

# U.S. DEPARTMENT OF STATE DECLASSIFICATION PLAN UPDATE 2004



Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.
(V) Release ( ) Excise ( ) Deny ( ) Declassify
Date 6/28/Exemption

## DEPARTMENT OF STATE DECLASSIFICATION PLAN 2004 Update and FY05-07 Projections

The initial Department of State 2003 Declassification Plan was prepared pursuant to (1) Executive Order 12958, amended March 25, 2003 (the "Order"), and (2) the implementing directive issued by the Information Security Oversight Office (ISOO) on September 22, 2003 (the "Directive"). The Order and Directive required executive branch agencies to institutionalize the declassification of permanent, classified records and establish an implementation date of December 31, 2006 for the introduction of automatic declassification whether or not records had been reviewed for declassification prior to becoming 25 years old. This means the Department of State ("Department") has to complete either its systematic review or other review for declassification of permanent, classified records that are 25 years old or older by December 31, 2006, and then for each year thereafter, or automatically declassify such records without review.

The Department's 2003 plan covered the systematic declassification review of all permanent, classified DOS records, both textual (paper) and in special media formats, for the years 1976-1981, following the ISOO guidelines for preparation of a declassification plan issued October 16, 2003. This update of that plan follows the ISOO "Guidance for Agency Declassification Plans, FY 2005." For ease of reference, this update uses ISOO's numbering system for Sections C, D, and E in that guidance.

#### C. Content

## 1. DOS Official Responsible for Oversight and Coordination of the Implementation of the Declassification Plan:

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#### DOS Officials with Declassification Authority:

Within the Department all personnel with original classification authority (OCA; Top Secret OCA=330, plus Secret and Confidential OCA=2070) also have declassification authority. The Deputy Assistant Secretary for Records and Publishing Services (A/RPS), the Director of the Office of Information Programs and Services (RPS/IPS), and the Director of the Systematic Review Program (SRP) all have declassification authority. The core of the Department's declassification efforts however, revolve around the approximately 250 retired senior Foreign Service officers (WAEs) who have been delegated declassification authority. These appointed officials can work up to a mandatory pay cap making them essentially part time and often unable to work more than four or five months.

The Bureau of Diplomatic Security (DS) maintains a declassification review division for the review of Freedom of Information (FOIA), Privacy Act (PA), and Mandatory Review requests for its records that have not been retired as permanent historical records. DS employs four fulltime case officers and two WAEs who work part time to review records for public release plus two senior reviewers. DS leaves its systematic review of classified records to A/RPS and the Systematic Review Program.

# C. 2. Total number of pages reviewed from FY95 through FY04 that are subject to the Order:

| Pages subject to<br>Order     | Textual    | Special Media | Total      |
|-------------------------------|------------|---------------|------------|
| Reviewed (a)                  | 88,143,449 | , 3,754,479   | 91,897,978 |
| Declassified                  | 70,764,603 | 3,362,771     | 74,127,374 |
| Exempted                      | 347,000    | 342,708       | 689,708    |
| Excluded (b)                  | 754        | 0             | 754        |
| Referred to other agency      | 3,116,000  | 95,338        | 3,211,338  |
| Referred to                   |            |               |            |
| Department of State (c)       | 8,000,000  | . 0           | 8,000,000* |
| File Series Exempted See D.2. | 858,750    | 762,300       | 1,621,050  |

<sup>\*</sup> Estimate

#### Data Notes:

- a. Numbers reported in C.2. come from the earlier annual reports to ISOO for 1995-2001 plus SRP databases. The numbers reported to ISOO in the early years were categorized as "declassified", not reviewed, and were not broken down by textual versus special media. Therefore these are estimates, not true "reviewed" page numbers.
- b. Excluded data (RD) is unavailable for years prior to 2000, but the page quantities were trivial before the Department began reviewing records from the Arms Control and Disarmament Agency (ACDA). Subsequent data is based on the incorporation of ACDA records during the merger, the review of most of which was completed in FY04.
- c. Referred Pages: we do not capture directly the number of pages referred, only the number of documents referred. Calculations are based on estimating 6 pages per referred document, based on an average number of pages per document in our prior experience.

