Meeting of The Public Interest Declassification Board

At the National Archives and Records Administration Building

June 23, 2016, 9:30 AM to 11:30 AM

LEARY: Good morning, everyone, and welcome to this public meeting of the Public Interest Declassification Board, which in good federal bureaucrat fashion we call PIDB. I am Bill Leary, the acting chair of the Public Interest Declassification Board, but I'm thrilled to say this is my last day as acting chair of the Public Interest Declassification Board, because the President has just announced two new appointees to the Board -- a new chair, [Kevin] Morrison, who's dean of the NYU law school, and an old friend of mine, Jamie Baker, who many of you, I'm sure, know, who among other government jobs was legal counsel to the NSC during the Clinton administration, which is my -- I and Nancy and others know him very well. The PIDB is a committee -- I know most of you know this, but just on the odd chance that there's a newcomer here -- the PIDB is a committee that was established by Congress which advises the President and executive branch officials on policies regarding the classification and declassification of national security information. Our primary mission -- did this go off? I don't know (inaudible) or not -- sounds

like it did from there. Our primary mission is to encourage, foster, the greatest amount of release of classified information. To act as an advocate on behalf of the public for declassification, and to also advise the President generally about how to improve the system from our perspective. In recent years, the President charged us with designing a fundamental transformation of the security classification system. Candidly, I don't think we've figured out a fundamental transformation of the security classification system. I've yet to hear of one. If any of you have one, please pass it on. (laughter) We're still searching. But in the process, I think we have made a number of useful recommendations to the President in three reports to the President, some of which have been adopted by the administration, others of which have not.

We're meeting this morning to discuss our recommendation to the President regarding technology investment for declassification. We recommend it in our 2012 report, that the administration should encourage more collaboration to determine how to employ existing technologies and develop and pilot new methods to modernize classification and declassification, starting with the self-evident proposition -- that unless something along those lines is

done, the current system will come closer and closer to collapsing of its own weight.

One year ago, we held a public meeting that highlighted the administration's plans to build a strategy to do just that. We heard from the Deputy Chief Technology Officer of the United States, Mr. Alex Macgillivray, or "Amac," as some of you know him, who spoke about the President's desire for more technology and expertise that would support more fully the administration's commitment to open government. Today we're going to have an opportunity to learn what they've done in the year since that commitment was made; we're going to hear from John Fitzpatrick, the Senior Director for Records Access and Information, Security Management at the National Security Council, who's going to give us an update on these efforts. We're also going to share information about the PIDB's declassification technology working group and its work at bringing together agencies to collaborate in support of this broad recommendation. Finally, we've set aside time at the end of our meeting to hear from you about whatever you think we ought to hear. But I'd like to begin this morning by thanking the National Archives, as always, for their hosting of this event, for the many ways in which they support PIDB, and by

introducing the Deputy Archivist of the United States, Debra Wall, who I learn shares some interest with my oldest son. She -- one of her many achievements is that she has a degree in film, like my son. As I was telling her earlier, I was thrilled to find someone who managed to make a success of herself (laughter) with a degree in film. Gives me hope. Debra became Deputy Archivist of the United States in July 2011. She previously served as the agency's Chief of Staff, a Senior Special Assistant to the Archivist, and before that as Director of the Life Cycle Coordination staff, where she led efforts to develop policies, processes, systems, and standards relating to the life cycle of records. Among other jobs at the National Archives, she was also the manager of the Archival Research Catalogue Database and other information technology projects. She joined NARA in 1991 and holds an undergraduate degree in history and government from Georgetown. She has a master's certificate in information technology project management from GW and has served as a member of the International Council on Archives' Committee on Information Technology and the Committee on Descriptive Standards. Clearly, she understands the importance of harnessing technology to meet the challenges of security classification. Please join me in welcoming Debra Wall.

WALL: Good morning, and welcome to the National Archives. I bring regards and regrets from Archivist of the United States, David Ferriero, who's out of town on personal business.

OK. Well, I am honored to be the Deputy Archivist of the United States, supporting the mission of the National Archives to bring our government's records to the people in promotion of open government and transparency. As caretakers for the Declaration of Independence, the Constitution, and the Bill of Rights, we hold the pledge "We, the people" as a serious responsibility, and so, too, the responsibility to preserve and make accessible the billions of government records that we hold in trust for the American people.

"Innovate to make access happen" is our guiding open-government principle here; we're committed to engaging and collaborating with the public to fulfill that mission. I want to thank the Public Interest Declassification Board for holding this morning's meeting to further these open-government initiatives.

PIDB plays a much-needed role in supporting our open government initiative. The Board continues to advocate for policy improvements that bolster greater public access to historically significant government information. The Board's been a committed champion to modernizing out-of-date policies and practices that delay access to records. And I think the members were drawing attention to the many risk facts-- the many risks facing our government agencies as they continue to struggle with the exponential growth of government records common in today's digital information age.

Driving technological solutions to respond to the onslaught of digital information coming our way entails an integrated and innovative fix. I'd like to share some of the ways we at the National Archives are meeting our open government initiative to innovate to make access happen. The National Declassification Center continues to refine its processes and find meaningful ways to bring access to researchers. Since the successful retirement of the NDC's 341 million-page backlog in 2014, the NDC has made significant efforts to engage with the public and develop ways to prioritize records most sought-after by researchers.

To expedite researcher demands, the director of the NDC, Sheryl Shenberger, initiated an indexing on demand review process which provides researchers with a formal channel to request records on topics of interest. This new review process complements the primary review process of the NDC, where the NDC reviews millions of pages annually from newly accessioned records. This dual process model provides researchers with sought-after records while ensuring another backlog of unreviewed records never grows against the National Archives. Sheryl and her staff are also designing a means to systematically review previously exempted records from automatic declassification -- in essence, those records of highest researcher interest, and likely the most historically significant information held by the NDC.

In collaboration with our Office of the Chief Records officer, Sheryl and her staff are also working to develop metadata standards for electronic classified information. While still grappling with the many challenges of paper records, the NDC is looking forward to what future declassification review will look like and planning to ensure it will be able to meet the challenges imposed on all of us by electronic records.

For her leadership and dedication to the success of the NDC, Sheryl was recently awarded the Meritorious Executive Presidential Rank Award, in recognition of her accomplishments and leadership in review, declassification and release of permanent government records. Sheryl and her staff exemplify open government and transparency principles in their daily work, and we're honored to have Sheryl working so diligently on behalf of the American people, so congratulations, Sheryl. (applause) She's looking very embarrassed.

So hand in hand with the challenges of declassification of significant historical information and the ensuing growth of electronic records are the challenges we face in modernizing records management for the digital age. In 2011, the President issued his managing government records memorandum, committing to develop a 21st-century framework for the management of government records by reforming records management, policies, and practices within agencies. The Archivist of the United States and the Acting Director of OMB in 2012 signed the Managing Government Records Directive, mapping a new course for the government-wide administration of information and records

management. We at the National Archives are assisting agencies in meeting the requirements of the directive under the leadership of our newly appointed Chief Records Officer of the United States, Laurence Brewer. Is he here? Laurence Brewer. His office issued two new guidance instructions concerning metadata for the transfer of permanent electronic records -- that was in 2016 this year -- and revised format guidance for the transfer of permanent electronic records, and that was in 2014, in support of the directive. We also published the 2015 Senior Agency Official Reports online, in response to public interest in agency progress -- agencies' progress are meeting the goals of the directive. These reports describe agency efforts to meet the first two goals of the directive -- that agencies will manage email electronically by the end of this calendar year, and that agencies will manage permanent electronic records electronically by the end of 2019. Sharing the SAO reports online provides needed transparency and oversight of the work being completed by agencies to meet the goals of the directive.

We continue to support the work of the Freedom of Information Act Advisory Committee, directed by our Office of Government Information Services. The committee

completed a study and provided recommendations to agencies and the Archivist on improving and modernizing FOIA processes throughout the government. The Committee, in the past two years, documented the successes and challenges in fulfilling the government's FOIA requirements, and not surprisingly, many of the Committee's findings parallel the recommendations of the PIDB: consistent use of technology to improve training processes, improve management practices, minimize backlogs, and thoroughly search for requested records, among other recommendations. OGIS [Office of Government Information Services] and the Committee carefully examined a hallmark government-wide statutory program to strengthen its values for the citizens using FOIA.

In our commitment to innovation at the National Archives, I'd also like to share with you two of our newest programs aimed at engaging the public in helping us bring access to historical records of significance: the Innovation Hub and the History Hub. The Innovation Hub is both a virtual and a brick-and-mortar space aimed at facilitating archival collaboration with our community of users. It's located in this building, and the Innovation Hub has a meeting section and a scanning section, where users may scan records using

our state-of-the-art equipment at no cost in exchange for providing a copy of their scans for us to use in our online catalogue for the benefit of all of our users. The History Hub is a virtual crowdsourcing platform offering discussion boards, blogs, and community pages as a means for our staff to communicate and assist researchers working in our records. Both of these crowdsourcing platforms allow us to build upon the work of internal and external stakeholders and be to provide 20th -- for 21st century access to experts and researchers interested in America's historical records.

