

CS

ID # 27753 CU

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

FE010-01

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) / / Name of Correspondent: LEE M. GRAHAM☐ MI Mail ReportUser Codes: (A) (B) (C)

Subject: Freedom of Information Act request; RE: his correspondence
to the Department of the Air Force for information on defense-related
programs; wants the President's assistance

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CUOFC	ORIGINATOR	9210115			9212116
CUAT 23	Referral Note: A	9210116			9212116
	Referral Note: see comments				
	Referral Note:				
	Referral Note:				
	Referral Note:				
	Referral Note:				

ACTION CODES:

A - Appropriate Action
 C - Comment/Recommendation
 D - Draft Response
 F - Furnish Fact Sheet
 to be used as Enclosure

I - Info Copy Only/No Action Necessary
 R - Direct Reply w/Copy
 S - For Signature
 X - Interim Reply

DISPOSITION CODES:

A - Answered
 B - Non-Special Referral
 C - Completed
 S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
 Code = "A"
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Comments: Close and -ML 12/16/92 CS

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PRESIDENTIAL REPLY

Code	Date	Comment	Form
_____	_____	_____	_____
C	_____	Time: _____	P. _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence
- n - 0 - Unknown
- n - 1 - George Herbert Walker Bush
- n - 2 - George Bush
- n - 3 - George
- CLn - First Lady's Correspondence
- n - 1 - Barbara Bush
- n - 2 - Barbara
- n - 3 - Bar
- n - 4 - Mrs. Barbara Bush
- CBn - Presidential & First Lady's Correspondence
- n - 1 - Barbara & George Bush
- n - 2 - Barbara & George

- MEDIA CODES:
- B - Box/package
 - C - Copy
 - D - Official document
 - G - Message
 - H - Handcarried
 - L - Letter
 - M - Mailgram
 - O - Memo
 - P - Photo
 - R - Report
 - S - Sealed
 - T - Telegram
 - V - Telephone
 - X - Miscellaneous
 - Y - Study

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COUNSEL'S OFFICE
RECEIVED

JAN 15 1992

5 January 1992

OPEN LETTER

Freedom of Information Act Request
(5 U.S.C. 552)

C.B. Gray
Mr. GEORGE BUSH
President of the United States of America
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500

Attn: RICHARD L. WEAVER
Colonel, USAF
Deputy for Security and
Investigative Programs
Secretary of the Air Force
THRU: SAF/AAIS
Washington, DC 20330-1000

Dear Mr. President:

Sir, I am writing to you because of this article (see
enclosure A) titled-

"Bush Suggests Putting Defense
Cuts in 'Pockets of Taxpayers'"

by "DOUGLAS JEHL" which appeared on page "A13" of the
"SATURDAY, JANUARY 4, 1992" issue of the "LOS ANGELES
TIMES".

I am also writing because of another associated article (see
enclosure B-1) titled-

"Testing the B-2
Stealth Bomber"

which appeared in the Editorial pages of the Los Angeles
Times" dated "SATURDAY, DECEMBER 7, 1991".

In this article (see enclosure B-1) a-

"MAJ. GEN. STEPHEN B. CORKER
Assistant Secretary for Acquisition
Department of the Air Force
Washington, D.C"-

appears to be writing to the Los Angeles Times in defense of
the purchase of the B-2 despite the high cost to the
American taxpayer.

Maj. Gen. CROKER (in part) states-

"By claiming the Air Force is hiding behind a cloak of 'excessive secrecy,' he" (speaking of some critic to the B-2 Program) "suggests the Air Force is suppressing information. In fact, within the last two years, security guidelines governing control of B-2 information have been relaxed."

While I used to be a strong advocate for the production of the B-2, in this instance, I took the position of the critic and wrote this (see enclosure B-2, dated "7 December 1991") Freedom of Information Act (FOIA) request to the USAF regarding a number of "Black" aircraft programs that appear in the budget, but for which no amount of purchase price is provided.

I enclose (see enclosure C, pages 379-382; from the "December 6, 1991" issue of "Defense Daily") for your perusal.

This article (see enclosure C) lists as an example-

"Line	PE	Program
44	63105F	OLYMPIC
46	6311F	MERIDIAN
132	27137F	CONSTANT HELP
138	27169F	SEEK CLOCK
148	27424F	COPPER COAST
153	27582F	HAVE TRUMP (H)
155	27591F	OMEGA
159	28042F	HAVE FLAG
162	35142F	CENTENNIAL
165	41316F	SENIOR CITIZEN
175	31317F	SENIOR YEAR OPERATIONS
176	31324F	FOREST GREEN"

Since the United States Air Force has itself declared that the the code name SENIOR YEAR stands for the USAF/CIA Lockheed U-2 aircraft, it is not unreasonable to assume that any and/or all of the above indicated code names apply to "Black" aircraft Programs.

Indeed, in an article (see enclosure D, pages 41 & 44; from the "December 24, 1990" issue of "AVIATION WEEK & SPACE TECHNOLOGY") titled-

"Scientists' and Engineers' Dreams
Taking to Skies as 'Black' Aircraft"-

writer "William B. Scott" (in part) states-

"But for all those billions, what has the American taxpayer bought? Is the nation-and the world-any safer? Do we now

possess the 'ultimate' weapons featured in comic books-the ones so devastating any potential adversary would never think of disturbing the peace for fear of the good guys' retaliation? Are exotic black-world aircraft real peace makers?"

"Maybe."

"Briefings and well-choreographed show-and-tell sessions given to selected members of Congress and key government officials in the late 1980s would lead one to believe some of these exotic aircraft just might be such weapons. While unabashedly appealing for continued funding under the Bush Administration, proud hosts of these sessions referred to unique air vehicles on display as 'the reasons the Iron Curtain fell.'"

President Bush, Sir, of the credibility of AVIATION WEEK & SPACE TECHNOLOGY you have (in part) stated-

"I am sure that the fine journalistic tradition that has been carried on by this magazine's publishers and staff will endure for many years to come. Best wishes for continuing success. (from the "August 12, 1991" issue of "AVIATION WEEK & SPACE TECHNOLOGY").

In response to my FOIA (see enclosure B-2) regarding the existence of these "black" aircraft, their cost, and relationship to the B-2 Program I received this reply (see enclosure B-3, dated "24 DEC 1991") which states-

"Dear Mr. Graham:

We are responding to your December 7, 1991 letter citing the Freedom of Information Act (FOIA).

Your letter does not request records under the FOIA; therefore, we are taking no further action.

Sincerely,

CAROLYN W. PRICE
Freedom of Information Manager".

Mr. President, Sir, according to you, we are no longer in a cold war with the Soviet Union and there is, thus, no threat to our National Security; the very reason why you are suggesting putting Defense cuts in the "Pockets of (the) Taxpayers".

The Executive Order 12356, Section 1.6 Limitations on Classification (see enclosure F, page 655) states-

"(a) In no case shall information be classified in order to conceal violations of law, inefficiency, or administrative error; to prevent embarrassment to a person, organization,

or agency; to restrain competition; or to prevent or delay the release of information that does not require protection in the interest of national security."

Since the USAF refuses to respond to the FOIA regarding my request for information about the above indicated Programs supported by the American taxpayer-

I respectfully request that you direct my letter (see enclosure B-2) to that Agency of the United States Government that will have the courtesy to respond.

Thank you for your time Sir.

Sincerely,



Lee M. Graham
526 W. Maple
Monrovia, CA
91016

A copy of this letter is being referenced to the following-

Senator ALAN CRANSTON
The Editor, The Los Angeles Times
Mr. WILLIAM SCOTT, AvWeek

B-3



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC 20330-1000

OFFICE OF THE SECRETARY

24 DEC 1991

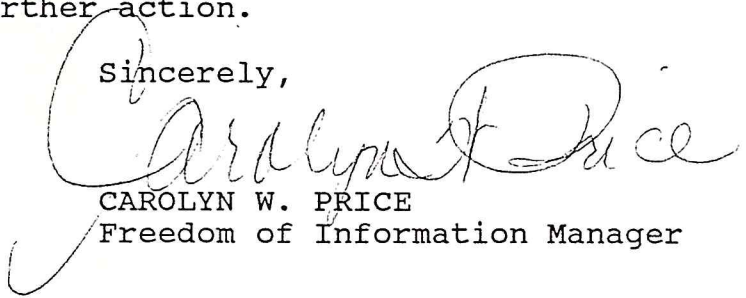
Mr. Lee M. Graham
526 W. Maple
Monrovia, CA 91016

Dear Mr. Graham:

We are responding to your December 7, 1991 letter citing the Freedom of Information Act (FOIA).

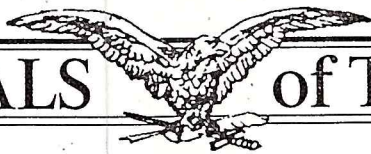
Your letter does not request records under the FOIA; therefore, we are taking no further action.

Sincerely,


CAROLYN W. PRICE
Freedom of Information Manager

91-1485

EDITORIALS



of THE TIMES

Letters to The Times

Testing the B-2
Stealth Bomber

■ In response to "Why Test the Weapons? Pentagon Just Grades Itself," by Scott Shuger, Opinion, Oct. 6:

Shuger's column alleges that the B-2 has not been adequately tested and that the monitoring and reporting of actual test results by independent Department of Defense organizations have been "biased" by organizations not truly independent. The B-2 is in fact the most thoroughly tested aircraft in history, and Shuger's allegations regarding the objectivity of the Defense Science Board (DSB) and DoD's Director of Operational Test and Evaluation (OT&E) are totally unwarranted.

