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Description of document: Procedures for Systematic Declassification Review of State Department Records Involving Presidential Records, Foreign Relations of the United States (FRUS), or National Security Council (NSC) documents, 2007-2010

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NSC Guidance for SRP Reviewers

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Office of Information Programs and Services
A/GIS/IPS/RL
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Washington, D. C. 20522-8100
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[Online FOIA Request Form](#)

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United States Department of State

Washington, D.C. 20520

DEC 20 2011

Case No.: 201001020

In response to your request dated January 19, 2010 under the Freedom of Information Act (Title 5 USC Section 552), we conducted a search of the records of the Bureau of Administration and retrieved three documents responsive to your request.

After reviewing these documents, we have determined that all three may be released in full. All released material is enclosed.

The Freedom of Information Act provides for the recovery of the direct costs of searching for and duplicating records requested for non-commercial use. However, no fee is charged for the first two hours of search time or for the first one hundred pages of duplication. Since less than two hours of search time have been expended and fewer than one hundred pages have been duplicated in this case, your request has been processed without charge to you.

We have now completed the processing of your case. If you have any questions, you may write to the Office of Information Programs and Services, SA-2, Department of State, Washington, DC 20522-8100, or telephone us at (202) 261-8484. Please be sure to refer to the case number shown above in all correspondence about this case.

We hope that the Department has been of service to you in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sheryl L. Walter".

Sheryl L. Walter, Director
Office of Information Programs and Services

Enclosures:
As stated.

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PRESIDENTIAL AND NSC DOCUMENTS, HOW TO HANDLEI. UNDER MANDATORY REVIEW

<u>Category of Docs.</u>	<u>Source</u>	<u>Disposition</u>	<u>Use Form No.</u>
1. State docs.	Pre-Reagan libraries	(1) Review under E.O. (2) Send review results to Pres. Lib. together with documents.	PL-1
2a. NSC primary interest	Pres. libraries	<u>For Reagan administrations (to 1/20/89) and earlier material:</u> (1) Review under E.O. (2) Send review results to Pres. Lib. together with documents. [Note exceptions requiring referral to NSC with recommendation in <u>NSC Declassification Review Policy 11-9-06.</u>]	PL-5 PL-3
2b. " "	" "	<u>For Bush 41 administration and later material:</u> (1) Review under E.O. (2) Send recommendations to NSC for R, P, & D docs, with docs.	PL-3
3. State docs w/ Pres. or NSC component	" "	(1) Review under E.O. (2) Release, excise, or deny any pre-Bush 41 docs without referral to NSC (except NSC numbered series). (3) Send referral for concurrence to NSC for post-Reagan R, P, & D docs. (4) After NSC reply, send review results to library, together with documents.	RD-1 RF-2 PL-1

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MANDATORY DECLASSIFICATION REVIEW

While most of the access requests received by the Department are made under the FOIA, a considerable number, particularly referrals from NARA and the Presidential Libraries, are made under the mandatory review (MR) provisions of E.O. 12958. Researchers often use MR because the requests are for specific documents that have been "withdrawn" from the open shelves because of classification.

Mandatory Review Authority. Sec. 3.5. of E.O. 12958 specifies that, "all information classified under this order or predecessor orders shall be subject to a review for declassification by the originating agency if: (1) the request for a review describes the document or material containing the information with sufficient specificity to enable the agency to locate it with a reasonable amount of effort". Documents at NARA and the Libraries lend themselves to MR requests because requesters have access to lists of the withdrawn documents that contain all the required information.

Mandatory Review Exclusions. This same section of the E.O. contains an exception, specifying that documents shall be reviewed for declassification if "(3) the information has not been reviewed for declassification within the past 2 years. If the agency has reviewed the information within the past 2 years, or the information is the subject of pending litigation, the agency shall inform the requester of this fact and of the requester's appeal rights." In practice, if the reviewer learns that the documents are under litigation, the reviewer should stop processing the case and notify the requester that the documents are under litigation and therefore are not subject to mandatory review at this time. The requester need not be the same person who is litigating; it is the status of the documents that is determinative. There are no appeal rights.

