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THE WHITE HOUSE

WASHINGTON

(Date)

Dear _____:

Thank you for your letter to the President on the polygraph issue. It is the President's view that the polygraph is a limited though useful tool, when used in conjunction with other investigative and security procedures, to combat the very serious espionage threat facing the United States.

The Administration's policy applies to a limited segment of employees with access to our most sensitive information. Polygraph procedures will be used as appropriate in investigations of violations of espionage laws and in countering the hostile intelligence threat. These tests will focus only on possible espionage, not on personal lifestyle or other activities. As in other types of criminal investigations, constitutional rights and due process will be fully respected.

Beyond these minimum standards, each agency will decide how best to implement our polygraph policy, since security requirements vary greatly throughout the government. Agencies may, as some do now, impose additional requirements. Agency heads may choose to make agreement to undergo polygraph procedures a condition of access to certain types of information, or a condition of employment, as is the case with the Central Intelligence Agency and the National Security Agency.

The polygraph is not viewed as a panacea for countering espionage. With full recognition of the limitations of polygraphs, the Administration has determined not to preclude itself from using the device in espionage cases to the same degree and in the same way as it is used in investigating other crimes.

With respect to your comments concerning Secretary Shultz, the Secretary fully shares the President's views on the seriousness of espionage cases and agrees with the need to use all legal means in the investigation of such cases.

I hope the foregoing information responds to your concerns. Thank you for taking the time to share your views with us.

Sincerely,

John G. Roberts
Associate Counsel to the President

THE WHITE HOUSE

WASHINGTON

March 5, 1986

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Polygraph Response

As you know, we have received about 50 letters on the polygraph issue, most taking sides in what was seen as a President - Shultz face-off. Now that the matter has subsided somewhat, I think it appropriate to send out a standard reply to the letters. The attached proposed reply is based on press guidance provided by Speakes' office. If you approve the reply, I will send it out to our 50 correspondents.

Approve

Approve as revised

See me

THE WHITE HOUSE

WASHINGTON

March 5, 1986

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THE WHITE HOUSE

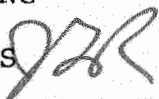
WASHINGTON

March 5, 1986



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Approve

Approve as revised

See me

*How - this seems bound
to create / renew the controversy -
Let's discuss*

THE WHITE HOUSE

WASHINGTON

(Date)

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I hope the foregoing information responds to your concerns. Thank you for taking the time to share your views with us.

Sincerely,

John G. Roberts
Associate Counsel to the President

THE WHITE HOUSE

WASHINGTON

March 25, 1986

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS 

SUBJECT:

Polygraph Dispute Correspondence

As discussed at this morning's staff meeting, these letters should be closed out without response. It was Mr. Fielding's view that any response at this time would needlessly renew a controversy that has subsided.

THE WHITE HOUSE

WASHINGTON

April 3, 1986

MEMORANDUM FOR DIANNA G. HOLLAND

FROM:

JOHN G. ROBERTS 

SUBJECT:

Request for Information Relative to Polygraph
and Pre-Publication Review Policies

No further action is required on this. The request for information was not pursued at the time by the Hill, and we decided it was best not to revive the issue ourselves. The same information is now being requested again, in connection with another review, and Mike Shepard is handling the request. I have discussed our previous experience with him.

JV

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

NDO11

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: D. Edward Wilson, Jr *John*

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Request for Information Relative to Polygraph and Pre-Publication Review Policies

ROUTE TO:		ACTION	DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>OW/Holland</u>		ORIGINATOR	<u>84106106</u>		<u>1/1</u>
<u>OWAT18</u>		Referral Note: <u>D</u>	<u>84106107</u>	<u>S</u>	<u>8410617</u>
		Referral Note: <u>DD1</u>	<u>1/1</u>		<u>1/1</u>
		Referral Note:	<u>1/1</u>		<u>1/1</u>
		Referral Note:	<u>1/1</u>		<u>1/1</u>
		Referral Note:	<u>1/1</u>		<u>1/1</u>

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure
- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

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

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
Washington, D.C. 20503

June 6, 1984

235774

MEMORANDUM FOR FRED F. FIELDING
COUNSEL TO THE PRESIDENT

FROM: D. EDWARD WILSON, JR. *D. E. W., Jr.*
GENERAL COUNSEL

SUBJECT: Request for Information Relative to Polygraph and
Pre-Publication Review Policies

Attached at Tab A is a draft response to Congressmen Jack Brooks' and William D. Ford's request for 1983 information concerning polygraph examinations and pre-publication review policies. This item is forwarded to you at RAH's request for review and guidance concerning several questions, as noted in the body of this memorandum.