Contrary to Shuger's claim, when the Air Force announced a shortfall in one portion of one low observability test conducted on July 16, there was no concern expressed regarding the B-2's structural soundness. All structural testing to date has been successful, and the results have exceeded expectations.

By claiming the Air Force is hiding behind a cloak of "excessive secrecy," he suggests the Air Force is suppressing information. In fact, within the last two years, security guidelines governing control of B-2 information have been relaxed. Information regarding low observable characteristics of the B-2 remains classified to preserve the unprecedented advantage the U.S. enjoys in this area of technology, and to protect pilots' lives.

Shuger's attempt to discredit the objectivity and credibility of the DSB and DoD OT&E as independent organizations with claims about financial links between specific individuals and contractors is inappropriate. His insinuations that these individuals have somehow "colored" B-2 test results are unsubstantiated and untrue.

The former director of OT&E, John Krings, was instrumental in development of the System Maturity Matrix (SMM) idea to provide a "yardstick" for DoD and Congress to measure development/flight test progress. Although he was director during the early stages of B-2 development, he left that position in July, 1989, shortly before B-2 flight tests started—obviously before any flight test results had been generated.

Regarding the Defense Science Board, there is no record of Jim Roche ever serving as a member of the DSB, although he did support two DSB task forces totally unrelated to B-2. Don Hicks, Sol Love and retired Maj. Gen. Jasper Welch also never served on the B-2 Task Force.

MAJ. GEN. STEPHEN B. CROKER
Assistant Secretary for Acquisition
Department of the Air Force
Washington, D.C.

Los Angeles Times

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Letters to the Editor, Los Angeles Times
Times Mirror Square, Los Angeles, CA 90053

7 December 1991

OPEN LETTER

Freedom of Information Act Request
(5 U.S.C. 552)

MAJ. GEN. STEPHEN B. CROKER
Assistant Secretary for Acquisition
Department of the Air Force
Washington, D.C. 20330-1000

Letters to the Editor
Los Angeles Times
Times Mirror Square
Los Angeles, CA 90053

Dear Maj. Gen. Croker:

Sir, I am making this FOIA request to you as a response to the article (see enclosure A) that appeared on page B-5 of this monrning's Los Angeles Times dated "SATURDAY, DECEMBER 7, 1991".

The article is titled-

"Testing The B-2
Stealth Bomber"-

and appears to be a kind of public appeal on your part for honesty when discussing the testing of the B-2.

It is to honesty and the testing of USAF "black" world aircraft of which the B-2 once belonged, that I direct this letter.

My requests are as follows-

1. To what specific aircraft do the following codenames refer; how much has the American taxpayer spent on these aircraft; where were they flight tested; and how have they contributed to the design of the B-2?

AURORA
COPPER COAST
OLYMPIC
OMEGA
SENIOR CITIZEN
SENIOR TREND
SNOWBIRD
THEME CASTLE

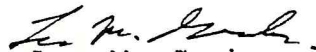
2. On what dates where Senators SAM NUNN and ALAN CRANSTON apprized of the existence of the above indicated aircraft Projects?

3. Who is the current Commander of the USAF flight test facility at Groom Lake, Nevada?

4. What is the codename for the aircraft that has recently been sonic bombing residents of Southern California, that AVIATION WEEK & SPACE TECHNOLOGY Magazine calls the "pulser"?

Thank you for your time Sir.

Sincerely,


Lee M. Graham
526 W. Maple
Monrovia, CA
91016

A copy of this letter is being referenced to the following-

Senator SAM NUNN
Senator ALAN CRANSTON
Mr. WILLIAM SCOTT AvWeek
Mr. JOHN MORROCCO AvWeek

Bush Suggests Putting Defense Cuts in 'Pockets of Taxpayers'

By DOUGLAS JEHL
TIMES STAFF WRITER

SINGAPORE—President Bush said today he was considering a plan to make further cuts in the nation's defense budget in order to put the savings "into the pockets of the American taxpayers."

Such a move would mark a major shift in policy for the White House because it would force a renegotiation of the 1990 budget agreement, which requires that any savings be used to cut the budget deficit.

But as he comes under increasing political pressure to come up with a package to rekindle economic growth, Bush suggested for the first time that any peace dividend ought to be used "to stimulate the economy."

The unexpected signal of a willingness to revise the budget pact is likely to set off a bidding war with Congress, where Democrats have already urged that defense savings be used to help fund a range of new domestic programs.

But Bush, while insisting that he had not yet made a final decision, made clear that he would resist any effort to use the defense cuts to increase domestic spending.

"I will simply reiterate my determination not to do anything that is going to reverse the economy and make it worse," Bush said at a joint news conference with Singaporean Prime Minister Goh Chok Tang.

As his advisers put the finishing touches on an economic growth package, however, he left little

doubt that he regarded as increasingly attractive a tax cut funded by defense cuts.

Asked whether he was ready to change the budget agreement to permit him to use savings from defense for other purposes, Bush replied: "Frankly, I'd like to put it into the pockets of the American taxpayer, if I possibly could, because I think that's what's needed."

A senior Administration official traveling with Bush said it was now "likely" that savings in defense would be used to pay for the middle-class tax cut the White House has said it is considering.

Bush is expected to unveil his economic plan in his State of the Union address on Jan. 28.

It remains unclear how much money could be freed up by such reductions in defense spending. But there have been unconfirmed reports in Washington that the Pentagon has been asked to outline \$50 billion in additional defense cuts over the next five years.

Meanwhile, Senate Democrats in Washington on Friday unveiled a wide economic plan that would combine a middle-class tax cut with a longer-term "Marshall Plan for America" that would redirect defense spending to domestic needs such as bridges, roads.

The plan also calls, in the short term, for additional unemployment insurance benefits as well as grants and loans to state and local governments designed to create jobs in education, transportation and public safety.

THE WHITE HOUSE

WASHINGTON

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☐ Comments:

DEFENSE AUTHORIZATION ACT: AIR FORCE R&D

We continue our presentation of the National Defense Authorization Act of FY '92-93 passed by Congress last month. Air Force RDT&E allocations appear below. Dollars are in thousands.

Line	PE	Program	Amended FY'92 Request	House Authorized	Senate Authorized	Conference Chg to Request	Conference Authorized
41	63728F	ADVANCED COMPUTER TECHNOLOGY	9,857	9,857			9,857
42	63789F	C3 ADVANCED DEVELOPMENT	9,635	9,635			9,635
43	10011F	ADVANCED SPECIAL OPS RESRCH, DEV AND ACQ					
44	63105F	OLYMPIC	[]				[]
45	63110F	SPECIAL EVALUATION PROGRAM	[]				[]
46	63111F	MERIDIAN	[]				[]
47	63311F	ADVANCED STRATEGIC MISSILE SYSTEMS					
48	63367F	RELOCATABLE TARGET CAPABILITY PROGRAM					
49	64226F	B-1B	3,574	3,574		-200	3,374
50	6424F	B-2 ADVANCED TECHNOLOGY BOMBER	1,563,072	1,563,072		-200	1,562,872
51	64240F	SRAM II	165,879	165,879		-151,879	14,000
52	64312F	ICBM MODERNIZATION					
64312F	(START COMPLIANCE)	4,083	4,083	4,083		10,600	14,683
64312F	(PEACEKEEPER IN SILOS)	2,906	2,906	2,906			2,906
64312F	(RAIL GARRISON)	260,082	260,082	245,082		-260,082	
64312F	(SMALL ICBM)	548,838	548,838	548,838			548,838
53	64361F	AIR LAUNCHED CRUISE MISSILE (ALCM)					
54	64410F	SPACE-BASED RADAR (SBR) FSD					
55	64711F	SYSTEMS SURVIVABILITY (NUCLEAR EFFECTS)	6,745	6,745			6,745
56	11113F	B-52 SQUADRONS	3,981	3,981			3,981
57	11120F	ADVANCED CRUISE MISSILE	108,698	108,698			108,698
58	11142F	KC-135 SQUADRONS	14,968	14,968			14,968
59	11213F	MINUTEMAN SQUADRONS	53,959	53,959			53,959
60	11312F	PACCS & WWABNCP SYS EC-135 CLASS V	1,314	1,314			1,314
61	11313F	WAR PLNG AUTO DATA PROCESSING	5,976	5,976			5,976
62	11815F	ADVANCED STRATEGIC PROGRAMS	[]				[]
63	12310F	NCMC - TW/AA SYSTEMS	133,000	133,000			133,000
64	12325F	JOINT SURVEILLANCE SYSTEM	5,390	5,390			5,390
65	12411F	SURVEILLANCE RADAR STATIONS/SITES	13,019	13,019			13,019
66	12412F	DEW RADAR STAT	2,862	2,862			2,862
67	12417F	Over-the-Horizon BACKSCATTER RADAR	7,961	7,961			7,961
68	12423F	BMEWS	17,887	17,887			17,887
69	12424F	SPACETRACK	20,124	20,124			20,124
70	1243F	DEFENSE SUPPORT PROGRAM	53,423	53,423			53,423
70a		FOLLOW-ON EARLY WARNING SYSTEMS	82,000	82,000			82,000
70b		ADVANCED WARNING SYSTEM					