Indeed, collaboration with our community of users is key to making innovation and access happen here at the National Archives. In April of this year, we had the privilege of hosting the Annual Conference of the Digital Public Library of America. The DPLA is a public-private partnership, working to provide public access to digital holdings of its large-scale digital library. The DPLAfest included a series of workshops, hackathons, and collaborative discussions, including a breakout session by where the PIDB highlighted how declassification review is a process critical to open government initiatives and transparency of government information. We at the National Archives are committed to making access happen for our stakeholders;

it's what we're about and it's why we come to work every day.

I want to thank the Public Interest Declassification Board, the agencies, public interest community, and everyone joining us today to add to this morning's discussion. Vital to the success of NARA's open government initiatives is the continuing conversation we share with our internal and external stakeholders, and that this engagement is essential to help us improve our services and help us serve our democracy by providing access to high-value government records. So thank you today for coming and for your support of our mission and our work. (applause)

LEARY: Thank you, Debra, and once again, let me thank the National Archives for all the many different things they do to support the work of PIDB, which quite literally could not function without the support they give us.

I now have the particularly pleasant task of introducing two of my favorite people, John Fitzpatrick and Nancy Soderberg. Our first speaker is John Fitzpatrick, who now has the job I once had at the NSC. He's risen to the top. (laughter) In that capacity, he chairs the Classification Reform Committee, a White House-led steering committee that

PIDB recommended the President establish in our 2012 report as a way of bringing high-level attention to the necessity of devising reforms and changes to the classification system. He also chairs the Records Access and Information Security Inter-Agency Policy Committee, and he serves on the Inter-Agency Security Classification Appeals Panel, ISCAP. Prior to joining the NSC, as I'm sure all of you know, John served as the director of the Information Security Oversight Office, one of whose tasks was to serve as the executive director of the Public Interest Declassification Board. So this is a very incestuous relationship (laughter) that we have with John. And prior to that he had some 27 years of experience in the intelligence community. In short, as I have said before, John knows more about these issues than any person alive, inside or outside of government. Please join me in welcoming John Fitzpatrick. (applause)

FITZPATRICK: Thank you. Thank you, Bill, thank you, everybody. I'm a little frightened by that last notion, and if it proves to be true I'm not sure I can make any public remarks. (laughter)

But first let me thank everyone here for coming today. Engagement by the public in matters of the Public Interest

Declassification Board is essential. And I know from my experience here -- it's also gratifying to the members of the Board and to the NARA staff, so thank you for making time for overcoming Metro's SafeTrack Phase 2 obstacles and whatever else you put aside or overcame to join us here today. Let me also thank the Board for the invitation, and again, that extrao-- I wish my kids could have heard that introduction. (laughter) I'm sure I would have gotten, you know, the eye-roll emoji anyway, (laughter) but I'd have felt better.

It's good to be back in the warm embrace of the National Archives and the Information Security Oversight Office, and of course the Board. It's been only five months, but a very busy five months since I left, and I draw my experience here at NARA every day and now down the street.

As Bill mentioned, I served as the Board's executive security for not quite five years, and during which time it was really a privilege to get to know the members and to assist in the Board's work. They are each of them extraordinary and honorable public servants, impressive in so many ways, and I have learned much from them and am grateful to call them friends.

Their work -- as you know, or you wouldn't be here -- is vital to the ongoing dialogue about the activities of our government in these increasingly complex times. The challenges that we face as a nation in a world fraught with threats and dangers and difficulties argue for national security strategies and actions that display a strong will and stiff backs. And yet, even as we might agree on the need for such a posture, we also need to ensure that the American people commonly understand and have trust in the reasons that these actions are taken. And we hope to ensure this through openness and transparency programs, through declassification programs, and by keeping open a dialogue, as we have here, about how those programs are doing and how they might do better. This requires a balance be sought by the way openness and security, and we must be open to different viewpoints about whether that balance is being appropriately struck. And if some feel it is not, then to listen to ideas about how it might be better struck.

And so the work of the Board in examining systematic elements of security classification is vitally important. And if you've been following along, and I recognize a lot

of faces so I know that you have, you're aware that the Board, through its reports, has made recommendations that have altered and improved elements of that classification system. It's done so with ideas that have made it into the executive orders that guide the system, and it has done so in engaging with the public and with agencies, some of whom are here, whose missions depend in part, and some in quite large part, on the efficacy of that classification system. The Board enjoys a unique perch of, but not precisely within, the government it advises. This makes it ideal not only for looking at things broadly and strategically, but also for speaking hard truths. For making -- I'm not quite sure I ever heard a member -- I couldn't quote a member saying to an agency or about a program, "That baby's ugly." (laughter) But I know that they're willing to say that, so, quite -- so certainly more diplomatically than that, but it is the kind of perspective and point of view that's necessary in the critical review of the system.

And while here my job was to help the Board to get the best input to formulate and communicate these observations and to make sure nobody actually says "Your baby's ugly," now part of my job is to take those ideas and help target them

so they inform decision-makers as they consider and take action about the system.

So let's talk about a few of those ideas, and some of them have been mentioned and others will be discussed in more detail this morning. The Board's 2012 report recommended a White House-level body be created to take these ideas and work with agencies specifically on their implementation. That is the Classification Reform Committee that Bill mentioned and that I chair -- it was quite the accomplishment for the Board to get the White House's attention on the need for such a body and to really turn it into an implementation-focused committee. The committee serves as a sounding board for issues and for their potential solutions and the policy mechanisms by which those ideas would find their way into future executive orders. It's also the venue to review ongoing initiatives about agencies and their practices, and their ability to share best practices.

One of the big resources of the administration has been the Open Government National Action Plan, now in its third iteration, commonly referred to as NAP 3.0. And the NAP is home for certain of these initiatives in the area of

declassification. We'll review a few that have been thrusts of the Board's attention in driving recommendations over the years. The DOD, in partnership with the Department of Energy, State, and other agencies, have a commitment through the NAP to work to improve declassification of a class of data known as formally restricted data, or FRD. This relates to past operational utilization and nuclear weapons. And DOD launched this initiative through its National Action Plan commitment, and established a process and an interagency group to consider such decisions.

And as happens, there's been considerable turnover in the department personnel who created and sponsored, and actually did the work of that committee. And that impacted operations after the committee -- the working group got itself started. But that topic remains on the agenda of the CRC. The Department of Defense personnel who are filling those chairs are aware of that priority, and we hope to have future results come from that body, that prove continued attention is being paid in that area.

We're going to hear a lot today about greater utilization of technology, and it's been a key thrust of the Board for

a great period of time. Last year, you heard from -- as Bill said, you heard from Amac, you also heard from -- I'm sorry, Alexander Macgillivray, the deputy chief technology officer at the White House. And you heard from Cheryl Martin from the University of Texas at Austin Advanced Research Lab, where study and proof of concept work was being done under CIA sponsorship for technological tools to aid in declassification.

Then concepts were proven in that work. And in the current version of the National Action Plan, there is now a commitment to develop a plan to implement technological tools to help automate declassification review. The Interagency Declassification Reform Committee will develop that plan to expand the use of technological tools that were piloted by CIA and NARA to help automate declassification review.

And I'm excited to say this effort has taken some very positive steps. We were working, of course, before I came to the NSC -- this was a topic of great interest by the Board, and a lot of activity simply to get it known throughout government. This work was done at CIA's initiative with a longstanding partner and information

management technology. The University-affiliated research center that is at the University of Texas is a specialist in this area, and so I had worked with them considerably over time. The difference here in what was, I'll say, differentiates this work is that it was about developing specific applications that would be put in an agency's production line to actually assist declassification.

You don't have to spend very much time around NARA to have the opportunity for companies to bring you their wares and talk conceptually about how discovery tools could do this, how searching in this way might yield this. But I would emphasize that the difference in the CIA's work and the work with the University of Texas has taken that beyond the step of would and could, and the CIA is now in the -- shall and will part of that. Not to speak for their programs specifically, because that's not in -- in my purview, but I -- through the work of the committee, and CIA's continued involvement and continued sharing of information about that work.

I can say they've taken the results of those pilots and brought them into their information technology development program -- their next generation information management,

which is about declassification but also so much more -- and to take these and platform on their systems. And so an actual application, with folks doing declassification review in CIA will have, at their -- at their disposal in their production line.

Now, that leads to a couple of questions. And I think I don't want to steal Nancy's thunder. I know she's going to talk about resource needs. To do any of these things, resources are needed. And it takes the commitment of an agency, CIA has taken upon itself to -- to see that it's in their interest to manage their information systems this way and invest in that. Our thrust, both when I was here with the Board and now through the work of the committee, is to try to foster that idea in a broader investment scenario. And a strategy for agencies to learn from these capabilities, take advantage of what the CIA is developing in their environment, and ask the question and hopefully deliver some answers: how could I do that where my work is done?

And there's a[n] absolute need to partner with the National Archives, which has a leadership position in government, which has standards and authorities that you cannot do

records management, digital records management, electronic information management and declassification without the right steering from -- from the policies and directives that come from the Archives, or that the President and the National Security Council develop and have NARA and ISOO oversee the execution of.

