

THE WHITE HOUSE

WASHINGTON

June 2, 2022

(U) MEMORANDUM FOR

CAPT SHANTI SETHI, USN
Executive Secretary
Office of the Vice President

MS. KAMALA LAKHDIR
Executive Secretary
Department of State

MS. MARTI ADAMS
Executive Secretary
Department of the Treasury

MS. KELLY BULLINER HOLLY
Executive Secretary
Department of Defense

MR. DAVID NEWMAN
Associate Deputy Attorney
General
Department of Justice

MR. RICHARD T. CARDINALE
Director of Executive
Secretariat
Department of the Interior

MS. LIANI BALASURIYA
Director, Executive Secretariat
Department of Commerce

MS. KARUNA SESHASAI
Executive Secretary
Department of Health and Human
Services

MR. MILES FERNANDEZ
Director, Office of the
Executive Secretariat
Department of Energy

MS. KIMBERLY O'CONNOR
Executive Secretary
Department of Homeland Security

MS. AMANDA HILL
Acting Executive Secretary
Office of Management and Budget

MS. JENNY WANG
Executive Secretary
Office of the Director of
National Intelligence

MS. JAIME CHESHIRE
Executive Secretary
Central Intelligence Agency

MS. DANA REMUS
Assistant to the President
and Counsel to the President

MR. RICHARD W. BOLSON
Special Assistant for
Interagency Affairs (J-5)
Joint Chiefs of Staff

MR. JONATHAN LENZNER
Chief of Staff
Federal Bureau of Investigation

MS. MARIA STANWICH
Chief of Staff
National Archives and Records
Administration

SUBJECT: Initiating a Process to Review Information
Management and Classification Policies

As President Biden outlined in National Security Memorandum-3, it is in our nation's interest to be as transparent as possible with the American public regarding U.S. Government records and activities. Nevertheless, certain information must be withheld in order to ensure the safety of our personnel and facilities, to protect vital intelligence sources and methods, to maintain trusted relationships with foreign partners, to develop sensitive technologies, to safeguard personal data, and to achieve other lawful purposes.

The authorities to withhold records from the public rest both in statute and Executive Orders (E.O.). Those Orders need to be reassessed in light of the increasing amount of classified and controlled unclassified data produced or acquired by the U.S. Government as a result of the ubiquity of digital records. There also remain significant challenges in standardizing information management, classification, declassification, and control of sensitive information across the executive branch. Further, given the sensitivity of some of the U.S. Government's information and because of gaps within the current system, even those tasked with providing oversight of classified information are hampered in their ability to determine whether agencies are appropriately managing this information.

I have directed the National Security Council (NSC) staff to convene an Information Management and Classification Interagency Policy Committee (IPC) to address these issues within one year of the issuance of this memorandum. The IPC will be co-led by the Records Access and Information Security Management Directorate and the Intelligence Programs Directorate, in close partnership with the Legal Affairs Directorate, and is tasked to consider the following:

- Revising or replacing E.O. 13526, *Classified National Security Information*. This includes reviewing the levels of classification and their criteria, declassification procedures and resources, and the creation and oversight of Special Access Programs and Controlled Access Programs, and positioning the executive branch to manage these issues effectively across all departments and agencies;

- Revising or replacing E.O. 13556, *Controlled Unclassified Information (CUI)*. This includes reviewing the ongoing efforts to implement CUI across the executive branch, considering whether better ways exist of identifying and categorizing unclassified information that requires safeguarding or dissemination controls consistently across departments and agencies, clarifying the narrow criteria and authorities for withholding unclassified information from the public, and simplifying implementation to be more efficient and cost effective; and
- Considering whether these E.O.s should remain separate or be consolidated.

While the IPC is undertaking its work, departments and agencies should consider whether to place on hold any efforts within departments and agencies to significantly overhaul information management, classification, and declassification policies, and should coordinate with the NSC staff in any such decisions.

We believe there is immense potential to improve government efficiency and transparency simultaneously within this effort. Throughout this process, engagement with all stakeholders, to include the Congress, advocacy organizations, and academic partners, will be critical to its success. I request that you and your staff devote particular focus and resources to this important issue in order to reach that goal.

Questions regarding this matter may be directed to the Records Access and Information Security Management Directorate and the Intelligence Programs Directorate via Ellen Knight, Senior Director for Records Access and Information Security, at Ellen.J.Knight2@nsc.eop.gov or (202) 456-9208.



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Chief of Staff and Executive Secretary
National Security Council