#### C. 3. Work completed during FY04 subject to this provision:

|                          | Textual   | Special Media | <u>Total</u> |
|--------------------------|-----------|---------------|--------------|
| Reviewed                 | 7,024,000 | 1,317,035     | 8,341,035*   |
| Declassified             | 6,318,000 | 1,150,897     | 7,468,897*   |
| Exempted                 | 132,000   | 149,138       | 281,138      |
| Referred to other agency | 573,000   | 41,458        | 614,458      |
| Referred to State        | 310,000   | 0             | 310,000**    |
| Excluded                 | 573       | 0             | 573          |

<sup>\*</sup> Both of these figures show increases from what the Department reported our FY04 SF 311 due to SRP's November reassessment of recent actually accomplished.

## C. 4. Work expected to be reviewed subject to this provision during FY05:

|                          | Textual   | Special Media | <u>Total</u> |
|--------------------------|-----------|---------------|--------------|
| Reviewed                 | 5,300,000 | 4,360,969     | 9,660,969    |
| Declassified             | 4,790,000 | 3,816,409     | 8,606,409    |
| Exempted                 | 100,000   | 454,560       | 554,560      |
| Referred to other agency | 410,000   | 141,316       | 551,316      |
| Referred to State        | 1,000,000 | . 0           | 1,000,000*   |
| Excluded                 | 100       | . 0           | 100          |
| *Estimate                |           |               |              |

C. 5. Records reported in last year's plan subject to this provision that were expected to be reviewed by 12/31/06. Include change/explanation:

5. a. Records subject to this provision that are expected to be reviewed in FY-2006;

|                          | Textual   | Special Media | <u>Total</u> |
|--------------------------|-----------|---------------|--------------|
| Reviewed                 | 4,369,000 | 9,751,392     | 14,120,392   |
| Declassified             | 3,955,000 | 8,485,924     | 12,440,924   |
| Exempted                 | 84,000    | 1,185,468     | 1,269,468    |
| Referred to other agency | 330,000   | 163,315       | 493,315      |
| Referred to State        | 1,000,000 | 0             | 1,000,000*   |
| Excluded                 | 100       | 0             | 100          |
| *Estimate                |           |               |              |

5. b. Records reported in last year's plan that were expected to be reviewed by 12/31/06. This is an aggregate of the three years FY-04-06 (sections 3,+4+5a above).

|               | <u>Textual</u> | Special Media | <u>Total</u> |
|---------------|----------------|---------------|--------------|
| Reviewed:     | 16,693,000     | 15,429,396    | 32,122,396   |
| Declassified: | 15,063,000     | 13,453,230    | 28,516,230   |
| Exempted:     | 316,000        | 1,789,166     | 2,105,166    |

<sup>\*\*</sup> Estimate

| Referred to other agency: | 1,313,000 | 346,089 | 1,659,089  |
|---------------------------|-----------|---------|------------|
| Referred to State         | 2,310,000 | 0       | 2,310,000* |
| *Estimate                 |           |         | _,,,       |

Reasons for Changes from FY-03 Projections. Those projections were: Textual: 16,640,000; Special Media: 15,600,000 for a total of 32,240,000 pages. In each case, the modest differences from the FY-2003 projections are based on the significant effort in recent months to identify clearly all records awaiting review and declassification. Additional textual records were identified that only recently were determined by NARA to be permanent historical records, whereas our refined estimate of electronic media is slightly reduced.

The numbers reported last year covered the entire universe of records greater than 25 years old and not exempt that needed to be reviewed by December 31, 2006, i.e. last year's numbers covered page counts for FY04, FY05 and FY06 plus records that turned 25 years old between October 1 and December 31 of 1981, i.e. in the first quarter of FY07. The changes in these page counts partly result because this year's data is requested by fiscal year only. In addition, in October and November 2004, SRP participated in a Departmental financial plan exercise that finalized SRP's actual declassification activity for FY04 and refined its future declassification workload.