And so we have in the committee, the opportunity to keep this topic in the field of view of decision makers. Bill mentioned my, sort of, long career in the intelligence community where I was a security official. And security is one of those supporting functions that is not itself a mission, right? It supports mission, it's not a mission. And so I worked for a lot of mission managers, and of course, their -- whatever their mission is, it is -- it is where they are focused, straight ahead. And occasionally, they'll look in their peripheral vision and say "How we doing on security? We got it? We're good? OK." And then back to the mission. And you don't really get reform unless you have a leader -- and not a security leader, but a mission leader -- say, "Not only is that important, I'm going to move that over here, and I'm going to make that in my main point of view."

And what happens when a mission manager does that is all the people that work for him say, "Hey, that security stuff," or "That classification stuff, that's a little more important than I thought. If the boss is paying attention, I'm going to pay attention." It's essential in reform to make -- to find opportunities where that happens, and to encourage more of them. And I think what we are seeing in the CIA's activity around the findings of these pilots and to move them into their production line is to say, "We want to -- we want to have more of that."

So we've worked through the committee. We set up a -- and now this is, since I've come to the NSC -- set up a subgroup of the committee that's focused specifically on the technology, and got them, I'll say, much smarter on what it was that the University of Texas did, and what CIA's plans are to do with that, and started then to imagine what are the possibilities. Now, we're doing that with technology professionals in the agencies, and the usual suspects that talked about security policy and whatnot on classification. That's not -- that's a necessary but not sufficient set of minds thinking about this.

And so we've had a partnership with the Office of the Chief Technology officer inside the White House, and the Office of Science and Tec-- Technology Policy with GSA's 18F, which is an information technology con-- my word -- consultancy, operated out of GSA, but tied directly to administration priorities and information technology management, which has resources that include presidential and innovation fellows, who are brought in with experience and specialties in these areas. And so we've thrown this room together with these kind of resources and begun to say, all right, if CIA is doing that, what could other agencies do? And how would we lay out a strategy and the right amount of executive direction that that strategy must be followed? Which is really the part where I say, the leader says that this is what you need to be doing, and get agencies to go there.

So we were a work in progress. I don't have the plan that's in our commitment that's got to be delivered in this year of the administration, because this is the last year of the administration. It will include this work that we're doing. We have a proposed work plan, and there's a little bit of acquisition work that needs to be done to turn this proposal into a project, where these agencies --

NARA and CIA, and a few others -- will work with the experts in 18F, and the presidential innovation fellows, to deliver a couple of specific things. One of those things is a landscape map of agencies and these capabilities.

I am fond of saying we are trying to go from nothing to something in this area, and really calling out how much nothing there is, is a hard thing. I can have the opinion that agencies aren't doing enough here, but when you're talking in an environment of information technology professionals who are helping to govern all of the billions of dollars that the USG spends in IT, they're talking about places where there is money to invest and how best to use it. And we're trying to point out this is an area where few to mostly none (laughter) agencies have spent anything. That's -- that -- we actually are going to have to show our work to prove that that's the case, and then we'll have the ability for executive direction come in and say, "That's simply not sufficient, and here are the things we want to do."

Then we want to look at this in terms of opportunities. If the CIA is building a capability within its ICITE, and within the IC's new information technology environment.

That is a top-secret SCI intelligence community collaborative IT environment. Anything that is built there is built in a way that it could be used by others. The whole strategy of ICITE is not to have every agency building its own version of a thing, but to have one agency build a thing that everybody needs a version of. So we're trying to leverage the ICITE's dynamic, and IC's -- and the CIA's existing work to say if you're going to build in an ICITE, who else in ICITE could use that and share that capability, so you can build it once and use it many.

Then the strategy will also look at those who aren't in ICITE who may be in other environments where something similar could be done. And then the true have-nots -- which, as I said, is a lot of agencies from a technology standpoint -- if they were to have something, what would it be and where would you do it? So these are strategic, yeah, alternatives that our team will use -- I'll say fact-based research to document what we have and don't have, and what are the alternatives for moving out. Anything that happens in this space is going to be multi-year, crawl-walk-run.

That's the way IT development works. If you're going from nothing to something, you don't get from nothing to something without synching up in the budget cycle. And the next budget cycle is in the next administration. And so we have to take the very purposeful view that we can get out of this strategy some specific things to do, and executive direction to go do them, and then let the agencies that have this need, and really are looking for the spo-- both the sponsorship and the resources, but the assurance that that's the direction we're supposed to go.

So that's the gap that we're hoping that this project will fill. We will continue to work both in the interagency with the Board and with ISOO to keep folks apprised of how we're doing in getting there. If we are not getting there, people will say it. If this baby turns ugly, people will say it. But right now, because it is something we haven't -- we've long said this kind of thing is needed, and we're now in the process of producing this thing. I'm very encouraged and motivated by the encouragement that the Board has given this topic for -- for a good, long time.

I'm going to (coughs) highlight only one other thing, and it's not a specific thing to the Classification Reform

Committee. Well, actually, two other things. We're at a stage in the administration where the punch list for what an administration is going to try to do and going to be able to do has already been written, and they're working off of those things. That consumes all the energy that there is to do anything in the executive branch, and agencies have their own versions of those lists.

We also know that in the sort of typical history of the classification system that the direction, the policy direction that comes to do things differently or to do new things comes in the form of the executive order, current one, 13526, which -- which Bill, in his prior role, shepherded through as he did other predecessors before that. So we can look ahead to a -- what I simply refer to as the 45 Administration as having the need to consider the need to consider this executive order and what changes are needed. And what would be the process to engage the public and engage agencies, hear from the Board about recommendations about what changes, tweaks, augmentations are needed in that? I put that idea in everyone's head, not, to promise how that work will be done because that'll be the decision based in the direction of the next administration, but to predict that it will be taken up at

some point. And that the voices of folks in this room, and certainly the Board, are going to be important input on how that gets done. So that's a -- that's a bit of a look ahead.

I also want to highlight an initiative that, to some degree, grew larger than anyone anticipated it would be, and for all of the right reasons. And this has been covered in the -- in the press in the last few months, and it relates to a declassification effort with regard to records of the Dirty War in Argentina in the '70s. As things happen, the President was planning a visit to Argentina. The calendar -- the fluke of the calendar was that the -- his visit would fall on the day, the fortieth anniversary of a coup that led and kicked off all of these troublesome events in the -- in the history and government of the people of Argentina. And so it drew attention to a request that the government of Argentina had placed only a few months before, to see if there were more records that the US had that could assist the government and the people of Argentina in ensuring that they knew everything they could know about that period, and if there was an opportunity to reunite families, and make up for human

rights abuses, to bring people to justice, that it could be done.

In the early 2000s, the State Department undertook a declassification review, extensively through its holdings about that period, and this was a boon to the people of Argentina, and it is the kind of thing you read about, or that inform history books there. And so when this opportunity came up, the question came to the -- from the policy folks to us, what could we do here? And we pulled agencies together and asked that question, what could we do here? What do you have, and what would it take for you to find that over what period of time?

We were very encouraged by the response. Again, I'm going to use that example of when your leader takes something that you're not thinking about and makes you think about it -- declassification of historically significant records in this case -- things happen that don't otherwise happen. There was not going to be this initiative. Since then, you may have had the opportunity to hear Ambassador Rice talk about this, or even the President when he visited Argentina, and President Macri during that visit talk about this activity.

The project is to expand, to look beyond the State Department's original collection that was reviewed, and to review records of other agencies, including law enforcement, intelligence agency records that were not reviewed the first time around, to take another look at the State Department, withholdings that occurred now a dozen or more years ago, and to see if time has changed any of those decisions. And to look at other record sets, or to take advantage of the fact that other record sets are already being reviewed, and I cite here the president's daily briefs of -- of the Nixon and Ford Administration.

So instigated by a fluke of the calendar, much goodness and goodwill found between the governments of Argentina by the President making this commitment. And so while it's not in the reform category exactly, it is a noteworthy depiction of what declassification can do. The Classification Reform Committee -- and Bill mentioned the I-- the Interagency Policy Committee that I also chair, they are, you know, Superman and Clark Kent, maybe, or Bruce Wayne and Batman. I'll have to figure out the right analogy. One was made out of the other. The records access information security IPC is a standing body, and it has agency representation,

and it was augmented in very specific ways to create the proper reform perspective, to include the historian in the Department of State in that to have a historical point of view to include other resources from the Executive Office of the President, to bring in folks to include the open government program activity as well. And so I highlight that, and it will deliver documents over time, some of them in a few months and some of them in -- all the way out through next year.

I'm going to stop there. I've probably gone over my time in any case, but I want to thank you for your attention, and again, thank the Board for inviting me to come up.