As regards the two-year limitation, the reviewer may inform the requester of the results of the previous review, provide any documents released in full or part as a result

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of that review, and give the requester appeal rights for any withheld material. For purposes of appeal, the requester should be treated as an original requester. In a simple case involving only a few documents, the reviewer may determine that it is advantageous to re-review the documents in the new case.

FOIA Exemptions Can Be Used. E.O. 12958 Section 6.2(c) states that, *"Nothing in this order limits the protection afforded any information by other provisions of law, including the Constitution, Freedom of Information Act exemptions, the Privacy Act of 1974 and the National Security Act of 1947, as amended."* Additionally, the Presidential Records Act specifies that the Reagan and subsequent Presidential Libraries are to be administered by the Archivist of the U.S. in accordance with the FOIA. The effect of this is that, except for referrals from the Carter and earlier Presidential Libraries, FOIA exemptions other than (b) (5) may be used in doing mandatory reviews.

In marking documents, reviewers should use the relevant E.O. classification category, e.g. 1.4(d) or 25X6, for classified withholdings and FOIA exemptions e.g. FOIA (b) (4) to indicate FOIA withholdings. Reviewers should be aware that, while NARA and the Libraries will respect our determinations as to classification, they might treat other FOIA exemptions as recommendations.

NOTE: CASES INVOLVING DIPLOMATIC SECURITY. MR cases should not be sent to DS for direct reply, even when the case consists of only DS documents. Instead request DS to review the documents and to return them to IPS for processing.

See: Presidential Library Documents, Presidential Deeds of Gift, and Exemptions and Citations, Checklist of.

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SRP/FRUS-MR

Basic Procedures Handbook

1. Introduction to FRUS-MR
2. Mandatory Review & FOIA Procedures Checklist
3. Review Guidance and Reference
4. MR & FOIA exemptions, Basic Reference Card
5. Review Results Codes
6. NSC: TS downgrading and Waiver Guidance

SWW, 5/19/2010, Classnet, Common. S:, FRUS-M, SRP/FRUS-MR Basic Procedures Handbook

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Introduction to FRUS-MR

FRUS-MR is one of three “branches” in the systematic review program (SRP) office. We are responsible for Freedom of Information Act cases for documents over 25 years old, mandatory declassification review cases, and the declassification review of documents for the *Foreign Relations of the United States* (FRUS) documentary series.

The other two SRP branches carry out **systematic** declassification review of 25-year-old hard copy paper documents (SRP/PR, paper review) and telegrams on the computer (SRP/ER, electronic review). SRP is a component of the Office of Information Programs and Services (IPS) in the A bureau.

Our FOIA and mandatory review cases are referrals from the Presidential Libraries, the National Archives and Records Administration (NARA), or other agencies or governments. In addition FRUS/MR undertakes special projects from time to time, e.g., the declassification review of NATO documents.

The principal differences between the FOIA and MR are:

- FOIA is legislatively based (5 USC 552); mandatory review is authorized under Executive Order 13526.
- Under the Presidential Records Act, FOIA applies to presidential records only from the Reagan era forward. The papers of previous presidents are considered private donated historical materials, access to which is controlled by their deeds of gift and mandatory review under the E.O.
- Mandatory requests may be for documents or material of any age that may be retrieved only with a “reasonable amount of effort,” i.e., with fairly specific identification; FOIA requests may be for anything.
- FOIA cases are justiciable; MR cases are not: final appeal is to an interagency board (ISCAP). Initial appeals for both are internal. We staff both types of appeals.

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- Both declassification methods, however, have a series of exemptions that allow documents to be withheld (see separate list).

FR (FOIA Referral) and MR (Mandatory Referral) cases are assigned to WAE reviewers in FRUS-MR generally according to their areas of expertise (and clearances). As case documents are reviewed, each document is stamped with the review recommendation, which the reviewer also enters on the accompanying document list (see separate paper on procedures). Then a letter or memo is prepared conveying the results of the case review to the requesting agency and/or referrals to other agencies with “equities” in the material. Review is a two-tier process, with a Senior Reviewer from the office reviewing the case results and signing the letter(s). During case outprocessing the detailed review results are entered into an IPS database called “Freedoms,” after which the letters are dispatched by the mailroom.

Unlike in systematic review, which is an “up or down” decision on each document, reviewers doing FR and MR cases may excise or “redact” sensitive portions without denying the entire document. And unlike the FOIA and privacy branches, which deal with imaged documents on the computer using a program called “Workflow,” FRUS-MR deals mostly with hard copy documents.