The Tab A draft combines responses from the Office of Administration (OA), the Office of the Vice President (OVP), the Office of Management and Budget (OMB), the United States Trade Representative (USTR), the Office of Science and Technology Policy (OSTP) and the National Security Council (NSC). To the best of my knowledge, the Office of Policy Development (OPD), the Council on Environmental Quality (CEQ) and the White House Office (WHO) were not requested to complete this questionnaire. The Council of Economic Advisors responded to the questionnaire immediately upon receipt and, therefore, is not included in this draft.

The following numbered paragraphs correspond with those on the 1983 questionnaire. Where a question on this year's request parallels one on the 1982 questionnaire (copy at Tab B), the paragraph number is followed by the 1982 question number in brackets.

1. [1] This question asks for the total full and part-time employees as of December 31, 1983. The total provided by the responding agencies is 1,260. According to the personnel rolls, however, these agencies had approximately 980 employees as of December 31, 1983. Discussions with responding entities showed a haphazard approach to determining the number of employees. NSC, for example, has approximately 55 employees. It responded by saying that it has 139. The difference is made up of detailees and PFIAB and PIOB personnel (some of whom are also detailees). OVP overstated its employees by approximately 15, also by including detailees. OA's security officer included approximately 120 contractors in its total, raising OA's number of employees from 165 to 288. USTR also included contractors, thereby inflating its numbers.

The question is whether detailees (to avoid double counting) and contractors should be excluded. I suggest the answer is yes, but as I discussed with RAH, I think the answer should be checked with other responding agencies such as DOD and CIA. If you agree that detailees and contractors should not be counted, I will collect the correct data.*

You should note that last year we responded to a similar question by stating there are 1,558 employees. Unfortunately, the back-up material on which this number is based is not in the OA files.

2. [2] This question asks approximately how many employees and contractors have top secret, secret and confidential clearances. The answers shown at Tab A are self-explanatory. Note, however, that the figures given for agency employees will change if detailees are deleted. In addition, removing the detailees will cause this year's figures to differ greatly from those submitted last year. (This applies to question 3, infra, as well.) The draft answer suggests that there are as many employees holding security clearances as there are actual employees on the rolls of the responding agencies.

3. [3] This question requests the number of employees and contractors having Sensitive Compartmented Information (SCI) access as of December 31, 1983. As with question two, above, the answer to the agency employees part of this question will change if detailees are removed.

4. This question asks (a) whether SCI is considered to be a special access program and (b) the authority for the answer. The responding agencies were divided on this issue, three (OVP, OMB & USTR) considering SCI to be a special access program, but basing the decision on different authority -- NSDD-84, Executive Order 12356, or DCI decision. The rest of the responding agencies (NSC, OA, OSTP) said no, citing no authority. Discussions with Paul Thompson, Brenda Reeger (Director, Information Policy, NSC) Arnold E. Donahue (Chief, Intelligence Branch, OMB) and Al Brown (Security Officer, OA) illustrated that this is a definitional problem. CIA documents alternately define SCI as a special access program and as a type of security clearance above top secret. I recommend that the CIA be contacted since it defines SCI. See DCI Directive No. 1/14 at 1 (Sept. 1, 1983).

* "The Government are [sic] very keen on amassing statistics. They collect them, add them, raise them to the nth power . . . But you must never forget that every one of these figures comes in the first instance from the village watchman, who just puts down what he damn pleases." Sir Josiah Stamp, Inland Revenue Department (England) 1896-1919.

5. This question asks whether we have "special access" programs for access to information as authorized under section 4.2(a) of E.O. 12356. The answer here should be no; while various EOP entities participate in special access programs, none were originated by an EOP agency.