(applause)

LEARY: Thank you very much, John. That's all very encouraging. These things -- the kind of thing John was talking about doesn't happen overnight. It takes a lot of persistence. And fortunately, John's a very persistent person, so I'm confident it will happen. Just one comment, one thing that John mentioned about the new administration's likely interest in issuing the new executive order, and that is indeed one particular project in our work plan for the next six months or so, to talk about and devise some proposed amendments to the current

executive order, which is a very good executive order, I think, is -- not because -- I mean, I was simply chairing the effort, but I think building upon the Clinton executive order, which was a path-breaking change in policy in this area, it made a lot of further enhance-- well, it's like the recommen-- like, establishing the National Declassification Center, for example, which was one of the Board's first recommendations. But anyway, I mention that because we are going to have our next public meeting will be on December 8th, and we will, at that session in particular, be soliciting ideas from the public about what should go -- go in that -- that pot of recommended ref-- amendments, revisions to the executive order.

Now, I want to introduce Nancy Soderberg to share her thoughts on the challenge and opportunities of security classification that it's facing as she transitions from her role as chair of the PIDB to an emeritus member. I've known Nancy since we worked together in the Clinton Administration -- technically, she was my boss, but we worked together, where she was an enthusiastic champion of declassification. Indeed, she was the major advocate of some prototypes of the Argentina project that John talks about regarding the declassification of her records related

to the American role in Central America. She is a national s-- security expert with vast experience at the White House, the United Nations, and in Congress. She was the US representative for special political affairs at the United Nations from 1997 to 2001, and staff director of the NSC and deputy assistant to the President from 1993 to 1997. From 1985 to 1982, she served as a foreign policy advisor to Senator Edward Kennedy. She was president of the Connect US Fund, a nonprofit organization that focuses on US global engagement. And currently, Nancy is the president and chief executive order of Soderberg Global Solutions, and a distinguished visiting scholar at the University of North Florida. Please join me in welcoming Nancy Soderberg. (applause)

SODERBERG: Well, thank you, Bill. To say I was his boss at the White House is a huge exaggeration, and anyone who's worked with Bill realizes that he's a master of getting you to do what he wants, but letting you think it was your idea. Secretive in marriage as well, but -- but thank you very much for this.

I wanted to first of all thank the deputy archivist and David Ferriero, the archivist for their strong support. And it was lovely to have Debra with us. It's great to

have John Fitzpatrick back, and I also just want to commend you for your dedication to classification reform. As executive secretary here, he was instrumental in everything that we did, and his stewardship of the Classification Reform Committee is admirable. And we're all very proud, because that was one of our first recommendations, the creation of that committee, and I reported in 2012.

And I also want to thank the President for his announcement yesterday of our two new appointees to the Board. Trevor Morrison will serve as chair, and Jamie Baker will be a new member. And as Bill mentioned, we have both had the privilege of working with Jamie in the Clinton Administration. I think you'll find him as sa-- both of them just superb new members with broad expertise and commitment to the vision of this Board.

I also want to take a moment to welcome our -- our emeritus members, Admiral Bill Studeman and former Congressman David Skaggs. And I think you'll find that the emeritus members unique to this Board are remarkably engaged, dedicated, and have devoted an enormous amount of time. I look forward to joining them and continuing to support the effort of this

Board. But I want to just thank you all for your continued work.

What I thought I would just do briefly before we hear from the members of the Board, and then you as the public, is to just highlight the work of the Board over my tenure, as three years as -- as chair. And I think there's really three areas that we focused on. One is process, two is the need for technology, and the fourth is try to set some priorities. And I think we've made progress in all of those, and I'm confident that the committee will continue that work, as well as having it involved in the White House.

On process, we've already heard about the Classification Reform Committee, but we take great pride in the establishment of that, because it really is the government's internal effort to serve as a catalyst for reform and transformation. We can do that as an outside board looking in, but it won't happen without that good system in place which we now have. John mentioned the progress on the FRD, the sort of need to get more review of the very interesting historical processes with our nuclear weapons that are kind of held by the DOD and -- and DOE.

And I think that's an important progress. The second I wanted to just highlight the technology, and we'll hear from Laurie shortly about the technology working group's work. But I want to just emphasize that technology -- we do not have the right system in place now. We're studying it, we're thinking about it, but it needs to happen now, and it needs to happen with the leadership that's currently in place before they leave office.

We did have a chance during our time as chair to visit the Center for Content Understanding, the CCU, at the University of Texas. And we've seen firsthand, as both John and others will mention later about the National Archives, the CIA has figured out how to manage and digitize the technology. Last year in June, you all had a chance in our public meeting to hear from Cheryl Martin of exactly how that works, but it still has not been implemented government-wide. And our current declassification processes simply do not work in a digital environment. They cannot keep up with the pace of petabytes and beyond of digital records that are now being created.

So we need an investment strategy for the interagency to meet the technology needs of the digital age. And as John said, there -- the Classification Reform Committee and the Office of Science and Technology, they are reviewing this. But frankly, the time for action has come, but I know John is very much aware of this, but I'm encouraging you all to begin to ask questions of how can we put this in place before the President leaves office? And I think John could benefit from a little bit more prodding from the outside. We are simply not doing enough to manage the overwhelming amount of government documents. And therefore, we are not doing enough to ensure that you, the public, have access to information regarding what your government is doing. And that needs to be corrected.

The current security classification system is also too antiquated to be effective in today's fast-paced environment, and the exponential growth of digital system is only exacerbating by the many challenges. A look at classification and declassification is two sides of the same coin. If we don't -- if it's not classified correctly in the first place, it's going to be clunky on the other side. We put forward some recommendations in our first report on that, and as John -- as Bill mentioned, they've

been fairly strongly rejected by the internal system, so if others have any ideas, I think that would be a -- a task that the PIDB must actually continue going forward.

Secondly, I would talk about a government-wide strategy for the management of classification technology. It is just simply unsustainable without it, and the -- PIDB's role, it was established to make sure that the government gets the balance right between what needs to be kept secret and what you, as the public, have the right to know. And that balance is skewed very heavily in favor right now of keeping everything internally, and away from the public, because the system is not manageable. It doesn't mean there are not great people working on it days in and days out, but it just doesn't work.

And so we've been urging President Clint-- President Obama to move quickly to ensure that a new system is in place before the end of his term. Which means now. And the only way that's going to happen is strong presidential leadership, making John work even harder, and an increase in resources. This is not free, it is not easy, and it needs both presidential leadership and an increase there.

We need funding of more pilots, we need funding to get the CIA's existing technology expanded.

Let me also just touch the need to prioritize what we do classify. Today, we are spending time and money reviewing and declassifying documents that are of little interest -- or, frankly, no interest -- to the public. And in our second report in 2014, we put forward ideas to prioritize the presidential records. And I encourage you to look at the report on our website. We also can give you -- send you hard copies. Ideally, what we'd want to do is do both automatic reviews and prioritization. But under the current resources, we have to choose. I would commend the CIA in this effort. They have been releasing interesting historical documents. They did on Bosnia at the Clinton Presidential Library, the PIDBs that have been forward. The NSA has also been releasing some interesting documents on the William Friedman Collection relating to the history -- the history of cryptology. Bill Studeman's very familiar with that. The NDC has instituted new review processes, and as John mentioned, the Argentina case.

Getting the historically interesting documents out into the public is crucial in terms of what the public has the right

to know. And I think we need to do a better job of that. We are also hopeful that President Obama will do exactly that, and set up a system for the expedited release of his own historically significant documents, preparing to do that now shortly after his release is something that I think would set a important precedent for the other presidents that follow him. President Obama has championed open government since his inauguration, and we very much are encouraging them to do that before he leaves office.

I also want to just encourage you all to take a look at the reports that we have done, and encourage the PDB to continue the work that we've had. And I'll just reiterate before I close, the time for reform is now on the technology front, and encourage the administration to do that now, encourage the work of John. The digital age is well underway, but the government has not caught up to that twenty-first century technology. And simply put, our agencies are ill-prepared to manage the vast volume of electronic data. And one of the roles here is to get that, as John was saying, into the inbox of the President in the last seven months of his office.

And as a Board, we've continued to underscore these points. I know we'll continue to do it under our new leadership, but it's absolutely essential that we have that conversation with you, the public, to actually make it happen.

So in closing, let me just thank members of the PIDB for their work in this area, particularly my friend Bill Leary, whose -- was first idea to put me on this Board in the first place, and to the fellow members, the emeritus meeting, David Ferriero, Debra Wall of ISOO. And I can't leave this podium without also thanking the amazing ISOO staff that assists the Board. And [where Bill Cira, who's sitting right here, Ellen Knight, and Neena way in the back [Shavdev?], who are just extraordinary in what they do, and there's been a lot of transition. And you wouldn't know it from their hard work. We were seamlessly [stored?]. And I also want to mention Dave Powers, who's left here and moved over to the White House with John. So we're very, very well served in that respect.

We're also very grateful to President Obama, and Lisa Monaco, who is an extraordinary partner in all this work, none of this would be able to happen without their strong

support. I'll echo John Fitzpatrick's invitation to have input into the executive order. That is an extraordinary invitation. Those, as Bill Leary, who actually is the -- he's very shy about taking credit, but he essentially is the reason why we have any of those executive orders -- orders to begin with. And while they're under the radar screen, they're incredibly important to getting information out. So take them up, push for inclusions in that.