Note that information may be withheld, even if it is unclassified under the terms of the E.O., under provisions of the FOIA, Privacy Act, Visa Act, etc. This is often referred to as NNSI, or non-national security information.

Various written sources of guidance and precedents are available to aid reviewers (see separate paper), and collegial consultation among reviewers is encouraged.

The remainder of this introductory material concerns only the FOIA and MR work of the office. While the review principles are the same, FRUS procedures differ. FRUS has its own legislative mandate (22 USC 4351) that calls for publication within 30 years of the events—a deadline not always met. FRUS volumes are prepared and published by the historian’s office, PA/HO. The role of FRUS-MR is to perform a declassification review of the documents for State Department equities only--not those of other agencies.

SWW, 2/21/08, Classnet, Common, S.; FRUS-M, Introduction to FRUS-MR

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Mandatory Review & FOIA Procedures Checklist

1. Cases will be put in your inbox, as will notices that you have a TS or RD case in the appropriate safe. (Completed TS cases are in the vault.) RD is Restricted Data concerning nuclear weapons for which a "Q" clearance is required. SCI case folders are handled normally, since their documents are physically in INR (see "Codeword Documents" in the Gray Book for codeword review procedures).
2. A reviewers' worksheet/document list is in each folder. Fill out the top of the doclist, including the statistics after your review is complete. Mark the review results for each document on the worksheet as you go along. (See the review result codes in a separate paper.)
3. TS documents must be secured at COB. Before starting review, downgrade TS if possible and permitted (see separate guidelines for NSC documents). Downgrade only State and NSC documents. Mark the downgrade on the worksheet and the document red stamp, or below the black stamp. If you were able to downgrade all the TS, take off the case's TS cover sheet.
4. If there are duplicate documents identified by Freedoms in other cases, a dupe doc list will be put in the case file. This list is designed to help achieve IPS-wide review consistency, but in practice it is not all that useful since not all other reviewed documents are included, there can be many false positives, and other dupes may have been reviewed a long time ago or have not yet been acted on.
5. Review, redact/excise as necessary, **in erasable red pencil**, and stamp each document in case folder (**not** the library letter). Use the red stamp for mandatories; the black stamp for FOIAs (samples attached).
6. Mark the exemption categories in the document's margin and on the stamp and doclist, e.g., "25x6" (see list of exemption categories in separate paper), i.e., exempt from 25-year declassification, reason 6. A declassification date or specific event must appear on the stamp for exemptions and denials. The maximums are 50 years from the date of original classification, except for b(1) human, which does not need a declass date.

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7. Refer documents to other agencies (or governments) as you deem necessary. We customarily do not refer full denials. We have authority to act for other major agencies only in the case of the NSC, through the Reagan Administrations, and the Navy as of 2010. There are exceptions to the NSC's waiver of declassification authority for certain categories of material that must still be referred to the NSC, regardless of age. See separate paper.
8. Instructions may be left for the preparation of the letters for the case management officer, but for simple cases it's easier and quicker to do it yourself, according to the following procedures.
9. Prepare response/referral letter(s) and memo(s);
 - a. In MS Word 2007, click on Office Button in upper left corner, new, templates, IPS form letters" and choose a response action among the templates (each action brings up a different set of autotext canned language).
 - b. Insert case number in the summary tab in the properties box, *then click cursor in text area*;
 - c. Use appropriate autotext (you should see an autotext icon above the insert tab: click on it for options) for salutation, body, and signature block of letter/memo.
 - d. Apply appropriate classification for the letter/memo using the "Add-ins" tab in the tool bar.
 - d. Again from the "Add-in" tab, go to "Print, drafting information" which will automatically insert your name on the copies.
 - e. Go into the header and drop the classification heading down one line to leave room for the Department seal on the letterhead. (This is a fault in the templates that has yet to be corrected.)
 - f. Again from the "Add-in" tab, in the "Print" menu , select the appropriate action, usually "print both classified."