6. This is a multi-part question asking (a) how many SCI and non-SCI special access programs EOP had at the close of calendar years 1979 - 1983; (b) the authority for each; (c) the number of billets authorized for these programs; and (d) the number of agency and contractor employees who were granted special access authorization for these programs for each of those years. Suggested answers to each of these questions are discussed below.

(a) Since (I am informed) no EOP agency has created a special access program, the answer to this question should be zero.

(b) The authority for these programs is Executive Order 12356.

(c) Since the question asks how many billets were authorized for "these programs," the answer should be zero. It should be recognized, however, that many EOP employees have been "read into" SCI and non-SCI special access programs during calendar years 1979 - 1983.

(d) Based on the wording of the question, we can answer none. The question asks for the number of agency and contractor employees granted special access authorizations "for them" (meaning the programs). Since EOP had no such programs, no employees could be granted access. If it is appropriate to answer this question with other than zero, the number of agency and contractor employees having SCI clearance could be entered into the appropriate place.

This approach would not be accurate, however, as no records are kept on the number of EOP employees cleared for SCI and non-SCI special access programs. To obtain such information, it appears we would have to contact each agency having special access programs and ask for a listing of EOP employees "read into" the programs. The agencies to be contacted would include DOD, the Service departments, NSA, DOE, FEMA and CIA.

The agencies participating in this joint response, except for OSTP and NSC, answered all of question 6 with "none." NSC entered a number equalling the number of agency employees having SCI clearance. OSTP's numbers are suspect as Barbara Doering, who prepared the OSTP report, states she misunderstood the question.

I would appreciate your providing me with your comments on this draft at your earliest convenience. If the person on your staff reviewing this matter would like any back-up material, please let me know.

cc: John F. W. Rogers (w/o attachments)

REQUEST FOR INFORMATION RELATIVE TO
POLYGRAPH AND PRE-PUBLICATION REVIEW POLICIES

Introduction:

In order to evaluate the potential impact of polygraph and pre-publication review policies, certain information is being requested from agencies.

Because the information must be obtained quickly, this questionnaire has been designed to collect the data.

Throughout this questionnaire, we are talking about the number of people, for that reason, the number of positions should not be converted to full-time equivalents.

When an estimate is given for any answer, please precede the estimated number with the letter "E."

Unless otherwise specified, the requested information should be as of December 31, 1983.

Please be specific when indicating whether an answer is classified.

If any information will not be obtainable within the specified timeframe, please send that information which is available and indicate a date by which we may expect the remainder.

If you have any questions, please call Mr. Jim Reid, FTS 275-5352 or Mr. Irv Boker, FTS 275-3973. The completed questionnaire should be sent to:

Mr. Irv Boker, Room 4100
U. S. General Accounting Office
Washington, D.C. 20548

QUESTIONNAIRE

Approximately how many people were employed by your agency as of December 31, 1983? (The total should include both full- and part-time employees. If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").

E/260 Employees

On December 31, 1983, approximately how many of your people and how many employees of your contractors had access to classified information? Please count the individuals based on their highest level of clearance. If the exact number is not known, please give your agency's best estimate. (Enter the number on each line. If none, enter "0").

<u>Highest Level of Clearance</u>	<u>Agency Employees</u>	<u>Contractor Employees</u>
TOP SECRET	<u>561</u>	<u>36</u>
SECRET	<u>420</u>	<u>4</u>
CONFIDENTIAL	<u>- 0 -</u>	<u>- 0 -</u>

3. On December 31, 1983, approximately how many employees of your agency and its contractors had sensitive compartmented information (SCI) access? If the exact number is not known, give your agency's best estimate. (Enter the number on each line. If none, enter "0").

274 Agency employees with SCI access

29 Contractor Employees with SCI access

4. Do you consider SCI to be a special access program? Please cite the authority.

5. Does your agency have "special access" programs for access to information as authorized under Sec. 4.2(a) of Executive Order 12356, or any other similar access programs under other authority?