Lastly, I'll just welcome new members Trevor Morrison, the new chair, and James Baker. And thank you for the support of our work, and we look forward to hearing from the members next, and then a public discussion. Thank you very much. (applause)

LEARY: Thank you, Nancy. When I -- as Nancy mentioned, when I recommended that the president appoint Nancy as the second chair of PIDB while I was still at the NSC and had some influence, I expected that she would bring energy and enthusiasm and collegiality to the work of the Public Interest Declassification Board that she certainly is not disappointed. We have benefitted enormously from her leadership of the PIDB for the past three years, and we look forward to her continued active involvement as an emeritus member.

We -- I was about now to, according to this script, present you with a letter from the President, which hasn't quite yet made it over here. (laughter) You know how those things work, better than most. It's on the way, though, I am assured by John. It's being signed as we speak (laughter) by the President himself. It's not an autopen signature, so you -- and I'm just going to read the text of the letter. That's all right.

"Dear Nancy, I extend to you my sincere thanks for your valuable service as chair of the Public Interest Declassification Board, and my gratitude for your service to our nation. The institution of the presidency is larger than any one person, and I am proud of the dedicated individuals who serve our nation and help me faithfully execute the duties of this office. As chair of the Public Interest Declassification Board, you responded to my request to study a fundamental transformation of the security classification system. Your leadership resulted in insightful recommendations found in the transforming the security classification system report, including the establishment of the Classification Reform Committee, a presidential body that helps policymakers limit secrecy to

the minimum degree required to meet legitimate national security considerations. I commend your service as chair.

"Your efforts to increase government transparency and openness, essential tenets underlining the democratic principles of this country, will benefit our nation for years to come. Please accept my sincere thanks for your service to my national security team, and to the American people. Sincerely, Barack Obama." (applause)

Now we are going to move on to comments from our members, and that includes emeritus. That's just a sort of fig leaf we use to meet legal requirements here, but they are just as active, if not more active, and full participants in our deliberations. And I'm going to ask each of them, the official current members sitting up front, David Skaggs and Bill Studeman sitting in the first row here, to make some comments. And then the floor will be open to all of you. I'm going to start with Laura DeBonis at the far end, who has served on our -- the technology working group, and I hope is going to tell us a bit about that, as well as maybe some other things. Laura?

DEBONIS: (inaudible) Hello everyone, and thank you again for coming. I am Laura DeBonis, and I've been a PIDB Board

member since March 2015. As a brief background, in the past, I've worked at Google on Google Books, at Harvard's Berkman Center for Internet and Society, associating social network safety technologies, and now I serve as a board member at the Digital Public Library of America. For the PIDB, along with the fabulous Admiral Bill Studeman, I am currently co-chairing the declassification technology working group, which we started about a year ago now, and have had four very productive meetings of to date.

The mission of the working group is to study agency technology investments for classification, declassification, and records management within the executive branch. This group is comprised of agency technologists who are deeply familiar with their respective agencies' readiness for the digital age. Our goal with our meetings is to broaden the dialogue between members, enable discussion of best practices, facilitate ideation and problem solving, and create cross-agency communication about the technology challenges agencies are facing with their records management.

As I mentioned, we have had four very productive meetings this past year, and we look forward to continuing them in

the year to come. The feedback from group members is that the meetings have been extremely helpful to their technology strategy and planning, which we are of course very, very pleased to hear. As a Board, we have found the technology working group meetings to be helpful to our own goal of gaining insight into the landscape of technology issues facing the agencies and declassification today. Using what we have learned over this last year, we have written a whitepaper about our takeaways and observations that we hope will be useful to the broader community. We are distributing this today to you at this meeting, and are also posting it to our blog.

We look forward to any feedback you might have from reading the whitepaper. We hope it will encourage discussion about the future efforts of the working group, as well as where PIDB should overall next focus its advocacy efforts. We also hope that this whitepaper will be helpful to John Fitzpatrick and the Classification Reform Committee in shaping its government-wide technology investment strategy for all agencies, which we continue to feel is critically important. Not just for the future of declassification and records management, but more broadly as well. Thank you. Sandy, over to you?

LEARY: Next is Sandy Ungar. I hope all of you had a chance to read Sandy's wonderful op-ed in the *Washington Post*, what was it, a week ago Monday? If not, go back and read it, talked about some of the issues we're talking about this morning. Sandy?

UNGAR: Thank you, Bill. Thank you, Laura. Because my op-ed piece has been distributed to you with my most recent thoughts on these subjects, I will try to be particularly brief in order to leave some of my colleagues' time to speak. While we're thanking everybody, I just want to say make sure that everyone realizes what a charismatic and effective leader Nancy Soderberg has been for the PIDB. She has brought extraordinary experience and depth of knowledge, and a way of dealing with these issues, from which I have learned a great deal. I'm grateful to Nancy personally. I think we all are for -- for her leadership.

Just a word, because maybe no one else will do it, about this unusual institution of the Public Interest Declassification Board. The idea originally, I believe, as Senator Daniel Patrick Moynihan and others in Congress who were worried, with good reason, about government secrecy. And I must say, (laughter) it's humbling now to think how simple the problem was at the time that the PID-- PIDB was

created, and how much more severe the problem has become, how prescient Senator Moynihan and others were about it. In my particular view, the genius of this institution has been that it's brought together people -- admittedly, appointments run out, and people have to take on emeritus status. And it's a little clumsy keeping it all together. But we've had a very -- a wonderfully broad selection of people serving on the Board, people who have served very distinguished careers in the intelligence community. Even a member, a former member of Congress who has a very particular perspective, people who have worked in the White House, other -- increasingly, people who know a great deal about technology.

And even the occasional journalist, of which I'm -- I'm one. Laura introduced her background; I spent about half my career in journalism and half in higher education. Worked for the *Washington Post* and others in the so-called print world, obsolete as that may seem now, and then in radio, and both public interest radio and at the Voice of America. And then for my last two big jobs have been in higher education, one as dean of a school of communication, and then president of an absolutely wonderful small liberal arts college in Baltimore.

I just have a few things I want to add to the dialogue today. One is that I have a sense, after a long service now -- I've had three congressional appointments to this Board, appointed by Senator Reid. I have come to appreciate just how utterly difficult it is to get priority attention for these issues. That when there's a crisis, there's a leak of a major nature, when something comes out, suddenly everybody is concerned about security, and even a few are concerned about over-classification, and -- and the need for more efficient declassification. But given all the other crises we can front -- the budget issues, the -- the utter decline of civility in American politics, and so many things that are happening, it is really difficult to ask people, "Now, wait a minute, put everything else aside -- or don't put it aside, but still sit up and notice what's happening," namely that the public is being ever more systematically excluded from knowledge about the workings of its government, particularly in the field of national security and foreign policy.

This is a crisis. It has great complexity to it and many different sides to it. There are so many good intentions, and there is such slow progress on fixing this. I have

tried over time to adopt an attitude of constructive impatience, which I think is necessary on all of our part. The -- the numbers of electronic documents that are being created when President Obama leaves office, and another tsunami of documents will be upon us for review and processing. And they simply can't all wait 25 years to be looked at. I mean, that is such an obsolete concept that we can't tolerate going on that way.

I think the two particular [inaudible] of the Board in recent -- well, I'd like to say weeks or months, it's actually now already years -- has been a sense, a system of prioritization. Probably not perfect; I had a very thoughtful comment sent to me by an archivist here about my piece in the *Washington Post* recently on this subject. But it's cut -- we have to find a way to get crucial information out. We cannot wait until nobody has heard -- essentially, no one has heard about the wars in Afghanistan and Iraq, before we find out how we got into them. And that is -- that is what will happen, unless some changes and reforms are made. There is such a -- a desperate need for technology to process things. I'm sensitive to and respectful of the worries about members of the intelligence community who are serving the public interest. There are

worries about mistakes being made by machines, but so many mistakes are made by humans that's really -- it's really hard to -- to say we don't dare introduce more machine and electronic processing into this work.

We had several recommendations in our studying priorities report, and there's one I want to call attention to, especially to remind people about it, which is to end this -- if you'll excuse the expression -- utterly ridiculous system of pass-fail review of documents. In other words, when people are meticulously reviewing documents, as soon as they come across one sentence, one phrase, one element that causes problems, the old system is simply then to put the document aside, not to redact it, not to -- to come up with a compromise on it, and then wait for it to be reviewed in the course of -- of events again, perhaps 25 years later. And without benefit of what was found the first time, or what was understood the first time. This is a waste of human resources, it's a waste of time, it's a waste of intelligence, and of -- of good intentions.

So I hope that this constructive impatience will come into play a little bit more as we try to figure out just what we're going to do before -- hopefully before the next

crisis or two or three that -- that come up. I would note that I was particularly involved with the story of the publication of the Pentagon Papers, shockingly, 45 years ago this month. But it was only five years ago that the Pentagon Papers were officially declassified. So it took 40 years after the leak of the Pentagon Papers, and I suspect in part because the archivist, David Ferriero at the time, thought, "Wouldn't it be interesting if we were to take a look, after all, about these documents that there was so much controversy about?"