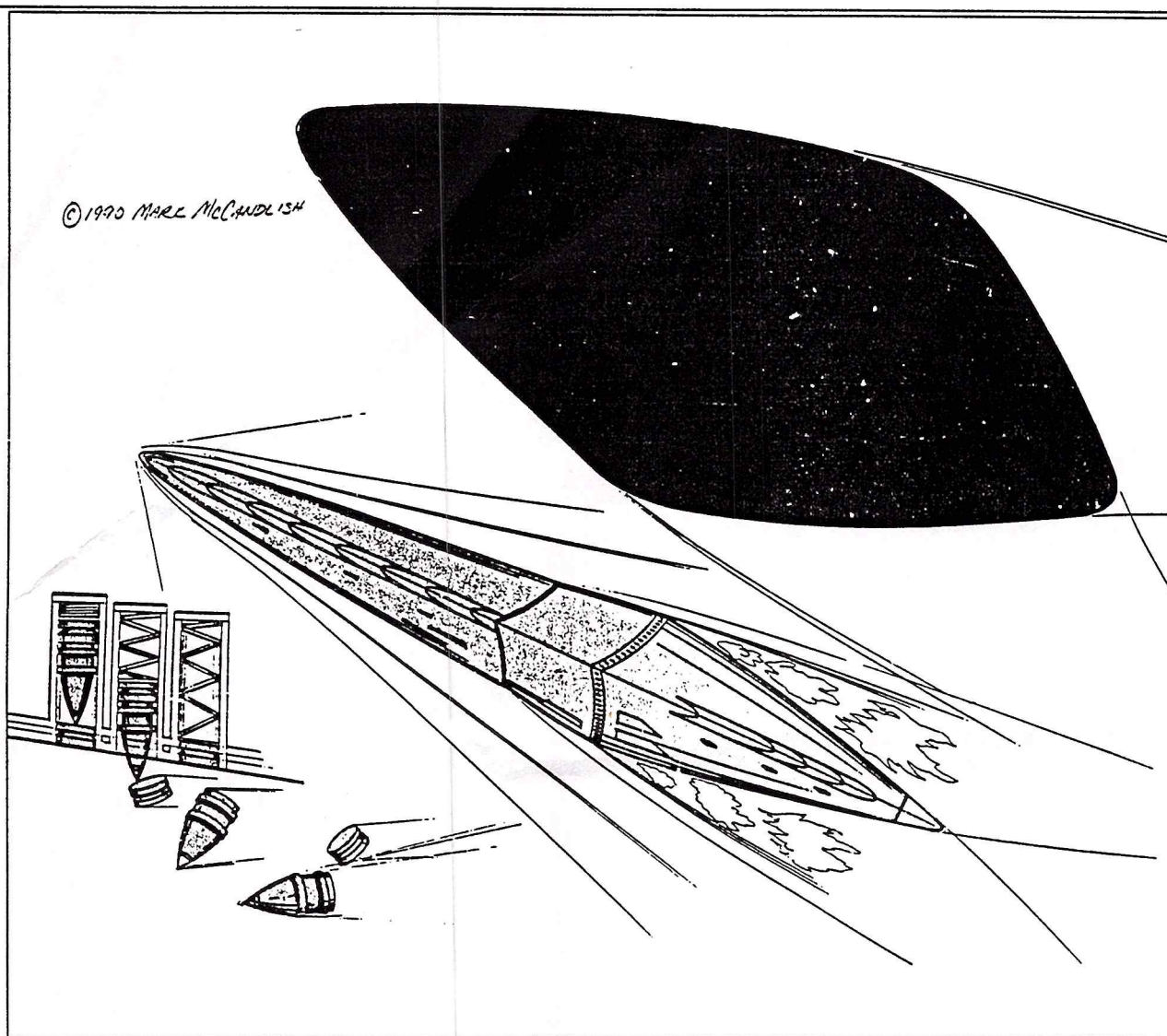
71	12432F	SLBM RADAR WARNING SYSTEM	966	966	966
72	12433F	NUDET DETECTION SYSTEM	6,873	6,873	6,873
73	32015F	NATIONAL EMERGENCY AIRBORNE COMMAND POST			
74	33131F	MEECN	20,577	20,577	20,577
75	33152F	WWMCCS, INFORMATION SYSTEM	816	816	816
76	33601F	MILSTAR SAT COMM SYS(A/T TERMINALS)	161,183	161,183	161,183
77	33603F	MILSTAR SAT COMM SYSTEM	901,263	901,263	901,263
78	35124F	SPECIAL APPLICATIONS PROGRAM	[]	[]	[]
79	35892F	SPECIAL ANALYSIS ACTIVITIES	[]	[]	[]
80	41123F	MILITARY AIRLIFT GROUP (IF)			
996		STRATEGIC CLASSIFIED	360,715	370,715	360,715
81	63107F	TECHNICAL EVALUATION SYSTEM	[]	[]	[]
82	63230F	ADVANCED TACTICAL FIGHTER			
83	63260F	INTELLIGENCE ADVANCED DEV	5,497	5,497	5,497
84	63307F	AIR BASE OPERABILITY ADV DEV	3,375	3,375	3,375
85	63320F	LOW COST ANTI-RADIATION SEEKER			
86	63617F	COMMAND, CONTROL, & COMM APPLIC	3,399	3,399	3,399
87	63714F	DOD PHYSICAL SEC EQUIP-EXTERIOR	741	741	741
88	63742F	COMBAT IDENTIFICATION TECHNOLOGY	23,896	23,896	23,896
89	63801F	SPECIAL PROGRAMS	[]	[]	[]
90	64201F	AIRCRAFT AVIONICS EQUIP DEV	14,909	14,909	14,909
91	64212F	AIRCRAFT EQUIPMENT DEVELOPMENT	4,093	4,093	4,093
92	64218F	EMDP	1,022	1,022	1,022
92a		F-117A IMPROVEMENT	223,000	83,000	83,000
93	64222F	NUCLEAR WEAPONS SUPPORT	5,841	5,841	5,841
94	64223F	ALTERNATE FIGHTER ENGINE			
95	64231F	C-17 PROGRAM	377,359	377,359	377,359
96	64233F	SPECIALIZED UNDERGRA PILOT TRNG	4,274	4,274	4,274
97	64236F	INFRARED SEARCH AND TRACK SYSTEM			
98	64237F	VARIABLE STABILITY IN-FLT SIMULATOR	2,090	2,090	2,090
99	64239F	ADVANCED TACTICAL FIGHTER FSD	1,637,182	1,637,182	1,637,182
100	64242F	ADVANCED TACTICAL AIRCRAFT			
101	64245F	SHORT RNG ATTACK MISSILE-TACTICAL	34,346	34,346	-34,346
102	64247F	MODULAR AUTOMATIC TEST EQUIPMENT			
103	64249F	NIGHT/PRECISION ATTACK	26,639	26,639	26,639
104	64250F	INTEGRATED EW/CNI DEVELOPMENT			
105	64268F	AIRCRAFT ENG COMP IMPROV PROG	114,101	114,101	114,101
106	64270F	EW DEVELOPMENT	215,221	215,221	197,971
106a		B-1B RWR		-9,800	-9,800
107	64321F	JOINT TACTICAL FUSION PROGRAM	[]	[]	[]
108	64327F	HARDENED TARGET MUNITIONS	7,183	7,183	7,183
109	64601F	CHEMICAL/BIOLOGICAL DEFENSE EQUIP	12,741	12,741	12,741
110	64602F	ARMAMENT/ORDNANCE DEVELOPMENT	4,812	4,812	4,812
111	64604F	SUBMUNITIONS	5,082	5,082	5,082
112	64607F	WIDE-AREA, ANTI-ARMOR MUNITIONS			