 Yes

 X No

6. How many SCI and non-SCI special access programs did your agency have at the close of calendar years 1979-1983, and what was the authority for them? How many billets were authorized for these programs and how many agency and contractor employees were granted special access authorizations for them for each of those years? (If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E").

	1983		1982		1981	
	SCI	Non-SCI	SCI	Non-SCI	SCI	Non-SCI
Programs	0	0	0	0	0	0
Billets	0	0	0	0	0	0
Agency employees	0	0	0	0	0	0
Contractor employees	0	0	0	0	0	0

	1980		1979	
	SCI	Non-SCI	SCI	Non-SCI
Programs	0	0	0	0
Billets	0	0	0	0
Agency employees	0	0	0	0
Contractor employees	0	0	0	0

Authorities
 EO 12356
 Others (please specify) _____

7. Did your agency employ polygraph operators during calendar year 1983?

Yes
 No

8. As of December 31, 1983, how many polygraph operators were employed by your agency? How many contracts for polygraph examinations did you have?

0 - Agency employees
0 - Contractors

9. Do you have plans to employ any additional polygraph operators or contract out for services? If so, why and how many?

0 - Agency employees
0 - Contractors

10. As of December 31, 1983, how many polygraph machines, if any, did your agency possess? How many were procured during calendar year 1983? Do you have plans to procure any additional polygraph machines, and if so, how many?

11. Approximately how many polygraph exams were conducted of your employees or applicants for employment by, or for, your agency? Please list by the indicated categories for each of the listed calendar years. If they were conducted by another agency or contractor, so indicate. *None*

	<u>1983</u>	<u>1982</u>	<u>1981</u>	<u>1980</u>	<u>1979</u>
<u>Criminal or Specific incident investigations</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Pre-employment screening</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Pre-access screening</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Subsequent screening</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Other (explain)</u>					
Conducted by agency	_____	_____	_____	_____	_____
Conducted by other agencies or contractors (list)	_____	_____	_____	_____	_____
<u>Total (Do not double count)</u>	_____	_____	_____	_____	_____

12. Under what authority, regulations and rules are your polygraph examinations conducted? Please list citations and attach copies where applicable. Also, indicate any plans to revise these governing regulations proposed at this time. Please describe the changes and attach copies of these proposals, if available. In particular, describe which employees, and indicate how many, would be potentially covered under each type of polygraph examination (specific incident investigation, screening or other uses (described) and the projected number of exams to be given in each category.

N/A

Please briefly describe the qualifications required of individuals employed as polygraph operators by your agency. The attachment of a job description which contains this information will be sufficient. If there is no change from last year's questionnaire answer, simply so indicate.

N/A

4. Does your agency require its employees to submit to any pre-publication review procedure (other than to review official statements on behalf of the agency)?

Yes

No (Please skip to Question 20)

5. Please describe these pre-publication review procedures. How long have they been used by your agency? Cite and attach any applicable regulations and/or forms used for their implementation and indicate the authority for those agency programs.

6. Please describe which, and indicate how many, of your employees are covered by your pre-publication review procedures by each separate program.

7. Approximately how many books, articles, speeches, and other materials, by category, were reviewed during your agency's pre-publication review process (described in Question 14) for each calendar year of its operation. If used prior to calendar year 1979, please indicate date this operation began. If the number is not known, please give your agency's best estimate. Please enter the number on each line. (If none, enter "0").

	1983	1982	1981	1980	1979
Books	_____	_____	_____	_____	_____
Articles	_____	_____	_____	_____	_____
Speeches	_____	_____	_____	_____	_____
Other (please specify)	_____	_____	_____	_____	_____

8. Please estimate the average number of working days that elapse from the date of receipt of a request for pre-publication review of each type of document below, to the date the requestor is informed of the final results. If you have not had experience in reviewing a type of document, enter "NA" on the applicable line. (Enter estimated average number of working days on each line). If your answer has not changed since last year's questionnaire, simply so indicate.

Estimated Average Working Days

_____ Books
_____ Articles
_____ Speeches
_____ Other (please specify)

19. During calendar year 1983, approximately how many employees were assigned, and working days were used for pre-publication review as described in Question 14? (If none, enter "0").