So we've just got to do something about this and do it urgently. It is fundamental to the health of the -- healthy functioning of a democracy. It is necessary to preserve and to build civic engagement, which is needed more than ever in this country right now. But if we don't know if -- and if young people don't come have a systematic appreciation of history, how will they ever, ever be able to move this country forward? Thank you. Sol? (applause)

WATSON: Hi. I'm Solomon Watson. I've been on the PIDB since March of last year. I was a lawyer for the New York Times Company for 32 years before I retired. I got there a little bit after the Pentagon Papers decision had been decided, but became part of the DNA of all of us there.

And as Sandy has pointed out, there is a well-known story about the processes leading up to the publication of the Pentagon Papers by the *Post* and the *New York Times* on June 13th, 1971, and the resulting landmark Supreme Court decision. There is also a story about the declassification of the papers, and their being made available to the public 40 years later, June 13th, 2011. And that's what I'm going to talk a little bit about this morning.

That story, which reflects an apparent governmental interest in continuing security, secrecy, and what some might call bureaucratic action or inaction on the papers, is a cautionary tale, because to some extent, it has impact on what happens today. On the face of it, as Sandy indicated, it should not take -- should not have taken so many years, 40 years, for the papers to have been declassified. The government's rules with respect to how long sensitive national security information is to remain classified were clearly not applied to the Pentagon Papers. For many years before 2011, an argument was made by skeptics that the papers ceased being sensitive when leaked and published in 1971, and that they should have been declassified shortly after the Vietnam War was over in 1975.

Now, one of the outcomes of the Pentagon Papers litigation was that it made the public very skeptical about the government's claims for needs about national security secrecy. That the papers remained classified so much longer than required raised questions among archivists, historians, academics, and the public at large about the system of classification and declassification. Those papers had been kept secret, despite numerous efforts over the years to declassify them. Attempts were made under the Freedom of Information Act, and a system known as mandatory declassification review. Perhaps reflecting public skepticism, it has been written that there may have been -- may have been -- official knowledge that some of those requests were being consciously lost. No attempt to have the papers declassified prior to 2011 was successful. There was an absolute lack of transparency with respect to their treatment. The declassification review of the 7,000 pages of the papers, I'm told, took, about 10 days, because members of the staff had great familiarity with them and were motivated to see the papers declassified.

We celebrate that release of the papers because it meant that, for the very first time, the American public could

see the actual Pentagon Papers. Until that time, no one, other than those with a top-secret clearance, had seen the actual pas-- the papers. In the press release announcing the declassification of the papers, the NDC, noting that the project could not have been -- could not have been successful without the help of the intelligence community, the defense community, and the Department of State.

And there is an interesting, illustrative footnote to this story. It was reported that during the 2011 declassification review, one organization initially suggested that there were 11 words on one of the 7,000 pages that should be redacted. While that suggestion was not followed, the fact that it was even made so many years after the Pentagon Papers study was delivered to the government and written about in the newspaper was taken as evidence of what many would call a continuing culture of risk aversion and secrecy within the government.

In addition to these cultural issues, and notwithstanding progress made in many quarters, there remains a substantial number of institutional barriers to effective classification and declassification procedures. To remedy this, the government should make timely declassification of

information part of its normal way of doing business. And this should include a government-wide strategy for technology, and indeed, a program to transform the risk-averse culture. Without transparent rules with respect to timely declassification, the public perception will remain that national security information, even if properly classified, is being withheld improperly and for too long.

As a member of the PIDB, I have seen these challenges, but I am an optimist. More importantly, I have seen great leadership, a growing spirit of collaboration, and a can-do attitude. These factors, with appropriate resources and support, will help ensure that the public has access to a thorough, accurate, and reliable documentary record of significant United States national security decisions and activities. After all, that is our mission, and that is our right as citizens. Thank you. (applause)

WAINSTEIN: Hi, this works? OK. Good to see everybody. My name is Ken Wainstein. I've been on the PIDB since 2013, I believe. And let me just start off as -- as Sandy and Sol did talking about the Pentagon Papers. I wasn't working at the *Washington Post* at the time of the Pentagon Papers. I think I was reading newspapers at that point, but I -- I did -- probably the comic pages. But actually, I had a

sort of interesting perspective on it, because my father was involved in one of the organizations that helped to draft some of the Pentagon Papers. So some of his friends were prominently in the leaked papers. He actually was old friends of Daniel Ellsberg's, and Ellsberg reached out to us in the aftermath of the -- of the leak. And so I heard from a young age the perspective of people on the inside, who were -- who felt aggrieved by the fact that there was this leak of classified information. And there were some very personal impacts that friends of my father's felt because of what people thought about the papers and the fact that they, you know -- and the thought about the war.

But then since then, I've been able to sort of balance that against or with the public interest, and the benefits of disclosure of that kind of information that never in favor of leaks, as someone who has worked in intelligence community and law enforcement for many years. But the disclosure of important information that really is introspective about the government and what it did, what it did well, what it did not so well. That's really important that it be -- to the extent is -- is possible, that it be out there for the public to see. So I think that actually was a very good case study of, you know, that balancing.

Very sensitive information. I don't know what was in those 11 words, but I can tell you, there are -- there is certain information, names of sources, that kind of thing that those don't -- the importance or the sensitivity of that information doesn't age off until the person's dead, and there are still ramifications are for people. So I don't know what those 11 words are that Sol was taking about, but I could see myself being in the position of authority in an agency saying, you know, I don't -- it doesn't matter to me that maybe this information's already out there, this is 40 years down the road. But this about a human life. I've got to be very careful about it. So it's -- I just highlight that, because it's -- these are very difficult issues sometimes.

But what I'd like to focus on in my remarks is the frontend of the process, the classification aspect of this. We're the Public Interest Declassification Board, which is -- I mean, that's not a misnomer, but it only captures one half of this, which, as Nancy said, classification and declassification are two sides of the same coin. And I do have some insight, along with others who have been involved in this process, into the -- into the classification, you know -- the motivations and the processes that go into

classification decisions. And I agree with everybody who's spoken so far, that the system has just -- it's broken. And not -- you know, not by anybody's fault necessarily, but you have a situation where, you know, people who are classifying officials -- like myself when I was working in government -- the incentive system is to be cautious and to classify by default. And that's just natural human nature. In order to push back against that -- and especially push back against that now, with the sort of exponentially increasing volume if information that comes through -- it's going to take real strong leadership. And if -- if we don't see that, if we don't see those -- any changes, we're going to continue to see the problems that we're -- we're seeing.

I mean, over-classification, obviously, it has a number of different ills related to it. It -- it's antidemocratic in a sense, because it prevents the public from seeing, to the maximum extent possible, what its government is doing. It damages information sharing among agencies, and between federal agencies and its state, local, foreign, tribal and foreign counterparts. And also, I think it just -- it breeds a level of distrust by people about the government, because there's a -- people jump to the conclusion, or move

to the conclusion that over-classification is a result of a desire to keep secrets for nefarious reasons. And by and large, I've not seen that in my government years. I didn't find that things were over-classified to avoid the disclosure of embarrassing facts, that kind of thing. Has that happened? Sure. But the overwhelming majority of over-classification is just because of innate cautiousness, and because it's not a priority.

And -- but nonetheless, despite that, I think it breeds suspicion, it gives justification for leaks, and I -- as I said earlier, I -- you know, I see how damaging leaks are. And every time there's -- there are hearings up on the Hill, or there's a big issue about a -- a leak, I end up speaking about it or testifying about it. And one of the things people -- and I'm on the, look, we -- we need to stop leaks side of the debate, generally -- but, you know, what people throw back at me is, "Well, come on, there's over-classification here. And we need to get some of this information out that shouldn't be classified in the first place," which is a very strong counterargument. And for the purposes of the next time when I go up to testify, I'd love to have that counterargument negated. I'd like there

not to be over-classification. But I think that's, at this point, we're a long way away from that.

So anyway, we have the innate cautiousness of people who are doing the classification. We have procedures that generate a result in automatic classification. And so we're just seeing this exponential growth of the body of classified information that we're dealing with. And it's going to require, you know, a multistep process. And many of these are steps that the Board, in particular, right before I joined, made recommendations about. You know, we need to refine the policies and procedures for classification, but revise the classification system itself. Training. There has to be a training and sensitizing of government officials to the need to -- to minimize classification to only that core, classified, and sensitive information. And then lastly, a technological solution.

And I tell you, I was -- I went to Austin with the PIDB a year and a half ago or so, and was here when Ms. Martin gave her presentation last year. And I'll admit, that I was a bit of a skeptic before I went. But I was really amazed at the -- you know, the content analysis that

there's -- their technological solution provides. As I remember, it was, like, 98% accurate, which is a heck of a lot better than I thought, and I think a heck of a lot better than most, you know, human classification or declassification can -- can do.

So that's inevitable. That's the only way we're going to get ourselves out of this mess, and so I -- I applaud everything that's being done on the -- that score. John, I know, is carrying the flag over at the White House. But as John said, this is -- it's not the secu-- it's not the mission that people are focusing on. It is ancillary to the mission, and it's going to take leadership by this administration, by the next administration, and by all of us who are involved in this to one extent or another to make it a priority, because it's -- it's only going to get worse.