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- g. Save the replies in the "O" drive yearly case folders, but do not say yes when Word asks if changes should be saved when you close the document. **Make sure you're in the right drive**, or you won't be able to retrieve the letter without a search. (If you need to retrieve the responses soon after, try going to the Office Button menu rather than going to the "O" drive.)
 - h. The print template makes one file copy with the drafting info for the case file. Otherwise, the only file is electronic in the "O" cases drive in classnet, mirrored on the S: drive, in the "cases" folder .
10. Make file copies of redacted or denied documents or State documents that require clearance from another agency or government (i.e., all but released) documents. For long documents, you may copy only the pages with redactions, but make sure to copy the front page as well for identification purposes.
11. Put case folder in the box in David's cubicle marked "cases for senior review," or put a placeholder there for TS or RD cases and put the actual cases in the appropriate safe.

SWW, 5/19/2010, Classnet, Common. S., FRUS-M, Mandatory Review & FOIA Procedures Checklist

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Mandatory Review & FOIA Procedures Checklist

1. Cases will be put in your inbox, as will notices that you have a TS or RD case in the appropriate office safe. (Completed TS cases are in the vault.) RD is Restricted Data concerning nuclear weapons for which a "Q" clearance is required. SCI case folders are handled normally, since their codeword documents are physically in INR (see "Codeword Documents" in the Gray Book for SCI review procedures).
2. A reviewers' worksheet/document list is in each folder. Fill out the top of the doclist, including the statistics after your review is complete. Mark the review results for each document on the worksheet as you go along. (See the review result codes in a separate paper.)
3. TS documents must be secured at COB; there is no open storage. Before starting review, downgrade TS as possible and permitted (see separate guidelines for NSC documents). Downgrade only State and NSC documents. Mark the downgrade on the worksheet and the document red stamp, or below the black stamp. If you were able to downgrade all the TS documents, take off the case's TS cover sheet.
4. If there are duplicate documents identified by Freedoms in other cases, a dupe doc list will be in the case file. This list is designed to help achieve IPS-wide review consistency, but in practice it is not all that useful since not all other reviewed documents are included (e.g., FRUS & ER), there can be many false positives, and other dupes may have been reviewed a long time ago or have not yet been acted on.
5. Review, redact/excise as necessary, **in erasable red pencil**, and stamp each document in case folder (**not** the library letter). Use the red stamp for mandatories; the black stamp for FOIAs (samples attached). Mark the review result on the doclist (see result codes in separate paper).
6. Mark the exemption categories in the document's margin and on the stamp and doclist, e.g., "25x6" (see list of exemption categories in separate paper), i.e., exempt from 25-year declassification, reason 6. A declassification date or specific event must appear on the stamp for exemptions and denials. The maximums are 50 years from the date of original classification or 25 years from the date of review, except for b(1) human, which does not need a declass date.

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7. Refer documents to other agencies (or governments) as you deem necessary. We customarily do not refer full denials. We have authority to act for other major agencies *only* in the case of the NSC--up through both terms of the Reagan Administrations--and the Navy. There are exceptions to the NSC delegation (see separate paper). Other DOD, CIA, Intel Community, etc., equities must be referred. With very few exceptions, all RD, FRD and SCI material must be referred.
8. Prepare response/referral letter(s) and memo(s). (An alternative method of using the letter/memo templates is attached.)
 - a. In MS Word, go to: "File, new, templates on my computer, IPS form letters" in dialogue box on right" and choose a response action among the templates (each action brings up a different set of autotext canned language). The most commonly used templates are "Presidential Libraries," "Referrals," "NARA" and "Foreign Governments."
 - b. Insert case number in popup menu, *then click cursor in text area*;
 - c. Use appropriate autotext ("Insert, autotext, autotext") for address, salutation, body (use "properly classified" and "appeals" paras for excisions and denials), and signature block.
 - d. Apply appropriate classification for the letter/memo using the "Classification" toolbar, e.g., "Secret/Unclassified".
 - d. Go to "Print, drafting information" which will automatically insert your name on the copies.
 - e. Go into the header and drop the classification heading down one line to leave room for the Department seal on the letterhead. (This is a fault in the templates that has yet to be corrected.)
 - f. When finished, in the "Print" *menu on the toolbar* (not the one under file), select the appropriate action, usually "print both classified."