_____ Estimated number of employees assigned

_____ Estimated number of working days used

20. Please describe your agency's implementation of paragraphs 1a., 1d., and 2 of the President's National Security Decision Directive 84. Attach any regulations and forms used and indicate the number of employees affected.

21. During the 1983 calendar year, did your agency experience any unauthorized disclosures of classified information? (Check one).

 X Yes

_____ No (Please skip to Question 23)

22. During the 1983 calendar year, please indicate the total number of unauthorized disclosures, the number of unauthorized disclosures made through books, articles, speeches, written or given by then-current and former employees, and the number which were not reported to the Department of Justice.

 X Total number of known unauthorized disclosures

_____ Number not reported to Department of Justice

Number made through published writings or speeches by:

_____ a. then-current employees, or

_____ b. former employees

See memo for RFF,

28. Please enter below the name, title, and telephone number of the person to be contacted if clarification or additional information is needed:

Agency: _____

Name: _____

Title: _____

Location: _____

Telephone number: (Area Code) _____ (Number) _____

If you have any questions, please contact either GAO staff member:

Mr. Jim Reid, FTS 275-5352 or Mr. Irv Boker, FTS 275-3973

Thank you for your time. Please return the completed questionnaire to:

Mr. Irv Boker, Room 4100
U. S. General Accounting Office
Washington, D.C. 20548

Approximately how many people were employed by your agency as of December 31, 1982? (The total should include both full- and part-time employees. If the exact number is not available, please give your agency's best estimate, and indicate such by preceding the number with the letter "E".)

1,558 Employees

On December 31, 1982, approximately how many of your people and how many employees of your current contractors had access to your agency's classified information? Please count the individuals based on their highest level of classification. If the exact number is not known, please give your agency's best estimate. (Enter the number in each box. If none, enter "0".)

<u>Highest Classification Level</u>	<u>Agency Employees</u>	<u>Contractor Employees</u>
TOP SECRET	<u>921</u>	<u>22</u>
SECRET	<u>395</u>	<u>0</u>
CONFIDENTIAL	<u>*</u>	<u>0</u>

*Clearances to the Confidential level are not granted, however, all personnel with Top Secret and Secret access also have access to confidential information.

On December 31, 1982, approximately how many of your employees and employees of your contractors had Sensitive Compartmented Information (SCI) access? If the exact number is not known, give your agency's best estimate. (Enter the number on each line. If none, enter "0".)

224 Employees have SCI access
22 Consultants ~~Contractor employees~~ have SCI access

Approximately how many of your employees have original and derivative classification authority at each of the following classification levels? Count the employees based on their highest level of classification authority. If the exact number is not known, give your agency's best estimate. (Enter the number in each box. If none, enter "0".)

<u>Highest Classification Level</u>	<u>Classification Authority</u>	
	<u>Original</u>	<u>Derivative</u>
TOP SECRET	<u>17</u>	<u>*</u>
SECRET	<u>58</u>	<u> </u>
CONFIDENTIAL	<u>11</u>	<u> </u>

*No specific "authority" is required to assign a derivative classification.

5. Does your agency employ polygraph operators, or did it contract out for polygraph operators during calendar year 1982? (Check one.)

 Yes -- continue

 x No -- please go to Question 8.

6. As of December 31, 1982, approximately how many polygraph operators were employed by your agency? If the exact number is not known, please give your agency's best estimate. How many contract polygraphers did your agency employ during calendar year 1982?

 Agency employees

 Contract personnel

Please briefly describe the qualifications required of individuals employed as polygraph operators by your agency. The attachment of a job description which contains this information will be sufficient.

8. During calendar year 1982, approximately how many books, articles, speeches, and other materials were reviewed during your agency's preclearance process, if any? If the number is not known, please give your agency's best estimate. Please enter the number on each line. If none, enter "0".)

14 Books
E 13 Articles
E 140 Speeches
0 Other (please specify)

9. Please estimate the average number of working days that elapse from the date of receipt of a request for preclearance of each type of document below, to the date the requestor is informed of the final results. If you have not had experience in reviewing a type of document, enter "NA" on the applicable line. (Enter estimated average number of working days on each line.)