## C. 6. Records subject to this provision expected to be reviewed in FY07:

| •                        | <u>Textual</u> | Special Media | <u>Total</u> |
|--------------------------|----------------|---------------|--------------|
| Reviewed                 | 2,238,000      | 1,911,564     | 4,149,564    |
| Declassified             | 2,026,000      | 1,723,908     | 3,749,908    |
| Exempted                 | 43,000         | 153,656       | 196,656      |
| Referred to other agency | 169,000        | 69,897        | 238,897      |
| Referred to State        | 1,200,000      | 0             | 1,200,000*   |
| Excluded                 | 100            | 0             | 100          |
| *Estimate                |                |               |              |

## C. 7. Department of State Application of the Integral File Block Concept:

Bureaus, offices and posts normally retire Department records n multi-year collections containing from two years to five or more years worth of records. Records managers in most bureaus utilize integral file blocks. For long-term preservation, NARA's practice has been to gather State's reviewed records by bureau, office or post into five-year (calendar year) project blocks for processing and release to researchers and the public. However, because E.O. 12958, as amended has now established December 31, 2006 as the date for implementation of 25-year automatic declassification of records, SRP has established the period 1976 through 1981 as the integral file block for the records it is presently reviewing.

The integral review block that SRP intends to use beginning with its systematic review activity in FY 2007 will be the period 1982 through 1985. Thereafter, State intends to use a

regular half-decade five year review block, i.e., 1986 through 1990, 1991 through 1995, 1996 through 2000, etc.

Records are scheduled for systematic declassification review according to the date of the youngest record in the review block. For example, the SRP block of records covering the period 1976-1981 are scheduled for their review to be completed prior to December 31<sup>st</sup> of the year when the 1981 records reach twenty-four or initially twenty five years of age, i.e., 2006. Thereafter, review of the records for 1982 through 1985 should be completed prior to December 31, 2009. The desire of the Department is to complete the review of future SRP review block of records by the end of the calendar year prior to their scheduled automatic declassification date to allow for application for exemption as needed as well as to compile statistical record review data for ISOO's Annual Classification Management Report to the President.

The use of a five-year integral declassification review block provides significant advantages for the Department's review process and for NARA. When reviewers can be presented with five years of retired records from a particular activity, office or post, it enables them to deal more efficiently with the issues and information sensitivity in the records. Once reviewed, the five-year group of records can be accessioned to NARA where it can be organized easily into a project. State and NARA have agreed to accession the Department's mostly special media Central Foreign Policy Files records in one-year blocks.

The ARENA database is a collection of ACDA negotiating telegrams for twenty-four arms treaties created between the early 1970's [when the Department initiated the still current State Archiving System (SAS)] and 1999. In 2000, the BASIS-formatted ARENA database cable content was migrated to a new Department database called the Treaty Information Portal. All cable traffic in both databases duplicates what is in SAS. The Department has no current plans to subject ARENA to systematic review, nor to begin declassification of the cable content in the Treaty Information Portal. The latter we consider as an integral file block needing a determination by NARA whether it may be considered working copies of records. The Information Treaty Portal, created in 2000 and being actively used and added to presently would not be subject to declassification review until the youngest record reaches 25 years old.

#### C. 8. The State Department Review Process:

State's Systematic Review process results in documents either being released to NARA or marked withheld in their entirety by reason of exemption under the Order. On the marking label, the Department notes recommendations to NARA for withholding under FOIA, the Privacy Act, exclusion as RD material, or referral to other U.S. Government agencies for their equities. Redaction to allow immediate public release of a document is used only for Mandatory Declassification Review, FOIA and PA cases, or for production to Congress or the Courts.

