

## **Public Interest Declassification Board**

### **Minutes of the Meeting May 9, 2006**

*(As approved at the June 23, 2006, PIDB Meeting)*

The Public Interest Declassification Board (PIDB) held its third meeting on Tuesday, May 9, 2006. This meeting was divided into three sessions; the first part included a briefing by the United States Air Force (USAF) and a tour of the stacks and related declassification processing areas at Archives II in College Park, Maryland. The second part of the meeting was open to the public and was conducted in the Archivist's Reception Room of the National Archives Building, Washington, D.C. The final part was an Executive Session, which was closed to the public. L. Britt Snider, Chairman of the PIDB, chaired the meeting. Other Board members that attended included Martin C. Faga, Steven Garfinkel, Joan Vail Grimson, Elizabeth Rindskopf Parker, Richard Norton Smith, and David E. Skaggs. Also present: J. William Leonard, Director, Information Security Oversight Office (ISOO), serving as Executive Secretary for the PIDB; Professor Allen Weinstein, Archivist of the United States; and William J. Bosanko, Pamela J. Carcirieri, Kristofer L. Johnson, Lee H. Morrison, and Dallas L. Perry, ISOO, serving as PIDB staff members.

#### **I. Executive Meeting**

(Archives I, Closed to the Public)

Ms. Linda Smith, Air Force Declassification Office, provided a briefing on USAF efforts to withdraw records from the public purview at the National Archives and Records Administration (NARA). Ms. Smith began by explaining the purpose of the classified Memorandum of Understanding between USAF and NARA, and then went on to discuss the ISOO Audit. She stated that the audit provided a welcome vehicle for effecting change and helping to institute a new model for the future. Ms. Smith gave the historical background and the USAF perspective on their program. She emphasized the recognition of their customers not being the agencies but rather the public (i.e., historians, researchers, etc.). She then discussed the 1994 establishment of the External Referral Working Group and stated she viewed it as success story since equity identification and accurate referrals are the most complex part of the declassification process. Ms. Smith concluded her briefing by speaking about the need for a centralized database.

A tour of the stacks and related declassification processing areas was provided by Ms. Jeanne Schauble, NARA, Director, Initial Processing and Declassification Division. She explained the business process and answered questions on how records are located and then tracked for accountability. Ms. Schauble discussed the importance of record provenance and ensuring the integrity of the documents. The Board was then provided a demonstration of the classified database called Archives Declassification, Review, and Redaction System. This is a system of

three interlocking databases and is used for tracking and processing referrals. The demonstration concluded with a discussion of the Privacy Act and how it is applied to the records.

## **II. Board Meeting**

(Archives I, Open to the Public)

The Chair provided the opening comments and stated that the Board was currently being educated in the declassification process but that over the next few months, the Board would like to weigh-in on a number of relevant issues. He then turned to the Archivist, Professor Weinstein, who thanked the Board and stated his appreciation of the work the Board was doing.

## **III. Audit Report**

(Archives I, Open to the Public)

Mr. Leonard gave an overview of the ISOO Audit Report. He stated that the Audit was initiated as a result of a researcher who provided fifteen examples of records being withdrawn from the public shelves at the Archives for reclassification review. He explained that the purpose of the Audit was three-fold: to identify the agencies involved; to identify the justification for the withdrawal; and to examine NARA's internal business processes. Mr. Leonard then provided a detailed report of the findings. The report can be found in its entirety at the following address: <http://www.archives.gov/isoo/reports/2006-audit-report.html>. He concluded his briefing by emphasizing that classification is an essential tool of the government but only if it is used with precision. The Archivist then stated that letters had been sent to all agencies for their plans on how they will restore the documents to the open shelves and asked Mr. Bosanko to give a brief description of the pilot National Declassification Initiative (NDI).

Mr. Bosanko spoke about the pilot. He stated that two initiatives were immediately being addressed, and they are: to restore the records back to the open shelves and the effort to start the pilot NDI. He continued by stating the solving the resource issue at NARA is only part of the problem and review quality issues and referral issues must be addressed. His team is currently developing a Concept of Operations. Mr. Snider asked if all the agencies were fully cooperating. Mr. Bosanko stated that they were in principle; however, he felt that the agencies were waiting to see the Concept of Operations. He stated that most agencies will in time recognize that to not cooperate will leave their agency at risk. Mr. Bosanko concluded by saying he recognized the need to balance the conflicting idea of providing the information to the public while also protecting agency interests.

## **IV. Guest Presentations**

(Archives I, Open to the Public)

Mr. Tom Blanton, National Security Archive, began by stating that Senators Moynihan and Helms would be gratified to see this Board operational. Mr. Blanton complimented the thoroughness of the ISOO Audit. He then began his presentation by relating a story about a young graduate student in Europe seeking a Kissinger document to the current reclassification efforts. Mr. Blanton suggested that the Board will need more authority than it currently has to have any substantial impact. He cited the Japanese and Nazi War Crimes Interagency Working Group, the JFK Assassination Board, and the Foreign Relations of the United States efforts and stated that all had an actual law behind them, an audit board with authority, and a different standard of review for historical documents. He concluded by suggesting that a bipartisan bill from Congress would be necessary for the PIDB to effect positive change.

Ms. Adina Rosenbaum, the Public Citizen Litigation Group, began by stating that she found the ISOO Audit Report's finding that there had been a lack of clear standards or procedures for the withdrawal of records from the public purview at NARA particularly troubling. She also stated that she is troubled by the attempts distinguish between improper declassification and actual reclassification. Ms. Rosenbaum continued by saying that researchers are now in the position of having documents in their possession that may now be considered classified and is afraid that it could have a chilling affect on the researchers and historians.

Mr. Bruce Craig, National Coalition for History, began by saying he would be reporting on the work the Board is doing to the approximately 20,000 historians and archivists that subscribe to his online publication, the National Coalition for History Washington Update, and that he was a very strong advocate in the PIDB receiving funding and being established. He asked how issues could be raised to the Board and whether the minutes will be made public. Mr. Bosanko explained that issues could be sent via email to [pidb@nara.gov](mailto:pidb@nara.gov) and that the Board minutes and any other pertinent information will be posted to the already established website at the following address [www.archives.gov/declassification/pidb](http://www.archives.gov/declassification/pidb). Mr. Craig stated that the White House should know about the resource needs of NARA and asked the following questions:

How can issues be raised to the Board from the public?

Can the rules be made public?

Will the Board be able to weigh-in on the need for resources and recommend allocations at NARA agencies and Presidential Libraries?

Can the Board look at the standardization of Presidential Library redaction sheets?

He concluded by asking the Board to look at releasing the "Venona Project Papers" and stated that the research community is very interested in receiving the Russian originals.

A lively discussion ensued regarding the issue of researchers who may now have classified documents in their possession and what, if any, legal actions could be taken. Mr. Leonard stated that he would include a statement in the implementing regulation. The Chair thanked the presenters for their valuable contribution.

## **V. Open Forum**

(Archives I, Open to the Public)

The Chair then provided the opportunity for any members of audience to come forward to address the Board. No one came forward.

## **VI. Executive Session**

(Archives I, Closed to the Public)

The Board unanimously approved the draft Minutes for the April 1, 2006, meeting of the PIDB.

The Board discussed the work plan, the agenda for the two remaining scheduled meetings, and discussed several proposals for the Board's official response to the ISOO Audit.

## **VII. Adjournment**