Lastly, let me just say thanks to -- to Nancy. I want to join what -- my colleagues in applauding her work. She has been everything that Sandy and John and others have said about her, but I will say one other thing, which is we are -- the PIDB operates in a space where we don't have line authority, necessarily, over pretty much anybody, right?

So our effectiveness is in getting our word and our position and our sort of moral high ground out, and that requires an understanding of the government, an understanding of the pressure points, an understanding of the people. And the processes of the government including the interagency process. That is something that Nancy has brought to this job, and it's -- it's a rare commodity. And the -- to the extent that we've been successful in changing opinions and mobilizing people, it's been largely due to Nancy's efforts. So I just want to join my colleagues in thanking her for that. And also in, you know, acknowledging the President's kind words, which I thought were very nice.

And, look, don't feel bad that it's not done yet. As somebody who doesn't get his holiday cards out until Valentine's Day, I can kind of relate to the President. But I just want to join everything the President said as well. Thanks. (applause)

(background dialogue; inaudible)

STUDEMAN: Good morning, everybody. I'm Bill Studeman. I have been on the PIDB for, counting my emeritus time, over a decade. So I'm really the old guy, literally and figuratively here. And let me just make a couple comments

about things that you've already heard about, mindful that the clock is ticking beyond here.

I've been co-chairing the technology working group, as Laura said, and we have been actually quite aggressive. It's not only the four meetings, but we've done agency visits, we've had the staff go -- pull people in for visits. We've had offline discussions. So this is really, I think, one of the most important things about the working group, which is that we are able to make progress could be call all these people together into these -- into a forum where they have to share information perspectives, where we get briefed on common things of core interest to the technology future, and what's really happening, in the both records management area and classification-declassification area. It's sort of like management by nagging, if you will, which is one of my favorite ways to manage, actually.

And I think that you have to recognize that this is more than just about text-- the CCU Project at Texas -- deals with text. Ultimately, it's about geospatial data, it's about graphics, it's about video, it's -- the whole media world is shifting, and records management -- part of this,

and the Archives, and the declassification world has to deal with all of that.

We've been looking mostly at tools. The CCU Project really is the only viable tool we've found so far. We have to open the aperture and get more ideas about tools in. So piloting and prototyping, trying to cause agencies to actually come together is -- the CCU Project shouldn't just be CIA. NSA has shown a lot of interest. We're talking about trying to bring it up there, also get some of their money, maybe resources transferred over so we can accelerate the -- the tool in proper textual settings. And I think it's important to accelerate. Time has gone on too long. This is a rather difficult, tricky tool to contextualize into the environment where you're working. So it's not just a question of bringing up some software, and you're off and running.

The pilots and prototypes, and the whole alternative futures for dealing with the technology part of this really does suggest that there has got to be a public-private dimension to all of this. And this has been a government-only kind of thing for a long time. I think there's a lot already going on out there on the private side. CIA, as

part of its implementation of ICITE has gone to Silicon Valley contractor, the Silicon Valley people, and the people who deal with IT and communications, and -- and information at large. Probably could have a lot to offer here, so we need to figure out a way to get that aperture opened, and -- and access them.

The other thing is I think we actually need to someone analysis study. We have no idea what the size and scope and nature of this problem is in the context of the world going digital. And it went digital 25 years ago, actually, so we're in the digital era now. So we need to probably get some data, you know, on the size and scope of the problem at some point. I want to -- I think it's important for you all to recognize that, in the context of tools, declassification tools can also be used as classification support tools. So if we make progress on declassification side, there might be aids to classification that could come out of this that are important.

So again, I think recognizing that this is a dramatic paradigm shift in the size and scope and the information that the old paradigm that we had that's already been talked to here by numerous speakers just absolutely won't

work in the future. Some entirely new direction, some entirely new strategies, some -- some dramatically new paradigms apply, wrap technology around it, is the only way down this road and the prioritization. And that may mean that the old way of doing business is going to cause you to have to leave behind things that you like, and that risks have to be taken. But I think the only way you're going to move forward is if you take that road. So thank you very much, and I appreciate you all being here. (applause)

LEARY: Let's go to the public. OK. This floor is now open for comments, questions. I'm going to ask you to -- to be as concise as possible in your remarks, and please identify yourself.

AFTERGOOD: Hi, I'm Steve Aftergood with the Federation of American Scientists. Three quick points. John mentioned the release of the Argentina documents, which was a great accomplishment. I wanted to mention a closely analogous case in which people in Indonesia are seeking declassification of US records from the 1960s. But because of the fact that the President was not traveling to Indonesia on a significant date, that request has not moved. My point is that there's a -- there's an element of arbitrariness that amounts to a structural problem in the way we declassify.

Second quick point. If there's a single festering wound in historical declassification policy, I think it would be the continuing failure to release declassified records concerning Iran in 1953, in the Foreign Relations of the United States series. It's an issue that people have been clamoring over for at least 25 years. We were told repeatedly these records are about to come out. If you, PIDB, have the bandwidth, I would encourage you to talk to the historian of the State Department, Dr. Randolph, who's here. Find out the facts of the matter. If you concur that there's a problem here, then I would encourage you to use your authority with the Secretary of State, with the administration, to say get this stuff out. It's not a -- it's not a technology problem, it's a policy problem. I encourage you to talk to Dr. Randolph.

Third quick point. One agency that has not been mentioned here is OMB, and I think they are central to the solution of this problem. Your whitepaper talks about the need for leadership and resources, but there are dozens of agencies that classify records. And if we take this as a -- if we tackle this problem agency by agency, it's never going to be solved. I think it's a government-wide problem, it

requires a government-wide solution. I'm talking about the declassification of historical records. OMB should be advised that there's going to be a train wreck unless we have a stable s-- increase over the next five years in funding available for declassification, including new declassification technology. The way to do that is perhaps a 1 to 5% tax on the information security budget. In other words, whatever the information security budget is, we need to allocate 1 to 5% of that for declassification, including declassification of technology. And that would advance the ball, would not make us dependent on visionary leadership in individual agencies, which is hard to come by. Thanks.

LEARY: Thank you, Steve. Sir.

BINDER: Michael Binder, Air Force Declassification Office, speaking for myself and not for the Department of the Air Force or the Department of Defense. I'd like to ask of the Board three requests in three areas. One has to do with security classification guides. I used to work for the Department of Energy. We had beautiful guides. They were nearly all classified. If you looked at the guide, it would say, "If you say this, that's unclassified. If it's this, it's cla-- it's confidential. If you say this, it's secret." In the Department of Defense, it says, "If you're in this area, it's unclassified to secret." And one of the

reasons why is because ISOO encourages us to produce unclassified security classification guides. Those are not very useful for an automated system. So what we want to do is to produce classified SCGs. However, producing classified SCGs when they were unclassified before will upset the public, so I would ask the PIDB to back us in our desire to produce classified SCGs, which would not then be available to the public.

The second area has to do with the distinction between information and record. In the handout, there were a few places where I saw the word "information," and I think the word "record" would have been appropriate. It's very important to maintain the distinction. There is practically no information, I would contend, that is over-classified. There is a tremendous abundance of records that are over-classified. Information is classified by original classification authorities. They have the expertise of subject matter experts. These things are sent out for review, and they generally do not over-classify information. That classification may expire, the records that are based on the information have not been reviewed, and therefore those records have become over-classified. So it's important to maintain that distinction.

And the third area, touching on some things that John Fitzpatrick talked about, having to do with resources, the military departments are top-down organizations. In my organization, we can appeal to our SES that we should get some money to run a pilot, which is something that we want to do to develop an automated declassification review tool. But we need people like the PIDB to go to the Secretary of Defense or the Secretary of the Air Force and talk to them about the need for more resources, and to impress upon them the need for making that effort. And therefore, when my boss, my boss's boss, goes and appeals for more money, he's talking to someone who is already amenable to that idea. That's it.

LEARY: Thank you.

GOITEIN: Hi, Liza Goitein from the Brennan Center. I have a question for Nancy Soderberg, and responding to something you said, we were -- you were talking about the -- PIDB's recommendations from, was it 2012? I forget. And you were saying that a lot of the sort of frontend recommendations had been sort of rejected from within, I guess, the administration. And this was news to me, and not in the sense that -- I mean, obviously, we haven't seen these recommendations acted on, but by the same token, we also

haven't really had much communication at all with the Classification Reform Committee, which is frankly one of the disappointing -- when I say "we," I mean civil society. And the lack of communication between the CRC and civil society has actually been a bit of a -- a bit of a disappointment. And so having not had that communication, it was not clear to us whether the inaction we were seeing on those recommendations was simply -- it could have been a number of different things. So I'm curious whether you could tell us any more about s-- what happened to some of those recommendations, and -- and why, to the -- to the extent that these recommendations were actually considered and rejected. Do you have any, you know, feedback for us, as we consider what recommendations we want to make for the executive order for the next administration?