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- g. Save the replies in the "O" drive yearly case folders. Say "no" to the template changes dialogue box. **Make sure you're in the right drive**, or you won't be able to retrieve the letter without a search. (If you need to retrieve the responses soon after, try going to the bottom of the "file" menu rather than going to the "O" drive.)
 - h. The print template makes one file copy with the drafting info for the case file. Otherwise, the only file is electronic in the "O" cases drive in classnet.
9. Make file copies of redacted or denied documents or State documents that require clearance from another agency or government (i.e., all but released) documents. For long documents, you may copy only the pages with redactions, but make sure you copy the front page as well for identification purposes.
10. Place case folders in the box on the file cabinet in David's cubicle marked "cases for senior review," or put a placeholder there for TS or RD cases and put the actual cases in the appropriate safe.

SWW, 2/14/08, Classnet, Common. S., FRUS-M, Mandatory Review & FOIA Procedures Checklist

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Review Guidance and Reference

1. As a basic reference, become familiar with the "25-Year Declassification Guide" in the White Book (also on-line on the classnet, "S:" drive, 1-D).
2. The hard copy "White Book" in the metal bookcase and on Steve's desk contains guidance and reference material oriented more toward the timeframe of the work of SRP, viz., 25 years and older.
3. The "Red Book," on-line on the "S:" drive, is a substantive guidance book geared more toward contemporary documents reviewed by the FOIA branches, although it can be useful in our work as well.
4. The "Gray Book," also on-line on the open net I: drive 1-C deals mostly with IPS-wide procedures.
5. The voluminous "Freedom of Information Act Guide" sprinkled around is issued biennially by DOJ and is organized by exemption number. It may also be found on the DOJ web site.
6. **NSC:** There are exceptions to the waiver of declassification authority for certain categories of material that nevertheless must still be referred to the NSC, regardless of age. (See separate paper.) The White and Gray books contain a list of released-in-full presidential directives that is periodically updated. If a directive is on the list, it need not be referred to the NSC, even though it would normally come under an exception to the waiver.

SWW, 5/19/2010, Classnet, Common, S:, FRUS-M, Review Guidance and Reference

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Basic Reference Card Systematic & Mandatory Review

1. Summary of declassification exemption categories in Executive Order 12958, as amended by E.O. 13292 of 25 March 2003. Section 3.3.(b):

- (1) a confidential human or human intelligence source; the application of an intelligence source or method;
- (2) the development or use of weapons of mass destruction;
- (3) the impairment of U.S. cryptologic systems or activities;
- (4) state of the art technology in a U.S. weapon system;
- (5) actual U.S. military war plans that remain in effect;
- (6) serious and demonstrable impairment of relations with a foreign government or undermining diplomatic activities;
- (7) clear and demonstrable impairment of current ability to protect authorized persons in interests of national security;
- (8) serious and demonstrable impairment of current emergency preparedness plans or current vulnerabilities of national security systems, etc.
- (9) violation of a statute, treaty, or international agreement [incl. FOIA, AEA, etc.; see also secs. 6.2(a) & (c) of the E.O.].

*These exemptions may be applied only to **classified** documents, and a specific date or event for release must be indicated, except for a confidential human source or human intelligence source [section 3.3.(c)(3)].*

2. Summary of exemptions in the Freedom of Information Act, 5 USC 552, section (b):

- (1) Defense or foreign policy secrets specifically authorized by an E.O. and properly classified according to it;
- (2) personnel rules and practices;
- (3) information specifically exempted from disclosure by a statute;
- (4) trade secrets, commercial/financial information;
- (5) inter or intra-agency memoranda/letters;
- (6) personnel/medical files...personal privacy;
- (7) law enforcement information, but only that would:
 - (A) interfere with enforcement proceedings;
 - (B) deprive the right to a fair trial;
 - (C) be an unwarranted invasion of privacy;
 - (D) disclose a confidential source;
 - (E) disclose law enforcement techniques, etc.
 - (F) endanger life or safety of anyone.

