park
2 earlier this year. I -- I have it here, and it can
3 just be copied and distributed.

4 DR. GOLDBERG: All right. If you'll leave
5 that, Cynthia will see to that, and the panel members
6 will get the copies.

7 MR. EPLEY: Very useful.

8 MR. DAVID: And I also won't read into the
9 record since that doesn't seem to be appropriate at
10 this point, but I think a one-page list of Air Force
11 accessions from WNRC that have been systematically
12 reviewed under the new Executive Order and transferred
13 to College Park should also be attached to the record
14 and everybody can get copies.

15 DR. GOLDBERG: Right.

16 MR. DAVID: Quite a few accessions on this
17 one-page list are on the priority list of 31 July as
18 well. Again, unfortunately, none of these accessions
19 have been processed. So, not one page is available to
20 the public.

21 DR. GOLDBERG: You know, this is an old story
22 with Archives, with NARA. They're far behind in their
23 accessioning, and they're going to remain far behind
24 for the same reason we give for DoD. They just don't
25 have the resources to do it. They don't have the

1 people.

2 MR. DAVID: Well, I would urge in the same
3 letter that the Archivist be asked to process those 340
4 and 341 accessions that have been systematically
5 reviewed and are at College Park and also are on the 31
6 July list.

7 DR. GOLDBERG: I'll ask him personally, also.

8 MR. DAVID: Okay.

9 DR. GOLDBERG: Not that it will help a great
10 deal, I think, but I'll ask him anyway.

11 MR. HEIMDAHL: I think one thing ought to be
12 said on behalf of the National Archives. They are now
13 running the three facilities. Admittedly, they pulled
14 some staff out of WNRC, but there was never any great
15 staff reallocation, I mean, or additional spaces given
16 to the National Archives to take care of College Park.

17 So, they're operating skeleton crews downtown
18 as well as out at College Park, and there are other
19 priorities, regretfully, but there are. They have
20 student aides that they bring in from the University of
21 Maryland that augment their staff, but obviously these
22 youngsters have no security clearances and can't work
23 these kind of issues.

24 DR. LEFFLER: I would only point out, though,
25 that they themselves say -- Michael Kurtz has said

1 numerous times that -- that the Archives endorses the
2 -- the -- the emphasis on the highest policy material.

3 So, to the extent that any letter that you
4 write to them, you can sort of link on to their
5 established commitment to opening up and making
6 available the highest policy issues, and certainly
7 these categories fall unequivocally within that
8 definition.

9 MR. HEIMDAHL: I just thought I should say
10 something on behalf of the Archives since they couldn't
11 send anybody here today to meet with us.

12 DR. LEFFLER: They have real problems.

13 DR. GOLDBERG: They're under a lot of
14 pressures, even trying to get some money away from the
15 NHPRC.

16 Are there any other questions or comments?

17 (No response)

18 Closing

19 DR. GOLDBERG: All right. I will not attempt
20 to summarize our meeting. We've had some interesting
21 suggestions made. I think we will have to pay further
22 attention to them in future meetings.

23 The panel will meet again some time early
24 next year or perhaps as late as the Spring, depending
25 on what we decide.

1 I want to thank you for attending, and I
2 declare the open meeting officially closed.

3 Thank you.

4 DR. WEINBERG: And -- and the reason I say
5 that is that I am -- have been out there. I mean the
6 staff problems are very serious, and given the size of
7 these, if they decide to start on one, they won't get
8 to the next one of the three for another year or two or
9 three, whereas if they can identify, you know, section
10 of 10 boxes here and 30 boxes there, at least those can
11 be processed and made accessible, and they can get to
12 the others later.

13 MR. DAVID: They -- they come over from WNRC
14 using the FRC accession numbers and simply go down the
15 list, please -- please accession these -- these RG-330
16 accessions still at WNRC.

17 For example, in the 3,100 feet that came over
18 earlier this year, there are no Secretary of Defense
19 correspondence files.

20 DR. GOLDBERG: For the second, I hope, last
21 time, the meeting is adjourned.

22 Thank you.

23 (Whereupon, at 1:51 p.m., the meeting was
24 adjourned.)

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Bulane Bowman
Official Reporter.

Dated: NOVEMBER 15, 1996