The review process for textual records consists of two steps. The first step is an initial page-by-page review of each document in a box to determine if it contains (a) any National Security Information (NSI) that requires protection under the Order Section 3.3(b), (b) NSI

equities of any other agencies, or (c) excluded material or other statutorily protected information. In accordance with our latest agreement with NARA, the documents are not individually stamped. Reviewed documents remain in the box in the order they were filed. Still classified or otherwise unreleasable documents are placed inside a tab-collar that is marked to show other agencies having equities in the document, or that a document has been, or will be submitted for exemption by the Secretary of State under the Order, or under FOIA or PA for non-national security reasons. In addition, the Department's reasons for withholding or proposing for exemption certain documents are detailed in full on a Department form SRP-2 that is placed at the front of the box (note: the establishment and provision of a proposed new printed tab-collar by ISOO may change these procedures). When the review of a box is completed, a label is placed on its face indicating that all the documents in the box, with the exception of those collared, have been declassified in full.

The second step consists of quality control of reviewed boxes by Department reviewers with long and extensive experience. The purpose of quality control is to ensure accuracy and consistency of declassification determinations and adherence to substantive and procedural guidelines. Depending on the nature of the records being reviewed and the experience-level of the initial reviewers, 20% to 50% of the boxes in a given group will undergo a quality control review. With particularly challenging material or a new reviewer, a box will be given a complete second page-by-page review by an experienced reviewer. Quality control involves examining withheld ("collared") documents to ensure that stamps, exemptions, and markings are justified and accurately entered on the collars, plus examining at least 20% of the "uncollared" documents to ensure that no sensitive material has been missed.

The review process for electronic records is also a two-tier review. The review is completed online, with declassification decisions, exemptions, and comments being recorded as part of the metadata, or "header," for each document. In FY04, the Department recruited and trained approximately 20 graduate students to work part-time segregating and marking sensitive but unclassified or privacy exemptions for unclassified electronic records, thus freeing expert reviewers to focus on national security information declassification decision-making.

With electronic records, a senior reviewer scrutinizes every document a second time. Once a final downgrading, declassification, or exemption determination has been made, a banner is placed at the top and bottom of each page of the document indicating its new classification status. The system is also updated so the next person who searches for or requests a cable can see its declassification review history.

The Department has been a pioneer in the declassification of electronic records, including use of the worldwide web to make its historically significant records available to the widest possible audience. The Department currently has over 190,850 documents posted on its worldwide public website. The most significant additional postings in FY04 were declassified telephone transcripts from the tenure of Secretary of State Henry Kissinger.

IPS has also developed a unique, state-of-the-art online declassification program for the review and transfer of electronic records to NARA in a format that will enable NARA to post the fully releasable documents on its own website. However, alongside State's proven

commitment to the declassification goals of E.O. 12958, as amended, the fact must be considered that resources, both of funds and personnel, are always a critical concern. We see no reason to think that the demand on IPS review resources will diminish or change in the foreseeable future. The Department will strive to meet to the greatest extent possible its declassification responsibilities with the resources at its disposal. Along with other agencies, the Department continues to grapple with a lack of resources to meet the 2006 deadline.

#### C. 9. Description of the Total Cost Estimates to Meet the 12/31/06 Requirement:

The total estimated cost of systematic review of the records universe identified in Section II above by 12/31/06 is

Salaries \$11,286,165

Special Media Contract, Microfilm readers, printers, and computer systems \$ 228,000 Telephones, Furnishings SRP Facility \$221,000

Service Contract with National Archives for storage, transport, accessioning, \$250,000 Travel to review records outside SRP, such as to Presidential Libraries \$30,000

#### TOTAL \$12,005,165

#### Strategy to address funding or resource shortfalls:

IPS applies a continuous process improvement approach. In electronic records review, for example, 2004 has seen the application of several work process changes, including use of graduate students that will save scarce and expensive reviewer resources without compromising the quality of the review. In 2005, there will be a major effort to improve data collection and SRP program assessment and continued WAE recruiting. In late 2003, the DAS for RPS initiated a Project Management approach utilizing Microsoft Project Management software to manage our declassification program in order to meet the December 31, 2006 deadline. All GS 13s and 14s within IPS were mandated to attend the intense two-week Project Management course at the National Foreign Affairs Training Center. Senior managers were given a customized executive overview and refresher course. The Automatic Declassification Deadline Project managed by SRP is one of the first RPS projects that the DAS is tracking using the new approach and software. This allows better oversight by the Bureau of Administration and other senior Department officials responsible for meeting the requirements of E.O. 12958, as amended.