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3. Common statutes for FOIA b(3) and E.O. b(9) exemptions*:

- EX Arms Export Control Act, 22 USC 2778
- AE Atomic Energy Act, 42 USC 2011 [RD/FRD]
- CA Central Intelligence Agency Act, 50 USC 403 (a)
- XA Export Administration Act, 50 USC 2411 (c)
- FA Federal Aviation Administration Act, 49 USC 1504
- FS Foreign Service Act, 22 USC 4003 & 4004
- NA Immigration & Nationality Act, 8 USC 1202 (f)
- TA Income Tax Act, 26 USC 6103
- IR Iran-U.S. Claims, 50 USC 1701
- SA National Security Agency, 50 USC 402 [NSA]
- IO Other Intel Agency org/personnel info, 10 USC 424

Find USC code
text at:
<http://uscode.house.gov/search/criteria.shtml>

**A b(9) statute applies only to classified information; a b(3) statute can apply to either class or unclas information, e.g., the INA.*

4. Post-WW II Administration Dates

- 1945-1953 Truman
- 1953-1961 Eisenhower
- 1961-1963 Kennedy
- 1963-1969 Johnson
- 1969-1974 Nixon
- 1974-1977 Ford
- 1977-1981 Carter
- 1981-1989 Reagan
- 1989-1993 Bush 41
- 1993-2001 Clinton
- 2001- Bush 43

As of 2007, NSC declassification waiver authority for the State Department covers NSC documents up to and including the second Reagan administration, viz., to 21 January 1989. However, see exceptions to the waiver in the White or Green Books for specific topics, prior to that date, which still must be referred to the NSC.

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REVIEW RESULTS CODES (Determinations)

<u>DESCRIPTION</u>	<u>CODE</u>
RELEASE (in full)	R
EXCISE (release in part)	P
DENY	D
 <u>REFERRALS:</u>	
<u>For Reply (direct reply)</u>	
Transferred/no objection to release	Q
Transferred/request partial release (excise)	O
Transferred/request deny	C
Transferred for direct reply (no State equity)	T
<u>For Concurrence (and return, generally for State docs)</u>	
Recommend release	Q
Recommend partial release (excise)	O
 <u>OTHER FINDINGS</u>	
Document not relevant (non-responsive)	N
Duplicate within case/duplicate to same requester in another case (NOTE: enter document number and previous case number of its duplicate on Reviewer's Notes "RN" line)	S
Missing or illegible document (not reviewed)	M

Adapted from Gray Book, DLRW/page 11. SWW, 5/19/2010, Classnet, Common, S:, FRUS-M, Review Results Codes

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NSC GUIDANCE FOR SRP REVIEWERS

January 2008

INTRODUCTION

This working guide is based on the NSC waiver authority granted to the State Department by the NSC Memoranda of William H. Leary to Margaret P. Grafeld of August 5, 2004 and November 9, 2006 and as further interpreted by NSC in training provided for SRP Reviewers on October 21, 2004.

This guidance *entirely replaces* earlier guidance memoranda and waiver authorities from the NSC and applies to the “systematic declassification review” of “documents with a primary NSC equity located within State Department records, created prior to January 20, 1989, that are intended for eventual transfer to the National Archives.” This includes all such documents through the end of the second Reagan administration. There is no waiver authority for documents created on or after January 20, 1989.

The NSC waiver authority gives the Department of State reviewers authority to make exemption, declassification, and referral decisions under E.O. 12958 using State declassification review guidance for the great majority of documents containing NSC equity. This will relieve the NSC staff of the necessity to review a large number of records. However, this waiver authority identifies certain clear and specific types of documents that must still be referred to the NSC for final determination whether to withhold or release. These exceptions to the waiver are spelled out in the August 5 NSC memorandum (in the White Book) and discussed below.

- Unclassified NSC documents should be carefully reviewed for sensitive information, as the NSC from time to time has discovered new sensitivities in such documents, even though they are 25 years old or older. The NSC has made clear, however, that they expect us to exercise restraint in referring any unclassified documents.