113	64617F	AIR BASE OPERABILITY	10,170	10,170	10,170	10,170	10,170
114	64703F	AEROMEDICAL SYSTEMS DEVELOPMENT	6,797	6,797	6,797	6,797	6,797
115	64704F	COMMON SUPPORT EQUIP DEV	12,675	12,675	15,175	12,675	12,675
116	64706F	LIFE SUPPORT SYSTEMS	12,253	12,253	12,253	12,253	12,253
117	64708F	CIVIL FIRE ENVIRON, SHELTER ENG	2,661	2,661	2,661	2,661	2,661
118	64725F	COMBAT IDENTIFICATION SYSTEMS					
119	64733F	SURFACE DEFENSE SUPPRESSION	21,464	21,464	21,464	21,464	21,464
120	64740F	COMPUTER RESOURCES MNGT TECH	8,419	8,419	8,419	8,419	8,419
121	64750F	INTELLIGENCE EQUIPMENT	2,983	2,983	2,983	2,983	2,983
122	64754F	JTIDS	16,421	16,421	16,421	16,421	16,421
123	64756F	SIDE LOOKING AIRBORNE RADAR	4,166	4,166	4,166	4,166	4,166
124	64770F	JOINT SURV/TARGET ATTACK RADAR	311,859	311,859	325,859	316,859	316,859
125	64779F	JOINT INTEROP OF TACT C2 SYS	5,622	5,622	5,622	5,622	5,622
126	27129F	F-111 SQUADRONS	30,067	30,067	30,067	30,067	30,067
127	27130F	F-15A/B/C/D SQUADRONS					
128	27131F	A-10 SQUADRONS	12,832	12,832	12,832	12,832	12,832
129	27133F	F-16 SQUADRONS	174,828	174,828	174,828	159,987	159,987
130	27134F	F-15E SQUADRONS	119,795	119,795	119,795	119,795	119,795
131	27136F	MANNED DESTRUCTIVE SUPPRESSION	5,000	5,000	5,000	5,000	5,000
132	27137F	CONSTANT HELP	[]	[]	[]	[]	[]
133	27141F	F-117A SQUADRONS	22,762	22,762	22,762	22,762	22,762
133a		F-117 RECCE MODS			15,000		
134	27161F	TACTICAL AIM MISSILES	26,358	26,358	26,358	13,558	13,558
135	27162F	TACTICAL AGM MISSILES					
136	27163F	ADVND MED RNG AIR-TO-AIR MISSILE	30,582	30,582	10,582	30,582	30,582
137	27168F	F-111 SELF PROTECTION SYSTEMS					
138	27169F	SEEK CLOCK	[]	[]	[]	[]	[]
139	27215F	TR-1 SQUADRON	54,220	54,220	20	-54,220	
140	27217F	FOLLOW-ON TAC RECON SYS	56,553	173,953	96,153	32,000	88,553
141	27247F	AF TEMCAP	562	562	562	562	562
142	27248F	SPECIAL TAC UNIT DETACHMENTS	[]	[]	[]	[]	[]
143	27316F	TACIT RAINBOW					
144	27411F	OVERSEAS AIR WEAPON CON SYS	2,156	2,156	2,156	2,156	2,156
145	27412F	TACTICAL AIR CONTROL SYS	23,564	23,564	23,564	23,564	23,564
146	27417F	AIRBORNE WARNING & CONTROL SYS	202,129	202,129	202,129	202,129	202,129
147	27419F	TACTICAL AIRBORNE COMM & CON SYS	3,483	3,483	3,483	3,483	3,483
148	27423F	ADVANCED COMMUNICATIONS SYSTEMS	3,980	3,980	3,980	3,980	3,980
148	27424F	COPPER COAST	[]	[]	[]	[]	[]
150	27431F	TACTICAL AIR INTELLIGENCE SYSTEM ACTIV					
151	27433F	TACTICAL IMPROVEMENT PROGRAM	[]	[]	[]	[]	[]
152	27579F	ADVANCED SYSTEM IMPROVEMENTS	[]	[]	[]	[]	[]
153	27582F	HAVE TRUMP (H)	[]	[]	[]	[]	[]
154	27590F	SEEK EAGLE	29,010	29,010	29,010	-8,000	21,010
155	27591F	OMEGA	[]	[]	[]	[]	[]
156	28006F	MISSION PLANNING SYSTEMS	13,433	13,433	13,433	13,433	13,433
157	28010F	JOINT TACT COMMUNIC PRO (TRI-TAC)	6,709	6,709	6,709	6,709	6,709

[illegible]

Scientists' and Engineers' Dreams Taking to Skies as 'Black' Aircraft

WILLIAM B. SCOTT/LOS ANGELES



© 1990 MARK McCANDLISH
Unmanned diamond-shaped hypersonic vehicle has control surfaces on leading and trailing edges, and 121 ports for dispensing nuclear warheads (Insert, lower left). Conventional powerplants boost the aircraft to supersonic speeds, where an external burning mechanism takes over.

Super-classified "black" aircraft development programs have served the U. S. and its allies well during the last 40-plus years, providing specialized vehicles such as the U-2/TR-1, SR-71 and F-117A. Still unproven, but also products of this special access shadow world, are the B-2 bomber and Navy A-12, among others.

How many additional air vehicles may have been developed, yet never revealed publicly, often is debated but rarely proven.

It is certain, however, that eight years of the Reagan Administration were good to the black world. For whatever reason,

billions of dollars were pumped into highly classified, special access programs and new facilities, allowing creative scientists and bright engineers unprecedented opportunities to experiment and test their wildest dreams. Their only constraint, apparently, was that projects be linked to operational considerations and pragmatic applications.

A number of those dreams have taken wing in the past few years, and increasing numbers of new, exotic vehicles have been reported by ground observers throughout the U. S. recently (AW&ST Dec. 18, 1989, p. 42; Oct. 1, p. 22). In addition, airline and military pilots have reported seeing

unusual high-speed, high-altitude, maneuvering vehicles during the last few years.

What these sightings add up to is this: The U. S. has developed a fleet of new aircraft and is either testing them or already flying several types in operational service. Because they are considered "super-super-black" programs, military and other government officials deny their existence.

Those who are briefed and know such aircraft exist cannot admit it, and those who are not briefed simply do not know. The best guesses of experts—and those who think they should know, by virtue of their position—really are no more reveal-

ing than those of a technically minded layman extrapolating from the known state of "white world" technology.

But for all those billions, what has the American taxpayer bought? Is the nation—and the world—any safer? Do we now possess the "ultimate" weapons featured in comic books—the ones so devastating any potential adversary would never think of disturbing the peace for fear of the good guys' retaliation? Are exotic black-world aircraft real peace-makers?

Maybe.

Briefings and well-choreographed show-and-tell sessions given to selected members of Congress and key government officials in the late 1980s would lead one to believe some of these exotic aircraft just might be such weapons. While unabashedly appealing for continued funding under the Bush Administration, proud hosts of these sessions referred to unique air vehicles on display as "the reasons the Iron Curtain fell."

LOOKS AND MISSIONS

Unfortunately, proving the existence of such aircraft is not a trivial task for those well-grounded on the unclassified side of the fence, despite bits and pieces of strong evidence in hand. So, most of the curious among us are reduced to watching the night sky, sifting through tons of technical literature and making educated deductions. Through this process, a natural first question any technical skeptic worth his salt might ask is: "What would such a vehicle look like, and what would be its mission?"

For sake of argument, let's consider the following details as comprising a theoretical possibility of a hypersonic U. S.-developed aircraft which could be cruising the skies tonight:

- An elongated, diamond-shaped unmanned vehicle measuring about 110 ft. long and 60 ft. wide at its midpoint. Call it a flattened football shape. But fore and aft end points, as well as the leading edges, are rounded rather than sharp. Although diamond-shaped, the aircraft's basic contours might be described as similar to those of a smooth "skipping stone." The vehicle has a heavy appearance, likened to the blocky sturdiness of a Caterpillar tractor or even the space shuttle.

- All surfaces are covered with black ceramic tiles, quite similar to those now used on the shuttle orbiter. They have a scorched, heat-streaked appearance, and seem to be coated with a crystalline patina indicative of sustained exposure to high temperature. A burnt-carbon odor emanates from the surface. The aft body tiles are distinctly more pockmarked and degraded than those on the forward half of the aircraft, as if they had experienced the most heat.

- Jet engines buried in the lower fuselage are fed by inlet ducts that open into the tile surface. These powerplants boost the aircraft to supersonic speeds, at which an external burning mechanism takes over as the primary propulsion method. The turbojets are shut down, and their inlet/exhaust ports are closed until speed drops to the low Mach numbers again.

In the high-Mach regime, misted fuel is ejected from the fuselage midsection—the "break point" of the elongated diamond—across the aft surface tiles, into the area between the fuselage and a shock wave attached to this break. In essence, the sloping, converging aft fuselage sections form the inside of a "nozzle," and the shock boundary constitutes the outer surface, creating an expanding exhaust effect, much like that on a conventional rocket.

The fuel is ignited by surface heating—or other means—creating combustion

Eight years of the Reagan Administration in Washington were very good to the black world

that accelerates the aircraft up to the Mach 6-8 regime.

- Narrow leading and trailing edge sections provide aerodynamic control in all axes.

- On the fuselage underside, forward of the midsection and between the buried powerplants, is a clipped-diamond section covered with 121 tile-covered ports. Behind each cover—which is flush with the fuselage surface—rests a nuclear warhead which approximates the shape of either a reentry vehicle (RV) or an artillery shell. Each RV stands vertically, point down.

When released, the cover tile is discarded, the weapon is ejected downward, and a second tile automatically is moved into position, closing the port and retaining a smooth aircraft surface. These weapons are dispensed only at subsonic speeds to enhance accuracy and avoid internal heating problems from opening a port in the lower, heated external surfaces, especially when in the hypersonic regime.

William B. Scott is senior engineering editor in AVIATION WEEK & SPACE TECHNOLOGY's Los Angeles bureau. As a flight test engineer graduate of the U. S. Air Force Test Pilot School and a civil commercial pilot, he has logged more than 2,000 hr. on about 45 aircraft types. He spent nine years in the Air Force and was a flight test engineer and program manager in the aerospace industry.

- The unmanned vehicle is capable of on-board self-control, but also will accept external commands via satellite or a ground station. Sandia's Winged Energetic Reentry Vehicle Experiment (SWERVE) project confirmed that electromagnetic signals can be received by such a vehicle, even through the ionized layer surrounding it at hypersonic speeds (AW&ST Aug. 6, p. 25).

Clearly, an unmanned vehicle of this type would be a powerful strategic weapon, able to devastate targets over a wide area. Its Mach 6-8 speed would improve the ability to survive greatly, because fighters and ground-to-air missiles would be hard-pressed to intercept the vehicle. Even though it must slow to possibly subsonic speeds for weapons delivery, the aircraft's surface structure and low radar cross-section contours would give it respectable low observable characteristics which could complicate targeting by defenders.

DREAM COME TRUE

Reconnaissance versions would have twice the speed capability of the now-retired SR-71, yet, being unmanned, would not risk the loss of a human crew when operating over high-threat areas. Once proven effective, such an aircraft would be a dream come true for any four-star in charge of the Strategic Air Command.

Of course, it also would complicate the Air Force's arguments for funding expensive armaments such as the B-2 bomber, MX missile and small ICBM. Could these still be justified, in the numbers originally requested?

Finally, as Persian Gulf tensions continue into 1991, one must question whether the U. S. commander in chief and his defense secretary are fully aware of super-black weapon systems' potential.

Let's hope so.