#### D. Declassification Guides and File Series Exemptions

#### D. 1. Declassification Guides:

The Department's declassification guide received interim approval by ISCAP in October 2001. The Department is working with ISCAP staff for final approval with updating to reflect the 2003 changes to the E. O. 12958. Once approved by ISCAP, the State declassification guide will be shared with any agency requesting it in order to identify State equities. The guide will

be periodically updated at least every five years from the date of final ISCAP approval to reflect any new or revised areas of sensitive information concern.

#### D. 2. File Series Exemptions:

At present, the Bureau of Intelligence and Research (INR) in the State Department has a files series exemption covering approximately 1,621,050 pages (858,750 textual + 762,300 SM). The records in the lot groups under that INR exemption dated prior to 1956 will be reviewed for declassification and collars marked with new automatic declassification dates prior to 12/31/2006. Even after 50 years, however, the Department estimates 375,000 pages of INR records are expected to remain exempt after December 31, 2006.

Two Diplomatic Security file series are expected to be proposed for exemption from automatic declassification in FY05. One contains counter terrorism security investigation records and the other architectural records revealing facility vulnerabilities that do not dissipate just because twenty-five years have passed. The total of these two file series is at least two cubic feet, estimated at 5,000 textual pages.

Two other record groups for which the Department may need file series exemptions or clarification re status prior to 12/31/2006:

1. In 1973, the Department began its transition from paper textual records for its Central Foreign Policy Files to central files maintained electronically and on microfilm. Only top secret and a few other special categories were retained in paper.

Earlier central files records have an extensive indexing system for names and subjects on 3x5 inch cards and 5x8 inch reduced copies of half of the first page of telegrams. State transferred the card indices for the 1964-1966 Central Foreign Policy Files to NARA on February 15, 1995 (Lot 76D145) and NARA received them on June 6, 1995 (NN3-59-095-086). Two additional index transfers to NARA occurred in late 1996 (Lot 76D155 was accessioned by NARA on March 10, 1997 (NN3-59-097-001). The first was of indices for the 1967-1969 central foreign policy files; the final transfer was for indices covering central foreign policy files from 1970-1973.

Per agreement with NARA dated October 8, 1995, such card indices are not going to be reviewed for declassification by the Department.

2. A large volume of permanently valuable classified records 25 years old or older created by former Secretaries of State or Ambassadors currently is under the control of the Library of Congress (LOC). The most recent Secretaries of State to donate record collections to the Library were A. Haig and H. Kissinger. While the Department has tried to obtain copies of all such recent records, it does not have duplicates or control of many of the older classified documents. Therefore, the Department is NOT including any former officials' records now in the Library of Congress in its declassification plans (except for the small quantity of such documents that the LOC sends to the Department irregularly for declassification related to a specific research project). So, despite the

language in item A. 8, and the related definition in Section 2001.30 of ISOO's Implementing Directive, the Department sees no reasonable way to declassify records dating back to the 1790's long in the possession and control of the Library of Congress.

Since 1992, the Department's policy has been not to allow the transfer of classified records outside the executive branch; since then several requests from the Library of Congress for former Department officials records have been denied. Just as the Department will no longer transfer records or copies of classified records, the Department is not going to review for systematic or automatic declassification the classified records that are already in the Library of Congress's actual physical possession and control (some of which was removed from the Department without notice or approval).

The Department looks forward to the executive and legislative branches reaching some agreement concerning the systematic declassification and/or applicability of automatic declassification to such documents created by former federal agency officials, many of which predate both the Federal and Presidential Records Acts, as well as the current Executive Orders on national security information.

#### E. Other Factors

#### E. 1. Interagency Cooperative Efforts to Facilitate Declassification Review by 12/31/2006

The Department has worked with NARA, DOE, the DOD agencies, CIA, NSC, and the Presidential Libraries since the 1990s to facilitate the identification of one another's equities and their physical access for declassification review. In 2004, the Department joined the Remote Archives Capture (RAC) Program and sent a team to the Carter Library to select Department equity records appropriate for scanning for inclusion in the RAC program. The Department presently maintains two reviewers at the CIA International Point facility for review of referrals from CIA and from Presidential libraries in the RAC program.