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Types of documents that must be referred to the NSC

Only the following types of (*classified*) White House, NSC, or NSC equity third-agency documents that were created prior to January 20, 1989, **including preliminary drafts:**

1. **NUMBERED PRESIDENTIAL DIRECTIVES and their equivalents from earlier administrations that have not been declassified in full by the NSC, including the following:**

NSC #####	(National Security Council Policy Papers—Truman and Eisenhower Administrations, 1947-1961)
NSCID ##	(National Security Intelligence Directives—1947-1977)
NSAM #####	(National Security Action Memoranda—Kennedy and Johnson Administrations, 1961-1969)
NSDM #####	(National Security Decision Memoranda—Nixon and Ford Administrations, 1969-1977)
NSSM #####	(National Security Study Memoranda—Nixon and Ford Administrations, 1969-1977)
PD #####	(Presidential Directives—Carter Administration, 1977-1981)
PRM #####	(Presidential Review Memoranda—Carter Administration, 1977-1981)
NSDD #####	(National Security Decision Directive—Reagan Administration, 1981-1989)
NSSD #####	(National Security Study Directive—Reagan Administration, 1981-1989)

- *The numbered Presidential Directives listed in the 12 December 2007 "Presidential Directives Declassified in Full List" (found in the "Blue Book" and "White Book") should not be referred to the NSC. Discontinue using any older NSC declassification action lists.*
- *Check any document you propose to release against the date and page count shown in the 2007 list. The NSC's declassification action applies only to the actual directive, identified by date and page count, not to appendices, attachments or related documents.*
- *Note that presidential directives not in the declassified list must be referred even if the review recommendation is for denial in full.*

Note: The numbered Under Secretaries series are no longer listed in this category and the NSC asks that we no longer automatically refer them to NSC.

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2. **MINUTES OR SUMMARIES** (i.e. **Summaries of Conclusions and Records of Action**) of all NSC Meetings, including **all meetings of only the NSC subgroups listed below**. This category includes all such documents, **regardless of agency of origin**.

National Security Council—minutes, summaries or records of action of meetings of the statutory principals are prepared by the NSC and are usually indicated by letters including:

NSC followed by a four-digit number, (e.g.: NSC1402, NSCM0579, or NSCA0114 in the upper right hand corner of the document.)

Only the following NSC components or sub-groups are included:

Truman and Eisenhower Administrations (1947-1961)

OCB (Operations Coordinating Board)
PSB (Psychological Strategy Board)

Kennedy and Johnson Administrations (1961-1969)

EXCOM (Executive Committee of the NSC)
SIG (Senior Interdepartmental Group—*not to be confused with the ad hoc SIGs (Senior Inter-Agency Groups) of later years that are not included in this category*)

Nixon-Ford Administrations (1969-1977)

DRP (Defense Review Policy Group)
IFRG (International Finance Review Group)
NSCIC (NSC Intelligence Community)
NSCRG (NSC Review Group)
SRG (Senior Review Group)
VP (Verification Panel)
VSSG (Vietnam Special Studies Group)
WSAG (Washington Special Action Group)

Carter Administration (1977-1981)

PRC (Presidential or Policy Review Committee)
SCC (Special Coordination Committee)
SCCM (Mini SCC)
PRCM (Mini PRC)
CIWG (Counter Intelligence Working Group)
ADH (Ad Hoc Committee—on various subjects)

Reagan Administration (1981-1989)

CPPG (Crisis Pre-Planning Group)
NSPG (National Security Policy Group)
PCG (Policy Coordination Group [on intelligence])
PRG (Policy Review Group)

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SSG (Special Studies Group)

Note that the exceptions do not include the usual diplomatic memoranda of meetings with foreign leaders. These should be judged as if they were Department of State primary equities unless the content places them within the purview of one of the other exceptions.

3. **Documents with substantive content pertaining to:**

- **Presidential Directives** (as described under 1. above **that have not been declassified by the NSC and including drafts of, citing the texts of, or responding to such PDs that remain classified**); or
- **Minutes or summaries of NSC meetings** (as described under 2. above).

4. **All records, regardless of agency of origin, relating to:**

- **authorization to use weapons of mass destruction or**
- **the policy issue of United States "first use of nuclear weapons."** (even if the record contains only negative references to such authorization or first use).

5. **Action memoranda originated by the NSC or White House staff to:**

- **The President or the**
- **National Security Adviser**

with the word "Action" in the upper left portion of the document.

However, do not refer purely administrative-type appointment requests and the like. Note that this excludes action memoranda from the Department of State to the White House unless they fall within one of the other exception categories.

6. **All records relating to covert activity:**

- originated or issued **by the White House or NSC;**
- all records, **regardless of the agency of origin,** that indicate or imply that covert actions were proposed, discussed, or approved in the White House, the NSC, or listed NSC sub-group meetings;
- **Presidential Findings and Memoranda of Notification (MONs)**

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- all meetings of the:

NSC 5412 Special Group

NSC 5412/1

NSC 5412/2

303 Committee

40 Committee

CI (Special Group, Counterinsurgency)

Note that this definition of covert activity does not include intelligence collection activities.