Hard as it may be to fathom, there is reason to wonder whether complete knowledge of the most exotic aircraft may reach "The Top," all for super-security.

One would like to think America's staggering black-world expenditures have yielded weaponry that could neutralize Iraqi President Saddam Hussein's most valued military and political assets quickly. Some say that capability is in hand and could be used—albeit with conventional payloads—if the right people choose to do so. If they do not, why not?

If so, why are almost 400,000 U. S. and allied troops dug into the sand in Saudi Arabia, prepared to slug it out in a bloody ground war?

Maybe it's time for America's taxpayers to demand an accounting of their black-world investments.

The tradeoffs between national security—the reason for keeping programs "black" in the first place—and the lives of those troops are worthy of wider consideration. □

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THE WHITE HOUSE

WASHINGTON

June 26, 1991

I am pleased to have this opportunity to
join in celebrating the 75th anniversary of
Aviation Week & Space Technology.

To say the least, these have been exciting
years in the fields of aviation and aerospace
technology. During the past three-quarters
of a century, Aviation Week has helped to
chronicle myriad developments in aeronautics,
from box kite biplanes to manned space explo-
ration. In so doing, it has helped to set
the standard for editorial excellence and
timely reporting on the industry.

I am sure that the fine journalistic
tradition that has been carried on by this
magazine's publishers and staff will endure
for many years to come. Best wishes for
continuing success.

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Codification
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*Presidential
Proclamations
and
Executive
Orders*

April 13, 1945—January 20, 1989



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National Archives and Records Administration*

Codification of Presidential Proclamations and Executive Orders

The Board shall utilize such full-time staff and consultants as authorized by the President.

SEC. 2. The Board shall:

(a) Inform the President of intelligence activities that any member of the Board believes are in violation of the Constitution or laws of the United States, Executive orders, or Presidential directives;

(b) Forward to the Attorney General reports received concerning intelligence activities that the Board believes may be unlawful;

(c) Review the internal guidelines of each agency within the Intelligence Community concerning the lawfulness of intelligence activities;

(d) Review the practices and procedures of the Inspectors General and General Counsel of the Intelligence Community for discovering and reporting intelligence activities that may be unlawful or contrary to Executive order or Presidential directive; and

(e) Conduct such investigations as the Board deems necessary to carry out its functions under this Order.

SEC. 3. The Board shall, when required by this Order, report directly to the President. The Board shall consider and take appropriate action with respect to matters identified by the Director of Central Intelligence, the Central Intelligence Agency or other agencies of the Intelligence Community. With respect to matters deemed appropriate by the President, the Board shall advise and make appropriate recommendations to the Director of Central Intelligence, the Central Intelligence Agency, and other agencies of the Intelligence Community.

SEC. 4. The heads of departments and agencies of the Intelligence Community shall, to the extent permitted by law, provide the Board with all information necessary to carry out its responsibilities. Inspectors General and General Counsel of the Intelligence Community shall, to the extent permitted by law, report to the Board concerning intelligence activities that they have reason to believe may be unlawful or contrary to Executive order or Presidential directive.

SEC. 5. Information made available to the Board shall be given all necessary security protection in accordance with applicable laws and regulations. Each member of the Board, each member of the Board's staff, and each of the Board's consultants shall execute an agreement never to reveal any classified information obtained by virtue of his or her service with the Board except to the President or to such persons as the President may designate.

SEC. 6. Members of the Board shall serve without compensation, but may receive transportation, expense, and per diem allowances as authorized by law. Staff and consultants to the Board shall receive pay and allowances as authorized by the President.

Executive Order 12356—National security information

SOURCE: The provisions of Executive Order 12356 of Apr. 2, 1982, appear at 47 FR 14874 and 15557, 3 CFR, 1982 Comp., p. 166, unless otherwise noted.

TABLE OF CONTENTS

PREAMBLE	Page [651]
PART 1. <i>Original Classification</i>	
1.1 Classification Levels.....	[651]

- 1.2 Classification Author
- 1.3 Classification Category
- 1.4 Duration of Classification
- 1.5 Identification and Marking
- 1.6 Limitations on Classification

PART 2. *Derivative Classification*

- 2.1 Use of Derivative Classification
- 2.2 Classification Guides

PART 3. *Declassification and*

- 3.1 Declassification Authority
- 3.2 Transferred Information
- 3.3 Systematic Review for Declassification
- 3.4 Mandatory Review for Declassification

PART 4. *Safeguarding*

- 4.1 General Restrictions
- 4.2 Special Access Programs
- 4.3 Access by Historical and Scholarly Communities

PART 5. *Implementation and*

- 5.1 Policy Direction
- 5.2 Information Security
- 5.3 General Responsibilities
- 5.4 Sanctions

PART 6. *General Provisions*

- 6.1 Definitions
- 6.2 General

This Order prescribes the classification, declassification, and safeguarding of national security information that is essential to the public interest, but that requires that certain information in foreign relations be protected. Information may not be classified unless it could be expected to cause damage to the national security.

NOW, by the authority vested in me as President by the Constitution and laws of the United States, I hereby order:

Original Classification

SECTION 1.1 *Classification*

(a) National security information shall be classified in accordance with the following:

- (1) "Top Secret" shall be information the disclosure of which reasonably could be expected to cause grave damage to the national security.
- (2) "Secret" shall be information the disclosure of which reasonably could be expected to cause damage to the national security.

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Chapter 32—National Defense

1.2 Classification Authority	[652]
1.3 Classification Categories	[654]
1.4 Duration of Classification	[655]
1.5 Identification and Markings	[655]
1.6 Limitations on Classification	[655]
PART 2. <i>Derivative Classification</i>	
2.1 Use of Derivative Classification	[656]
2.2 Classification Guides	[656]
PART 3. <i>Declassification and Downgrading</i>	
3.1 Declassification Authority	[657]
3.2 Transferred Information	[657]
3.3 Systematic Review for Declassification	[657]
3.4 Mandatory Review for Declassification	[658]
PART 4. <i>Safeguarding</i>	
4.1 General Restrictions on Access	[659]
4.2 Special Access Programs	[659]
4.3 Access by Historical Researchers and Former Presidential Appointees	[660]
PART 5. <i>Implementation and Review</i>	
5.1 Policy Direction	[660]
5.2 Information Security Oversight Office	[660]
5.3 General Responsibilities	[661]
5.4 Sanctions	[662]
PART 6. <i>General Provisions</i>	
6.1 Definitions	[662]
6.2 General	[663]

This Order prescribes a uniform system for classifying, declassifying, and safeguarding national security information. It recognizes that it is essential that the public be informed concerning the activities of its Government, but that the interests of the United States and its citizens require that certain information concerning the national defense and foreign relations be protected against unauthorized disclosure. Information may not be classified under this Order unless its disclosure reasonably could be expected to cause damage to the national security.

NOW, by the authority vested in me as President by the Constitution and laws of the United States of America, it is hereby ordered as follows:

PART 1

Original Classification

SECTION 1.1 *Classification Levels.*

(a) National security information (hereinafter "classified information") shall be classified at one of the following three levels:

(1) "Top Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptional grave damage to the national security.

(2) "Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.

Codification of Presidential Proclamations and Executive Orders

(3) "Confidential" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.

(b) Except as otherwise provided by statute, no other terms shall be used to identify classified information.

(c) If there is reasonable doubt about the need to classify information, it shall be safeguarded as if it were classified pending a determination by an original classification authority, who shall make this determination within thirty (30) days. If there is reasonable doubt about the appropriate level of classification, it shall be safeguarded at the higher level of classification pending a determination by an original classification authority, who shall make this determination within thirty (30) days.

SEC. 1.2 Classification Authority.¹

¹ EDITORIAL NOTE: On May 7, 1982, the President issued an order of designation (47 FR 20105, 3 CFR, 1982 Comp., p. 257) the text of which follows:

Pursuant to the provisions of Section 1.2 of Executive Order No. 12356 of April 2, 1982, entitled "National Security Information," I hereby designate the following officials to classify information originally as "Top Secret", "Secret", or "Confidential":

TOP SECRET

Executive Office of the President:

The Vice President
The Counsellor to the President
The Chief of Staff and Assistant to the President
The Deputy Chief of Staff and Assistant to the President
The Director, Office of Management and Budget
The United States Trade Representative
The Assistant to the President for National Security Affairs
The Director, Office of Science and Technology Policy
The Chairman, The President's Foreign Intelligence Advisory Board
The Chairman, The President's Intelligence Oversight Board

The Secretary of State
The Secretary of the Treasury
The Secretary of Defense
The Secretary of the Army
The Secretary of the Navy
The Secretary of the Air Force
The Attorney General
The Secretary of Energy
The Chairman, Nuclear Regulatory Commission
The Director, United States Arms Control and Disarmament Agency
The Director of Central Intelligence
The Administrator, National Aeronautics and Space Administration
The Administrator of General Services
The Director, Federal Emergency Management Agency

SECRET

Executive Office of the President:

The Chairman, Council of Economic Advisers
The President's Personal Representative for Micronesian Status Negotiations
The Secretary of Commerce
The Secretary of Transportation
The Administrator, Agency for International Development
The Director, International Communication Agency

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(a) *Top Secret.* The authority to exercise Top Secret may be exercised

(1) the President;

(2) agency heads and the Central Register; and

(3) officials delegated to

(b) *Secret.* The authority to exercise Secret may be exercised only by

(1) agency heads and the Central Register;

(2) officials with original

(3) officials delegated to

(c) *Confidential.* The authority to exercise Confidential may be exercised

(1) agency heads and the Central Register;

(2) officials with original authority; and

(3) officials delegated to

(d) *Delegation of Original*

(1) Delegations of original authority shall be the minimum required to be responsible for ensuring the demonstrable and continuing

(2) Original Top Secret classification authority only by the President; an agency may exercise authority only by the President; and 1.5.3(a)(1),¹ provided that classification authority by

(3) Original Secret classification authority only by the President; an agency may exercise authority only by the President; an agency may exercise authority only by the President; and 1.5.3(a)(1),¹ provided that classification authority by

(4) Original Confidential classification authority only by the President; an agency may exercise authority only by the President; an agency may exercise authority only by the President; and 1.5.3(a)(1),¹ provided that classification authority by

CONFIDENTIAL

The President, Export-Import

The President, Overseas Privileges

The Administrator, Environmental

Any delegation of this authority shall be published in the Federal Register.