Estimated Average Working Days

E 30 Books
E 15 Articles
E 2 Speeches
 Other (please specify)

During calendar year 1982, approximately how many employees were assigned, and working days were used for each of the following tasks? (Place the numbers in the appropriate boxes. If none, enter "0".)

	<u>Estimated Number of Employees Assigned</u>	<u>Estimated Number of Working Days Used</u>
preclearance review of books, speeches, articles and other materials	/ E 3 /	/ E 171 /
reviewing Freedom of Information Act requests	/ 8 1/2 /	/ 884 /
mandatory review for declassification requests under Executive Order 12356 (August 1, 1982)	/ E 4 /	/ E 362 /

1. Please briefly describe your agency's plans to implement the nondisclosure agreement (paragraphs 1.a. and 1.b.), the preclearance for publication (paragraph 1.b.), and the contacts between media representatives and agency personnel (paragraph 1.d.) requirements. If you have not yet formulated these plans, please indicate a date by which we may expect a reply to this question, which should at that time be forwarded under separate cover.

As provided in the National Security Decision Directive of March 11, 1983, the Director, Information Security Oversight Office ("ISOO") is developing standardized forms dealing with nondisclosure agreements and, for persons with authorized access to Sensitive Compartmented Information ("SCI"), pre-publication review to assure deletion of SCI. Guidelines for contacts between agency personnel and media representatives were promulgated for the Executive Office of the President on March 12, 1983. Implementation guidelines for other aspects of the Directive for the Executive Office of the President are expected to be promulgated when the standardized forms being developed by ISOO, described above, are finalized.

2. During the five-year period ending December 31, 1982, did your agency experience any unauthorized disclosures of classified information? (Check one.)

Yes -- continue
 No -- please go to Question 14

Source of agency unauthorized disclosures is unknown.

For the five-year period ending December 31, 1982, please indicate the total number of unauthorized disclosures, the number of unauthorized disclosures made through books, articles, speeches written or given by then-current or former employees, and the number which were not reported to the Department of Justice.

 x Number of known unauthorized disclosures
All known unauthorized disclosures have been forwarded to the Criminal Division,
 Number not reported to Department of Justice Department of Justice.
 Number made through writings or speeches by
 then-current or former employees

Please enter below the name, title, and telephone number of the person to be contacted if clarification or additional information is needed.

Agency: Executive Office of the President
Name: Anne D. Neal
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you have any questions, please contact either GAO staff member:

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nk you for your time. Please return the completed questionnaire to:

Legislation and National Security Subcommittee
Committee on Government Operations
B-373 Rayburn House Office Building
Washington, D.C. 20515

March 11, 1983

Safeguarding National Security Information

As stated in Executive Order 12356, only that information whose disclosure would harm the national security interests of the United States may be classified. Every effort should be made to declassify information that no longer requires protection in the interest of national security.

At the same time, however, safeguarding against unlawful disclosures of properly classified information is a matter of grave concern and high priority for this Administration. In addition to the requirements set forth in Executive Order 12356, and based on the recommendations contained in the interdepartmental report forwarded by the Attorney General, I direct the following:

1. Each agency of the Executive Branch that originates or handles classified information shall adopt internal procedures to safeguard against unlawful disclosures of classified information. Such procedures shall at a minimum provide as follows:

a. All persons with authorized access to classified information shall be required to sign a nondisclosure agreement as a condition of access. This requirement may be implemented prospectively by agencies for which the administrative burden of compliance would otherwise be excessive.

b. All persons with authorized access to Sensitive Compartmented Information (SCI) shall be required to sign a nondisclosure agreement as a condition of access to SCI and other classified information. All such agreements must include a provision for prepublication review to assure deletion of SCI and other classified information.

c. All agreements required in paragraphs 1.a. and 1.b. must be in a form determined by the Department of Justice to be enforceable in a civil action brought by the United States. The Director, Information Security Oversight Office (ISOO), shall develop standardized forms that satisfy these requirements.

d. Appropriate policies shall be adopted to govern contacts between media representatives and agency personnel, so as to reduce the opportunity for negligent or deliberate disclosures of classified information. All persons with authorized access to classified information shall be clearly apprised of the agency's policies in this regard.