7. **NSC Records identified as "Limited Access" or "System IV"**

- **"Limited Access."** These are clearly marked with one or two Xs following the document identification number in the upper right hand corner of the document, e.g.: **770153X, 7700817XX, 0153X, 0817XX**. Used from 1974-1981.
- **"System IV."** Reagan Administration records. These are marked in the upper right corner with "SYSTEM IV" and a seven-digit number. The seven-digit number begins with the year followed by a five digit number beginning with 4, e.g., a document from 1983 could be marked "SYSTEM IV 8340312." This system began in 1981 and ended in 1989.

8. **All NSC interest documents proposed and under current or active consideration for publication in the Foreign Relations of The United States series.** This referral requirement does not apply to the records retired by the State Office of the Historian, and is intended only to ratify current procedures for review of documents handled by the FRUS staff.

NSC Authorizations to State

With regard to the **remaining** White House, NSC, or NSC primary interest documents originated before January 20, 1989 (**those that do not fall into one of the above exception categories**), State is authorized to:

- refer such documents to third agencies when appropriate;

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- declassify State and NSC equities, consistent with applicable standards, such documents that do not contain third agency equities; and
- take final action on such documents that do not contain third agency equities.

Classification Downgrading: With regard to any NSC document over 25 years old, State is authorized to downgrade TOP SECRET security classifications to SECRET, with the exception of documents containing RESTRICTED DATA or FORMERLY RESTRICTED DATA, sensitive compartmented information (SCI), intelligence sources and methods, continuity of government information, or communications security (COMSEC) information. [NSC Leary memo to State Grafeld July 17, 2003, in White Book, Tab A-13.]

Procedural Handling by Reviewers at SRP/PR

1. Was the document originated by the NSC or the White House, or does it have an NSC primary interest?
2. Is the document dated prior to January 20, 1989?
3. Then, if the document falls under one of the seven exception categories that require referral to the NSC, as listed above, first review for State and other agency equities:
 - a) If State is willing to release, simply refer to the NSC and any other equity holders.
 - b) If the document should be withheld by State under E.O. 12958, in most cases exempt as usual, prepare an SRP-2, and collar the document, and include the NSC as a referral.
 - c) However, if the document which State wishes to withhold is a presidential directive as defined in exception category 1 above, or a substantive response to a still classified presidential directive, we will refer to NSC with a recommendation for exemption under E.O. 12958 (see below).

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4. If the document does not fall under one of the seven exception categories and is dated prior to January 20, 1989, review for State and third-agency equities and make the determination as if it were a State Department document.

5. If the NSC/WH document is dated January 20, 1989, or later, an NSC referral is always required.

Recommending Exemption of a Presidential Directive

If the reviewer wishes to recommend that a previously not unclassified Presidential Directive be exempted under E.O. 12958 because State Department equities therein should be protected, the document will be handled similarly to the procedure now in place for dealing with "probable FRD" material being withheld but sent for determination to DOE.

1. Prepare an SRP-2 exemption form, and in the COMMENT block, write "Referred to NSC with recommendation."

2. Prepare the printed collar as follows:

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Re-Review of Previously Reviewed Records

Documents reviewed by the Department of State under earlier NSC waiver authorities need not be re-reviewed. However, documents reviewed prior to April 1998, when the first NSC waiver was issued, must be re-reviewed under current waiver guidelines to prevent unnecessary referrals to the NSC.

SRP will conduct such re-reviews as a standard part of all re-reviews being conducted for Kyl-Lott certification. As currently directed, such re-reviews are conducted as a completely new page-by-page review. In the process, current NSC waiver guidelines will be applied along with all other current review guidance.

Classification: UNCLASSIFIED
Source: SRP/P: WWhiting/RGRich; cleared: Clay Black, Brady Barr, Herman Rossi, Julie Wilhelm, SRP/FRUS: Stu McIntyre, Steve Worrel
Date: 2/5/08
File: classnet, S., FRUS-M, White Book, II National Security Council, NSC guidance 2008

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