We have also had State referral review teams in place for periods as short as a week or for as long as several months at the Army Declassification Facility, at the Navy Historical Center, and at the DOE headquarters in Germantown, Maryland. We have two reviewers working half time in the National Security Council's Declassification Office and four reviewers working at NARA Archives II for special reviews and review of referrals at the NARA Referral Center discussed below.

With respect to the review of the Department's electronic Central Foreign Policy Files, in addition to identifying documents containing other agencies' equities, the Department provides certain select government agencies with copies of all documents in electronic format that have been reviewed and are being proposed for declassification and release to the public. Using their specific word search programs, these agencies have been able to identify a relatively small number of documents, not identified in the Department's review, that contain their equities and require protection. This finding improved the Department's own word search programs. We intend to continue such cooperative efforts.

In the immediate future there are two other innovative and cooperative approaches, in which State has been in the forefront, for dealing with the extremely large volume of equity referrals. One is a new NARA referral center concept for making referred documents in NARA's possession physically available for declassification review by the designated agencies. The new concept is about to be implemented in a new, enlarged and computerized referral center in Archives II. The new concept will enable the results of referral reviews to be recorded electronically and for the referrals to be cleared from the system electronically, eliminating any further reporting actions that might be necessary under E.O. 12958, as amended.

The second innovation is the realization of a facility desired by the interagency declassification review community for some years, a computerized interagency equity referral notification database. Congress, in the FY 2004 budget, provided funds for the development of such a database and designated CIA as the executive agent. The parameters for such a system, now called the Document Declassification Support System (DDSS), were developed by a CIA project team in intensive consultations with the agencies, including the Department, having the overwhelming proportion of the records requiring review under E.O. 12958, as amended.

Work is now underway to create a system that will initially handle the referral notifications of five or six agencies, one of which is the Department. The system is intended ultimately to dovetail with the computer database being used at NARA's Archives II New Referral Center, ADRRES, so that the results of the review of referrals at the NARA Referral Center can be recorded and accessed by agencies in the DDSS along with the results of review of referrals accomplished outside the NARA referral center. The DDS system will enable agencies to fulfill their referral notification responsibilities easily and provide agencies with upto-date location information for the referred documents they need to access for review. The DDSS team anticipates entering a pilot phase with data of five or six agencies by July 2005.

#### E. 2. Delegation of State Declassification Authority to Other U.S. Government Agencies:

The Department has delegated declassification authority to NARA staff. NARA has made only limited use of this authority. The Department has also exchanged declassification authority with USAID which uses our substantive guidance.

In 1995, the Department and DOD exchanged declassification guidance and granted one another declassification authority over the other agency's documents held in each agency's records. Using that authority, State declassified a large volume of DOD documents. State exercised the authority in the areas of foreign policy where State guidance and reviewers' knowledge fit well with DOD guidance. Documents involving technical matters and weapons systems were almost always referred to the relevant DOD entity. DOD declassification operations made less use of the authority than did State, but that was understandable given the diverse nature of State declassification guidance and the fact that the DOD entities needed to train a large number of reviewers to deal with their large volume of records requiring review.

In 2002, DOD withdrew its DOD-wide declassification authority from State, leaving it to the individual entities to make any agreements on exchange of declassification guidance and

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authority. Navy, with which State had developed a good working relationship at the Naval Historical Center, left the exchange of authority in place. State did not withdraw its grant of declassification authority from DOD.

When the updated and ISCAP-approved State Declassification Guide is available, the Department will provide it to requesting DOD entities and encourage them to utilize our grant of declassification authority to declassify non-sensitive State letterhead and equity documents. The difficulty for DOD entities in making use of the granted declassification authority is in training their reviewers in State guidance; their primary concern is to train reviewers in the use of DOD's own guidance.