SODERBERG: Sure. First of all, the reform committee is here in the terms of John Fitzpatrick. So accost him on the way out, I'm sure he'd be happy to -- to chat, and maybe there's a way to have a direct discussion with the public, and -- and the re-- and the committee. That might be helpful in terms of organizing something formal where people have a chance to think about it before December.

I would say inaction is rejection. When we put out the report in 2012, we went and talked to a number of the various departments about it. In a formulation of the report, we, prior to issuing the report, we had a number of conversations. And I would say we got a lot of blowback on our recommendation for a two-tiered classification system, particularly the elimination of confidential. The State Department's conversations back and forth are confidential, and their argument was that it was simply a mean -- instead of being unclassified, it would bump up to secret, and more information would be classified. We got some of that. The FRD, we initially had talked to both the leadership of DOE and DOD, and, you know, it's a third rail for some of these. The changes in personnel may make that a bit easier, and I think the committee -- and John may want to follow up with some of you on that issue -- is they are moving forward. The retirement of Kyl and Lott makes it easier as well.

So we did actually do an internal review of what had implemented and what had not been implemented of those reports. So if there's anything specific that you're interested in, we'd be happy to kind of give you a sense of -- of what's -- what's happening. And I personally am more

than happy to talk about which ones are really hard and why, (overlapping dialogue) so that you could get a sense of the executive order. I mean, we might want to do some internal thinking on the executive order as well, which I personally haven't done. Others may have.

GOITEIN: (inaudible) recommendation are truly (inaudible) declassification of things that were operation sensitive or date sensitive. Do you have a sense of (inaudible)?

LEARY: That -- you know, that's related to the two-tier recommendation.

GOITEIN: No, no it's a separate recommendation (overlapping dialogue; inaudible)

LEARY: I know, it's a -- it's a separate recommendation, but they're thought of in tandem, I think, by the agencies. And I -- everything that Nancy said is correct, of course, about their reaction. I still think that the administration of the agencies have not really grappled with those two related issues. I think they just dismissed them as impossible. I mean, particularly, the -- the steadfast resistance of the State Department pretty much put an end to any serious consideration of how maybe to modify those recommendations. We, I think, were careful to say in our report that these were big changes. They might require some refinement. And I certainly believe that, and

people within agencies who do this work on a day-to-day basis are the best ones to refine it. But I still think there is some merit in seriously considering those two related options. Both of which have been simply ignored.

SODERBERG: As -- as Ken mentioned, it's counterintuitive -- at least it was to me -- that automated technological release of information and review of documents is much more accurate than people doing it. I thought, "Oh, you have to --" when we -- when we started this four or five years ago, I thought, oh, well, we'll have to convince the agencies to be less risk averse and in automating things. In fact, the opposite is true. The CCU Project, it was in the 90% of accuracy, and -- versus when people do it, it's, what, in the seventies, or something like that. So that's a socializa-- (inaudible) very small sample, but I think some work on that to try and get them to recognize that this is actually a safer and more -- less -- you know, less risky way to do it.

And what I fear is that it's going to take another WikiLeaks or some other big crisis before people focus on this. It's really hard to get people to focus on this. And, you know, the system is broken. It's going to only get more broken. And I think Obama has a chance to set

some things in motion that'll make it less broken, but a fundamental transformation of how documents are classified and declassified, you know, I'm fearful that it will take a big, catastrophic event to get that focus needed. And I think we -- we're hoping that the President can use the time in office to try and set some of this up. But I -- I come back to the executive order, which I think is really crucial to doing this. And I appreciate John's leadership in getting that out the door.

STUDEMAN: Real winner is the people checking the machines. So it's a combination of the two and probably that means a different work breakdown structures (inaudible) whole issue of how you do the work is probably going to change.

LEARY: Yes, sir.

YOKLEY: Good morning.

LEARY: Oh.

YOKLEY: Morning. My name is John Yokley. I'm the CEO of a small business in Bethesda. I'm first going to cover a little bit of background, and then an issue in regards to technology adoption for declassification. My company has been working to try to automate declassification for about seven years, when I recognized that this would become an issue, and it's definitely becoming an issue. PTFS is

under contract to two government agencies to do declassification manually right now.

So the last time I spoke in front of the PIDB at the public -- in the public forum was in 2007. And we were starting to develop some tools and technology at the time, and I ask the question who will certify the redactor that I'm building to see that it really works? And I was -- I think it spawned some conversation, but I was told that, OK, NSA does that. So we called NSA, and they said, "We don't do that." But turns out that seven years later, NSA formed a declassification team, and now they've developed some common criteria for testing redactors, and PTFS was part of the team to provide some input. So there is progress being made, but it's pretty -- it's been pretty slow.

In 2011, the US Air Force piloted a semi-automated declassification tool built by our company. It had great success, and there was two teams from the Air Force that were brought in, and they redacted the exact same documents, and it showed a ten-- tenfold increase in productivity. That pilot was briefed to the ERWG [External Referral Working] Group out at National Archives in

Maryland. The ODNI recently visited us in May to get some information on what we're doing.

So one thing that was talked about earlier was cloud. So the ICITE -- the ICITE has come to be, it's going to help with technology adoption, because now external referral will truly be possible once people have been connected. We built a tool that allows that to happen. It's a workflow solution, but it really can't happen. And it can't happen until people have connectivity and their data is stored. So we're excited about that, and -- and as well as UTARL's [University of Texas Advanced Research Laboratory]tool, but that tool is one piece of the par-- of the puzzle, and it's one part of it, and we can use a plugin like that with (inaudible) services to -- to help redact.

The issue that we're seeing now -- and we've got others that want to use and -- and try to attempt to automate -- the issue that I want to bring up today is that we are being told that the Department of Energy is mandating manual review to support Kyl-Lott. Now I know that Kyl-Lott might be going away, but that's what I'm being told right now. So I just want to bring that up as a topic to be -- to be addressed, because I think that we could, in

fact, help more. But people are afraid to -- to do these pilots, to do more pilots to try to test the technology, because there's roadblocks and obstacles. So -- so any feedback in that area would be appreciated.

LEARY: Thank you. Why don't we -- Andy, do you want to say anything about that?

ANDY: Well, I'm not really sure what he's referring to. But I do have perspectives on this. I do think the automated tools have great potential, and I do think that there is possibilities to facilitate Kyl-Lott using automated tools. I think it's a very early stage of effort that could be done. Certainly, at the Department of Energy, we're beginning to look at things like that as well.

You know, one of the comments that I heard -- since I have this opportunity, one of the comments I heard -- which I agree with 100% -- is that if you want to reduce over-classification, you actually have to start classifying less information at its origin. And that means the government needs to make some decisions upfront about the risk equation they make, and have a higher risk level to not classify information. That's across the board. And secondly, the public tends to misconstrue that when the government classifies less information, it equates

immediately to release of information. And that's not true, because we have a group of tools that we use to control information. Some of it is classified, and some of its controlled information. And if all you're doing in the end is moving from classified to controlled, you're not really getting any benefit for the public. And so that's something to think about. If -- if all we're doing is on the confidential issue, moving from confidential to some form of controlled, or going from confidential to secret, we really have changed the paradigm, but we haven't gotten any benefit for the public. And that really needs to be the goal for release and (inaudible).

So that's the two thoughts I have. So I'm not against tools that can facilitate Kyl-Lott but it has to be done in the right away, and it has to be done in a way that makes sense -- that gives the same consistency and control to the information that we think are very important. If it needs control, to be controlled.

SODERBERG: Can I just clarify your -- your answer to him, though? It's my understanding that under the current system, the -- the FRD information, to the extent that it's reviewed at all, is reviewed by a two-eyes-per-page process.

ANDY: Yeah, not two eyes. So what happens in Kyl-Lott is that Kyl-Lott is a system. What we do is we train other agency reviewers to recognize what is RD and what is FRD, and to flag that information for a second check to say by DOE that whether it is FRD or RD. So in that process, people tab documents in their collections, saying, "This is potentially RD-FRD," it gets the quality check. And then in the referral process, which is a separate process within NDC, DOE goes and says yes it is, yes it isn't. So for example, in the Kyl-Lott process that we do, you know, there's human error in this process. We've saved around 9,000 pages of stuff that was RD-FRD. In the referral process, 200-some-thousand pages of RD-FRD have been picked up. So the system works. And in that process, over 300 million pages have been processed, and, you know, are cleared for public release.

So I don't -- I'm a believer in Kyl-Lott and what it does. Can you make it more efficient for the other agencies by having an automated tool? Sure. But like every other automated tool, there's a lot of work to be done. It's not a slapped together, a quick tool, and say "You can do it well." So that's my perspective.

LEARY: Thank you, Andy. David, I think we still have time for a few closing remarks. (inaudible)

DAVID: Well, you may have time for it (overlapping dialogue; inaudible).

LEARY: All right. (laughter) Well, that's good. Well, thank you all for coming. I'll remind you again that our next public meeting will be December 8th, and we are -- we'll at that time be particularly interested in recommendations for changes to the current executive order on security classification. Thank you.

(unrelated crowd chatter; not transcribed)

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