This Order shall be published in the Federal Register.

¹ EDITORIAL NOTE: The correct

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Chapter 32—National Defense

(a) *Top Secret*. The authority to classify information originally as Top Secret may be exercised only by:

- (1) the President;
- (2) agency heads and officials designated by the President in the FEDERAL REGISTER; and
- (3) officials delegated this authority pursuant to Section 1.2(d).

(b) *Secret*. The authority to classify information originally as Secret may be exercised only by:

- (1) agency heads and officials designated by the President in the FEDERAL REGISTER;
- (2) officials with original Top Secret classification authority; and
- (3) officials delegated such authority pursuant to Section 1.2(d).

(c) *Confidential*. The authority to classify information originally as Confidential may be exercised only by:

- (1) agency heads and officials designated by the President in the FEDERAL REGISTER;
- (2) officials with original Top Secret or Secret classification authority; and
- (3) officials delegated such authority pursuant to Section 1.2(d).

(d) *Delegation of Original Classification Authority*.

(1) Delegations of original classification authority shall be limited to the minimum required to administer this Order. Agency heads are responsible for ensuring that designated subordinate officials have a demonstrable and continuing need to exercise this authority.

(2) Original Top Secret classification authority may be delegated only by the President; an agency head or official designated pursuant to Section 1.2(a)(2); and the senior official designated under Section 5.3(a)(1),¹ provided that official has been delegated original Top Secret classification authority by the agency head.

(3) Original Secret classification authority may be delegated only by the President; an agency head or official designated pursuant to Sections 1.2(a)(2) and 1.2(b)(1); an official with original Top Secret classification authority; and the senior official designated under Section 5.3(a)(1),¹ provided that official has been delegated original Secret classification authority by the agency head.

(4) Original Confidential classification authority may be delegated only by the President; an agency head or official designated pursuant to Sections 1.2(a)(2), 1.2(b)(1) and 1.2(c)(1); an official with original Top Secret classification authority; and the senior official designated under Section 5.3(a)(1),¹ provided that official has been delegated original classification authority by the agency head.

CONFIDENTIAL

The President, Export-Import Bank of the United States
The President, Overseas Private Investment Corporation
The Administrator, Environmental Protection Agency

Any delegation of this authority shall be in accordance with Section 1.2(d) of the Order.

This Order shall be published in the FEDERAL REGISTER.

¹ EDITORIAL NOTE: The correct citation is Section 5.3(a).

Codification of Presidential Proclamations and Executive Orders

(5) Each delegation of original classification authority shall be in writing and the authority shall not be redelegated except as provided in this Order. It shall identify the official delegated the authority by name or position title. Delegated classification authority includes the authority to classify information at the level granted and lower levels of classification.

(e) *Exceptional Cases.* When an employee, contractor, licensee, or grantee of an agency that does not have original classification authority originates information believed by that person to require classification, the information shall be protected in a manner consistent with this Order and its implementing directives. The information shall be transmitted promptly as provided under this Order or its implementing directives to the agency that has appropriate subject matter interest and classification authority with respect to this information. That agency shall decide within thirty (30) days whether to classify this information. If it is not clear which agency has classification responsibility for this information, it shall be sent to the Director of the Information Security Oversight Office. The Director shall determine the agency having primary subject matter interest and forward the information, with appropriate recommendations, to that agency for a classification determination.

SEC. 1.3 *Classification Categories.*

- (a) Information shall be considered for classification if it concerns:
- (1) military plans, weapons, or operations;
 - (2) the vulnerabilities or capabilities of systems, installations, projects, or plans relating to the national security;
 - (3) foreign government information;
 - (4) intelligence activities (including special activities), or intelligence sources or methods;
 - (5) foreign relations or foreign activities of the United States;
 - (6) scientific, technological, or economic matters relating to the national security;
 - (7) United States Government programs for safeguarding nuclear materials or facilities;
 - (8) cryptology;
 - (9) a confidential source; or
 - (10) other categories of information that are related to the national security and that require protection against unauthorized disclosure as determined by the President or by agency heads or other officials who have been delegated original classification authority by the President. Any determination made under this subsection shall be reported promptly to the Director of the Information Security Oversight Office.
- (b) Information that is determined to concern one or more of the categories in Section 1.3(a) shall be classified when an original classification authority also determines that its unauthorized disclosure, either by itself or in the context of other information, reasonably could be expected to cause damage to the national security.
- (c) Unauthorized disclosure of foreign government information, the identity of a confidential foreign source, or intelligence sources or methods is presumed to cause damage to the national security.
- (d) Information classified in accordance with Section 1.3 shall not be declassified automatically as a result of any unofficial publication or in-

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advertent or unauthorized identical or similar information.

SEC. 1.4 *Duration of Classification.*

(a) Information shall be classified only when security considerations warrant. The information shall be reviewed for declassification at the time the information is reviewed for other purposes.

(b) Automatic declassification orders shall remain valid until the authorized official of the originating agency is responsible for notifying the public of the declassification.

(c) Information classified in accordance with this Order shall be reviewed for declassification under the provisions of this Order.

SEC. 1.5 *Identification and Marking.*

(a) At the time of original classification, the information shall be shown on the face of the document with other forms of identification to the medium involved, including the words "confidential source or relationship" or "information":

- (1) one of the three classification categories;
- (2) the identity of the person whose name appears on the document;
- (3) the agency and office of origin;
- (4) the date or event for which the information was obtained.

(b) Each classified document shall indicate which portions are classified, the level, and which portion is exempt from automatic declassification for good cause, grant and review of documents or information by the Information Security Oversight Office.

(c) Marking designation shall include abbreviations, symbols, and implementing directives in accordance with the Office's policies.

(d) Foreign government information shall be classified or be assigned a level of protection to ensure a degree of protection to the entity that furnished the information.

(e) Information assigned to a classification level shall be considered for declassification despite the omission of other information that may be inserted on a document.

SEC. 1.6 *Limitations on Classification.*

(a) In no case shall information be classified on the basis of its effect on the operations of law, inefficiency, or its disclosure to a person, organization,

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Chapter 32—National Defense

advertent or unauthorized disclosure in the United States or abroad of
identical or similar information.

SEC. 1.4 *Duration of Classification.*

(a) Information shall be classified as long as required by national security considerations. When it can be determined, a specific date or event for declassification shall be set by the original classification authority at the time the information is originally classified.

(b) Automatic declassification determinations under predecessor orders shall remain valid unless the classification is extended by an authorized official of the originating agency. These extensions may be by individual documents or categories of information. The agency shall be responsible for notifying holders of the information of such extensions.

(c) Information classified under predecessor orders and marked for declassification review shall remain classified until reviewed for declassification under the provisions of this Order.

SEC. 1.5 *Identification and Markings.*

(a) At the time of original classification, the following information shall be shown on the face of all classified documents, or clearly associated with other forms of classified information in a manner appropriate to the medium involved, unless this information itself would reveal a confidential source or relationship not otherwise evident in the document or information:

- (1) one of the three classification levels defined in Section 1.1;
- (2) the identity of the original classification authority if other than the person whose name appears as the approving or signing official;
- (3) the agency and office of origin; and
- (4) the date or event for declassification, or the notation "Originating Agency's Determination Required."

(b) Each classified document shall, by marking or other means, indicate which portions are classified, with the applicable classification level, and which portions are not classified. Agency heads may, for good cause, grant and revoke waivers of this requirement for specified classes of documents or information. The Director of the Information Security Oversight Office shall be notified of any waivers.

(c) Marking designations implementing the provisions of this Order, including abbreviations, shall conform to the standards prescribed in implementing directives issued by the Information Security Oversight Office.

(d) Foreign government information shall either retain its original classification or be assigned a United States classification that shall ensure a degree of protection at least equivalent to that required by the entity that furnished the information.

(e) Information assigned a level of classification under predecessor orders shall be considered as classified at that level of classification despite the omission of other required markings. Omitted markings may be inserted on a document by the officials specified in Section 3.1(b).

SEC. 1.6 *Limitations on Classification.*

(a) In no case shall information be classified in order to conceal violations of law, inefficiency, or administrative error; to prevent embarrassment to a person, organization, or agency; to restrain competition; or to

Codification of Presidential Proclamations and Executive Orders

prevent or delay the release of information that does not require protection in the interest of national security.

(b) Basic scientific research information not clearly related to the national security may not be classified.

(c) The President or an agency head or official designated under Sections 1.2(a)(2), 1.2(b)(1), or 1.2(c)(1) may reclassify information previously declassified and disclosed if it is determined in writing that (1) the information requires protection in the interest of national security; and (2) the information may reasonably be recovered. These reclassification actions shall be reported promptly to the Director of the Information Security Oversight Office.