#### E. 3. Equity Recognition Training:

State continues to maintain extensive internal guidance, updated annually, for both the procedural and substantive content areas of declassification review. Each new reviewer is given at least four weeks of training in small group sessions and on-the-job mentoring by an experienced reviewer. Reviews of on-line Central Foreign Policy Files receive additional training under an experienced electronic reviewer. Refresher training is given quarterly in small groups.

All new reviewers, once their special security clearance has been granted by DOE, are scheduled for the next available DOE 4-day course to qualify them for DOE certification. On successful completion of the course, reviewers are certified as Historical Records Restricted Data (HRRD) Reviewers. DOE also requires certified reviewers to have a refresher course in RD/FRD identification every three years. Almost all State systematic declassification reviewers attended the refresher training in spring 2004, and another DOE refresher training session is being scheduled for early spring 2005. During 2004, State also had large group equity identification training sessions conducted by CIA, USAF, and by NSC. The latter consisted of three sessions in three different Department facilities and was mandatory for all reviewers. For those unable to attend, the NSC live presentations were videotaped for make-up and refresher training. State expects further training with CIA and USAF in 2005.

#### E. 4. External Factors that Affect or May Affect the Systematic Declassification Effort:

IPS continues to manage a wide range of legally-mandated information access programs, including the retirement, declassification review and release to the public of permanent historical records in accordance with the relevant legislation and Executive Order 12958, as amended; declassification review for the Foreign Relations of the United States publications; Mandatory Review requests under E.O. 12958, as amended; requests under the Freedom of Information and Privacy Acts; special document requests from Congress, the General Accountability Office, and the courts. Major special project reviews this year included 9/11 Commission, UN and Congressional investigations on detainees in U.S. custody globally, Abu Ghraib and Guantanamo prison conditions and incidents, as well as a huge current request for

records concerning the Oil for Food Program. One of the tasks of IPS management is to balance review resources across a constantly shifting spectrum of demands.

Budget constraints for the Department and for IPS are a fact of life. For IPS, however, where funding may be constrained, demand is not. Special Projects in FY04, and subsequent litigation, consumed over 6000 effort-hours and \$250,000 in funding. Recent end of the year demands have included a court's order to respond to an ACLU FOIA request involving over 14,000 documents within months, plus a UN committee's investigation into Iraq's handling of the UN Oil for Food funding it received. The normal IPS operating environment is one in which demand can always be expected to exceed resources and resources must constantly be reallocated to meet new demands over which the Department has little or no control.

# E. 5. State Plans to Re-review State Exempted Records and Those Not Yet Kyl-Lott Certified:

A few years after E.O. 12958 was issued, the Department reviewed all of its records at NARA Archives II that it had exempted under previous Executive Orders and declassified them, referred them to other agencies, or further exempted them under E.O. 12958 criteria. State's general policy prior to the introduction of E.O. 12958 was to re-review exempted records when they reached 50 years of age. Following E.O. 12958 requirements, State reviewers have been establishing a date or event for re-review of the exempted document or its automatic declassification. Beginning in January 2000, State began database recording information about all documents exempted by State reviewers.

Moreover, since the requirement instituted by the Kyl and Lott amendments for certification of reviewed records to be free of RD and FRD information before their release to the public, State has re-reviewed for certification approximately 14,500,000 pages of previously reviewed records. The information on Department exempted documents in those records has been entered into the exempted document database. Utilizing this database, the Department intends, after meeting the record review deadlines imposed by the 12/31/2006 initiation of 25-year automatic declassification, to identify those documents scheduled for declassification annually thereafter. State will then re-review the expiring exemptions at NARA Archives II and inform other equity holders. As of the end of FY 2004, State had exempted approximately 1,621,050 INR pages plus 689,708 pages from all other bureaus. The Department estimates that in FY 2005 and FY 2006 State reviewers will exempt an additional 751,216 pages.

State also intends after 2006 to undertake the re-review of the approximately 20 million pages of previously reviewed records that it has not yet been able to certify under the Kyl-Lott legislated requirements. This re-review will be a full page-by-page review of all documents under current guidance, including review of previous exemption decisions under E.O. 12958.