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2. Each agency of the Executive branch that originates or handles classified information shall adopt internal procedures to govern the reporting and investigation of unauthorized disclosures of such information. Such procedures shall at a minimum provide that:

a. All such disclosures that the agency considers to be seriously damaging to its mission and responsibilities shall be evaluated to ascertain the nature of the information disclosed and the extent to which it had been disseminated.

b. The agency shall conduct a preliminary internal investigation prior to or concurrently with seeking investigative assistance from other agencies.

c. The agency shall maintain records of disclosures so evaluated and investigated.

d. Agencies in the possession of classified information originating with another agency shall cooperate with the originating agency by conducting internal investigations of the unauthorized disclosure of such information.

e. Persons determined by the agency to have knowingly made such disclosures or to have refused cooperation with investigations of such unauthorized disclosures will be denied further access to classified information and subjected to other administrative sanctions as appropriate.

3. Unauthorized disclosures of classified information shall be reported to the Department of Justice and the Information Security Oversight Office, as required by statute and Executive orders. The Department of Justice shall continue to review reported unauthorized disclosures of classified information to determine whether FBI investigation is warranted. Interested departments and agencies shall be consulted in developing criteria for evaluating such matters and in determining which cases should receive investigative priority. The FBI is authorized to investigate such matters as constitute potential violations of federal criminal law, even though administrative sanctions may be sought instead of criminal prosecution.

4. Nothing in this directive is intended to modify or preclude interagency agreements between FBI and other criminal investigative agencies regarding their responsibility for conducting investigations within their own agencies or departments.

5. The Office of Personnel Management and all departments and agencies with employees having access to classified information are directed to revise existing regulations and policies, as necessary, so that employees may be required to submit to polygraph examinations, when appropriate, in the course of investigations of unauthorized disclosures of classified information. As a minimum, such regulations shall permit an agency to decide that appropriate

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adverse consequences will follow an employee's refusal to cooperate with a polygraph examination that is limited in scope to the circumstances of the unauthorized disclosure under investigation. Agency regulations may provide that only the head of the agency, or his delegate, is empowered to order an employee to submit to a polygraph examination. Results of polygraph examinations should not be relied upon to the exclusion of other information obtained during investigations.

6. The Attorney General, in consultation with the Director, Office of Personnel Management, is requested to establish an interdepartmental group to study the federal personnel security program and recommend appropriate revisions in existing Executive orders, regulations, and guidelines.

Guidelines for Press Coordination

1. The press office should remain the first stop for White House reporters seeking information about the President's policies and views.
2. In order to maintain an open Presidency, it is essential that members of the senior staff also be willing to meet with reporters on a frequent basis.
3. As the need arises, the communications department will designate key members of the staff who will be available to the press to answer questions on a specific subject. These "designated hitters" will be expected to take either telephone calls or be personally available to members of the press.
4. Requests for interviews or comments from members of the staff who have not been already designated to answer questions should first be referred to the communications department. After receiving a clearance or recommendation from the communications department, the staff member will be expected to make his or her own arrangements for the press interview. This procedure extends to the entire staff practices that are already followed in several departments of the White House.
5. Other departments that are part of the Executive Office of the President but are not formally part of the White House (e.g., NSC, OMB, CEA, Office of the Science Adviser) shall adopt parallel guidelines in coordination with the White House communications department.
6. The communications department will seek to ensure key members of the staff are sufficiently available to the press, especially on major news stories, to provide an open and full flow of information to the press.
7. As in the past, no member of the White House staff and related organizations shall accept a major television interview or large-scale press luncheon and breakfast without prior coordination with the communications department. In addition, it is recommended that all major interviews with groups of reporters inside the complex be held with a White House stenographer present.

8. On-the-record interviews should be recognized as the best way to conduct most interviews with the press.
9. The guidelines outlined here will apply whether the President is in Washington or out of town. They will not apply to strictly social engagements with members of the press.
10. In keeping with the traditions of this Presidency, these guidelines should be carried out in a way that maintains an atmosphere of openness, professionalism and civility in relations with the White House press corps.