(d) Information may be classified or reclassified after an agency has received a request for it under the Freedom of Information Act (5 U.S.C. 552) or the Privacy Act of 1974 (5 U.S.C. 552a), or the mandatory review provisions of this Order (Section 3.4) if such classification meets the requirements of this Order and is accomplished personally and on a document-by-document basis by the agency head, the deputy agency head, the senior agency official designated under Section 5.3(a)(1),¹ or an official with original Top Secret classification authority.

PART 2

Derivative Classification

SEC. 2.1 Use of Derivative Classification.

(a) Derivative classification is (1) the determination that information is in substance the same as information currently classified, and (2) the application of the same classification markings. Persons who only reproduce, extract, or summarize classified information, or who only apply classification markings derived from source material or as directed by a classification guide, need not possess original classification authority.

(b) Persons who apply derivative classification markings shall:

(1) observe and respect original classification decisions; and

(2) carry forward to any newly created documents any assigned authorized markings. The declassification date or event that provides the longest period of classification shall be used for documents classified on the basis of multiple sources.

SEC. 2.2 Classification Guides.

(a) Agencies with original classification authority shall prepare classification guides to facilitate the proper and uniform derivative classification of information.

(b) Each guide shall be approved personally and in writing by an official who:

(1) has program or supervisory responsibility over the information or is the senior agency official designated under Section 5.3(a)(1);¹ and

(2) is authorized to classify information originally at the highest level of classification prescribed in the guide.

¹ EDITORIAL NOTE: The correct citation is Section 5.3(a).

Chapter

(c) Agency heads may, for the requirement to prepare documents or information. Oversight Office shall be no

Declassification and Downgrading

SEC. 3.1 Declassification Authority

(a) Information shall be declassified after a thorough review of classified information in the subject matter. Classification requirements of time will continue to be

(b) Information shall be declassified by the official who authorized the original classification; the official in the same position; the official either; or officials delegated to the official head or the senior agency official designated under Section 5.3(a)(1).¹

(c) If the Director of the Information Security Oversight Office determines that information is classified, the Director may require the information to remain classified, pending a review of the information. Information appealed to the National Security Council shall remain classified, pending a review of the information.

(d) The provisions of this Order shall not apply to information under the terms of this Order, but that had such authority, but that had such authority.

SEC. 3.2 Transferred Information

(a) In the case of classification transferred from one agency to another, the receiving agency shall be declassified or downgraded in accordance with the purposes of this Order.

(b) In the case of classification transferred as described in Section 3.1, the information that has ceased to exist and the information in possession of each agency in possession of the originating agency for the information may be declassified or downgraded in accordance with the consultation with any other matter of the information.

(c) Classified information of the United States shall be declassified or downgraded in accordance with the Information Security Oversight Office.

SEC. 3.3 Systematic Review

¹ EDITORIAL NOTE: The correct citation is Section 5.3(a).

Chapter 32—National Defense

(c) Agency heads may, for good cause, grant and revoke waivers of the requirement to prepare classification guides for specified classes of documents or information. The Director of the Information Security Oversight Office shall be notified of any waivers.

PART 3

Declassification and Downgrading

SEC. 3.1 Declassification Authority.

(a) Information shall be declassified or downgraded as soon as national security considerations permit. Agencies shall coordinate their review of classified information with other agencies that have a direct interest in the subject matter. Information that continues to meet the classification requirements prescribed by Section 1.3 despite the passage of time will continue to be protected in accordance with this Order.

(b) Information shall be declassified or downgraded by the official who authorized the original classification, if that official is still serving in the same position; the originator's successor; a supervisory official of either; or officials delegated such authority in writing by the agency head or the senior agency official designated pursuant to Section 5.3(a)(1).¹

(c) If the Director of the Information Security Oversight Office determines that information is classified in violation of this Order, the Director may require the information to be declassified by the agency that originated the classification. Any such decision by the Director may be appealed to the National Security Council. The information shall remain classified, pending a prompt decision on the appeal.

(d) The provisions of this Section shall also apply to agencies that, under the terms of this Order, do not have original classification authority, but that had such authority under predecessor orders.

SEC. 3.2 Transferred Information.

(a) In the case of classified information transferred in conjunction with a transfer of functions, and not merely for storage purposes, the receiving agency shall be deemed to be the originating agency for purposes of this Order.

(b) In the case of classified information that is not officially transferred as described in Section 3.2(a), but that originated in an agency that has ceased to exist and for which there is no successor agency, each agency in possession of such information shall be deemed to be the originating agency for purposes of this Order. Such information may be declassified or downgraded by the agency in possession after consultation with any other agency that has an interest in the subject matter of the information.

(c) Classified information accessioned into the National Archives of the United States shall be declassified or downgraded by the Archivist of the United States in accordance with this Order, the directives of the Information Security Oversight Office, and agency guidelines.

SEC. 3.3 Systematic Review for Declassification.

¹ EDITORIAL NOTE: The correct citation is Section 5.3(a).

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(d) Agency heads shall the mandatory review of c apply to information classi shall also provide a means mandatory review request.

(f) In response to a request for information under the Freedom of Information Act, the Privacy Act, or the Access to Information Act, the Privacy Commissioner may, in the exercise of his or her powers, require the production of records or information in the possession, custody or control of the government institution to which the request relates.

(2) When an agency receives a request that were classified by the agency, the agency shall, upon request and the requested processing, and may, after the request is processed, inform the requester of the processing. If the agency determines in writing that the request is not required, the referring agency shall inform the requester in accordance with that Section.

Safeguarding

SEC. 4.1 General Restricti

(a) A person is eligible for a determination of trust or designated officials and accomplishment of lawful acts

(b) Controls shall be established to ensure that information is used, protected, stored, destroyed only under controlled conditions, and prevent access by unauthorized personnel.

(c) Classified information
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(d) Except as provided by the National Security Council, an agency may not be disseminated information that has been made available to the public. For purposes of this Section, an agency is considered one agency.

658

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Chapter 32—National Defense

They shall release this information unless withholding is otherwise au-
thorized under applicable law.

(d) Agency heads shall develop procedures to process requests for
the mandatory review of classified information. These procedures shall
apply to information classified under this or predecessor orders. They
shall also provide a means for administratively appealing a denial of a
mandatory review request.

(e) The Secretary of Defense shall develop special procedures for the
review of cryptologic information, and the Director of Central Intelli-
gence shall develop special procedures for the review of information
pertaining to intelligence activities (including special activities), or intel-
ligence sources or methods, after consultation with affected agencies.
The Archivist shall develop special procedures for the review of infor-
mation accessioned into the National Archives of the United States.

(f) In response to a request for information under the Freedom of In-
formation Act, the Privacy Act of 1974, or the mandatory review pro-
visions of this Order:

(1) An agency shall refuse to confirm or deny the existence or non-
existence of requested information whenever the fact of its existence or
non-existence is itself classifiable under this Order.

(2) When an agency receives any request for documents in its custo-
dy that were classified by another agency, it shall refer copies of the
request and the requested documents to the originating agency for
processing, and may, after consultation with the originating agency,
inform the requester of the referral. In cases in which the originating
agency determines in writing that a response under Section 3.4(f)(1) is
required, the referring agency shall respond to the requester in accord-
ance with that Section.

PART 4

Safeguarding

SEC. 4.1 General Restrictions on Access.

(a) A person is eligible for access to classified information provided
that a determination of trustworthiness has been made by agency heads
or designated officials and provided that such access is essential to the
accomplishment of lawful and authorized Government purposes.

(b) Controls shall be established by each agency to ensure that classi-
fied information is used, processed, stored, reproduced, transmitted, and
destroyed only under conditions that will provide adequate protection
and prevent access by unauthorized persons.

(c) Classified information shall not be disseminated outside the execu-
tive branch except under conditions that ensure that the information
will be given protection equivalent to that afforded within the execu-
tive branch.

(d) Except as provided by directives issued by the President through
the National Security Council, classified information originating in one
agency may not be disseminated outside any other agency to which it
has been made available without the consent of the originating agency.
For purposes of this Section, the Department of Defense shall be con-
sidered one agency.

SEC. 4.2 Special Access Programs.

Codification of Presidential Proclamations and Executive Orders

(a) Agency heads designated pursuant to Section 1.2(a) may create special access programs to control access, distribution, and protection of particularly sensitive information classified pursuant to this Order or predecessor orders. Such programs may be created or continued only at the written direction of these agency heads. For special access programs pertaining to intelligence activities (including special activities but not including military operational, strategic and tactical programs), or intelligence sources or methods, this function will be exercised by the Director of Central Intelligence.

(b) Each agency head shall establish and maintain a system of accounting for special access programs. The Director of the Information Security Oversight Office, consistent with the provisions of Section 5.2(b)(4), shall have non-delegable access to all such accountings.

SEC. 4.3 *Access by Historical Researchers and Former Presidential Appointees.*

(a) The requirement in Section 4.1(a) that access to classified information may be granted only as is essential to the accomplishment of authorized and lawful Government purposes may be waived as provided in Section 4.3(b) for persons who:

(1) are engaged in historical research projects, or

(2) previously have occupied policy-making positions to which they were appointed by the President.

(b) Waivers under Section 4.3(a) may be granted only if the originating agency:

(1) determines in writing that access is consistent with the interest of national security;

(2) takes appropriate steps to protect classified information from unauthorized disclosure or compromise, and ensures that the information is safeguarded in a manner consistent with this Order; and

(3) limits the access granted to former presidential appointees to items that the person originated, reviewed, signed, or received while serving as a presidential appointee.

PART 5

Implementation and Review

SEC. 5.1 *Policy Direction.*

(a) The National Security Council shall provide overall policy direction for the information security program.

(b) The Administrator of General Services shall be responsible for implementing and monitoring the program established pursuant to this Order. The Administrator shall delegate the implementation and monitoring functions of this program to the Director of the Information Security Oversight Office.

SEC. 5.2 *Information Security Oversight Office.*

(a) The Information Security Oversight Office shall have a full-time Director appointed by the Administrator of General Services subject to approval by the President. The Director shall have the authority to appoint a staff for the Office.

(b) The Director shall:

(1) develop, in subject to the approval, implementation of

(2) oversee agency implementing direction

(3) review all agency for systematic declassification or guidance Order or implementation may be appealed in violation or guideline the appeal;

(4) have the authority security program information and to other cooperation possibilities. If these classified information the affected agency 5.3(a)(1) may de National Security pending a prompt

(5) review request or officials not grant appropriate, recommend

(6) consider and persons within or outside of the information

(7) have the authority agencies, standard information security

(8) report at least security Council on the

(9) have the authority discuss matters pertinent

SEC. 5.3 *General*

Agencies that originate (a) designate a security information security, and security education this Order;

(b) promulgate regulations that establish published in the FEDERAL affect members of the

(c) establish procedures information, including need for access to administrative clearance persons granted access

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Chapter 32—National Defense

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(1) develop, in consultation with the agencies, and promulgate, sub-
ject to the approval of the National Security Council, directives for the
implementation of this Order, which shall be binding on the agencies;

(2) oversee agency actions to ensure compliance with this Order and
implementing directives;

(3) review all agency implementing regulations and agency guidelines
for systematic declassification review. The Director shall require any
regulation or guideline to be changed if it is not consistent with this
Order or implementing directives. Any such decision by the Director
may be appealed to the National Security Council. The agency regula-
tion or guideline shall remain in effect pending a prompt decision on
the appeal;

(4) have the authority to conduct on-site reviews of the information
security program of each agency that generates or handles classified in-
formation and to require of each agency those reports, information, and
other cooperation that may be necessary to fulfill the Director's respon-
sibilities. If these reports, inspections, or access to specific categories of
classified information would pose an exceptional national security risk,
the affected agency head or the senior official designated under Section
5.3(a)(1) ¹ may deny access. The Director may appeal denials to the
National Security Council. The denial of access shall remain in effect
pending a prompt decision on the appeal;

(5) review requests for original classification authority from agencies
or officials not granted original classification authority and, if deemed
appropriate, recommend presidential approval;

(6) consider and take action on complaints and suggestions from per-
sons within or outside the Government with respect to the administra-
tion of the information security program;

(7) have the authority to prescribe, after consultation with affected
agencies, standard forms that will promote the implementation of the
information security program;

(8) report at least annually to the President through the National Se-
curity Council on the implementation of this Order; and

(9) have the authority to convene and chair interagency meetings to
discuss matters pertaining to the information security program.

SEC. 5.3 General Responsibilities.

Agencies that originate or handle classified information shall:

(a) designate a senior agency official to direct and administer its in-
formation security program, which shall include an active oversight
and security education program to ensure effective implementation of
this Order;

(b) promulgate implementing regulations. Any unclassified regula-
tions that establish agency information security policy shall be pub-
lished in the FEDERAL REGISTER to the extent that these regulations
affect members of the public;

(c) establish procedures to prevent unnecessary access to classified in-
formation, including procedures that (i) require that a demonstrable
need for access to classified information is established before initiating
administrative clearance procedures, and (ii) ensure that the number of
persons granted access to classified information is limited to the mini-

¹ EDITORIAL NOTE: The correct citation is Section 5.3(a).

Codification of Presidential Proclamations and Executive Orders

and information consistent with operational and security requirements and needs;

(d) develop special contingency plans for the protection of classified information used in or near hostile or potentially hostile areas.

SEC. 5.4 Sanctions.

(a) If the Director of the Information Security Oversight Office finds that a violation of this Order or its implementing directives may have occurred, the Director shall make a report to the head of the agency or to the senior official designated under Section 5.3(a)(1) ¹ so that corrective steps, if appropriate, may be taken.

(b) Officers and employees of the United States Government, and its contractors, licensees, and grantees shall be subject to appropriate sanctions if they:

(1) knowingly, willfully, or negligently disclose to unauthorized persons information properly classified under this Order or predecessor orders;

(2) knowingly and willfully classify or continue the classification of information in violation of this Order or any implementing directive; or

(3) knowingly and willfully violate any other provision of this Order or implementing directive.

(c) Sanctions may include reprimand, suspension without pay, removal, termination of classification authority, loss or denial of access to classified information, or other sanctions in accordance with applicable law and agency regulation.

(d) Each agency head or the senior official designated under Section 5.3(a)(1) ¹ shall ensure that appropriate and prompt corrective action is taken whenever a violation under Section 5.4(b) occurs. Either shall ensure that the Director of the Information Security Oversight Office is promptly notified whenever a violation under Section 5.4(b) (1) or (2) occurs.

PART 6

General Provisions

SEC. 6.1 Definitions.

(a) "Agency" has the meaning provided at 5 U.S.C. 552(e).

(b) "Information" means any information or material, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States Government.

(c) "National security information" means information that has been determined pursuant to this Order or any predecessor order to require protection against unauthorized disclosure and that is so designated.

(d) "Foreign government information" means:

(1) information provided by a foreign government or governments, an international organization of governments, or any element thereof with the expectation, expressed or implied, that the information, the source of the information, or both, are to be held in confidence; or

(2) information produced by the United States pursuant to or as a result of a joint arrangement with a foreign government or govern-

¹ EDITORIAL NOTE: The correct citation is Section 5.3(a).

ments or an interest therein, requiring that the information be held in confidence.

(e) "National security information" means information that has been determined pursuant to this Order or any predecessor order to require protection against unauthorized disclosure and that is so designated.

(f) "Confidential" means information that has been provided, or transmitted, to the United States Government with the expectation, expressed or implied, that the information, the source of the information, or both, are to be held in confidence.

(g) "Original classification" means the act of classifying information, in accordance with the Atomic Energy Act, by determining the level of protection to be afforded the information.

SEC. 6.2 General.

(a) Nothing in this Order shall be construed to affect the provisions of the Atomic Energy Act and "Formerly Restricted Information" Act, as amended, and the Atomic Energy Act of 1954.

(b) The Attorney General, the Director of the Information Security Oversight Office, and the Director of the Federal Bureau of Investigation shall jointly issue an interpretation of the course of its administration.

(c) Nothing in this Order shall be construed to affect the provisions of any other law.

(d) Executive Order 12958, as amended, shall be applied as of the effective date of this Order.

(e) This Order shall be effective on the date of its issuance.

Executive Order

SOURCE: The provisions of Executive Order 12958, 3 CFR, 1985 Comp., p. 294.

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby order that the provisions of the Atomic Energy Act of 1954, as amended, shall be applied as of the effective date of this Order.

SECTION 1. There shall be a National Security Council Intelligence Advisory Board, composed of not more than sixteen members, appointed by the President and shall be composed of persons of high standing and distinguished in the field of intelligence or security. The President shall determine the composition of the Board. To the extent practicable, the time shall be comprised of not more than two years. The Vice Chairman from

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Chapter 32—National Defense

ments or an international organization of governments, or any element thereof, requiring that the information, the arrangement, or both, are to be held in confidence.

(e) "National security" means the national defense or foreign relations of the United States.

(f) "Confidential source" means any individual or organization that has provided, or that may reasonably be expected to provide, information to the United States on matters pertaining to the national security with the expectation, expressed or implied, that the information or relationship, or both, be held in confidence.

(g) "Original classification" means an initial determination that information requires, in the interest of national security, protection against unauthorized disclosure, together with a classification designation signifying the level of protection required.

SEC. 6.2 General.

(a) Nothing in this Order shall supersede any requirement made by or under the Atomic Energy Act of 1954, as amended. "Restricted Data" and "Formerly Restricted Data" shall be handled, protected, classified, downgraded, and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and regulations issued under that Act.

(b) The Attorney General, upon request by the head of an agency or the Director of the Information Security Oversight Office, shall render an interpretation of this Order with respect to any question arising in the course of its administration.

(c) Nothing in this Order limits the protection afforded any information by other provisions of law.

(d) Executive Order No. 12065 of June 28, 1978, as amended, is revoked as of the effective date of this Order.

(e) This Order shall become effective on August 1, 1982.

Executive Order 12537—President's Foreign Intelligence Advisory Board

SOURCE: The provisions of Executive Order 12537 of Oct. 28, 1985, appear at 50 FR 45083, 3 CFR, 1985 Comp., p. 394, unless otherwise noted.

By the authority vested in me as President by the Constitution and statutes of the United States of America, and in order to enhance the security of the United States by improving the quality and effectiveness of intelligence available to the United States, it is ordered as follows:

SECTION 1. There is hereby established within the White House Office, Executive Office of the President, the President's Foreign Intelligence Advisory Board (the "Board"). The Board shall consist of not more than sixteen members, who shall serve at the pleasure of the President and shall be appointed by the President from among trustworthy and distinguished citizens outside the government who are qualified on the basis of achievement, experience, and independence. The President shall establish the terms of the members upon their appointment. To the extent practicable, one-third of the Board at any one time shall be comprised of members whose current term of service does not exceed two years. The President shall designate a Chairman and Vice Chairman from among the members. The Board shall utilize full-