

United States Senate

WASHINGTON, DC 20510

May 25, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20006

Dear Mr. President:

We write to urge that your administration begin the process of updating the executive order governing classification and declassification. The failures of the current obsolete system have been extensively documented in reports from the Information Security Oversight Office (ISOO) of the National Archives and the Public Interest Declassification Board (PIDB), and in public testimony from the Office of the Director of National Intelligence. As the Director of National Intelligence reiterated earlier this year, deficiencies in the current system “undermine our national security, as well as critical democratic objectives.”

Reforms will require additional resources which, as the DNI has confirmed, have thus far been insufficient. We therefore urge that your administration make meaningful investments in automatic declassification and other modernizing technologies necessary to adapt the classification and declassification system to a digital environment.

At the same time, there is an urgent need to amend the rules that govern classification and declassification, specifically Executive Order 13526 (“Classified National Security Information [CNSI]”), which was last updated in 2009. In its 2020 Report to the President, the ISOO urged that “[t]he White House must begin a comprehensive interagency process, led by the NSC’s Records Access and Information Security directorate... to review and update critical national security policies and authorities that govern the CNSI system,” including EO 13526. At the request of the National Security Council, the PIDB has also begun formulating recommendations for a new executive order to amend or replace EO 13526 and has solicited the views of civil society organizations. Additional input will be required from the public, from members of Congress, and from departments and agencies across the U.S. Government.

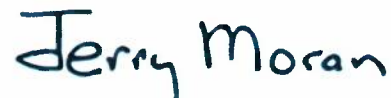
The complex interagency process necessary to achieve this long-overdue reform demands active leadership from the White House. We therefore urge that the National Security Council be resourced to undertake this process and that you make clear, to the NSC and across the executive branch, that your administration views the completion of a new or amended executive order as an urgent priority.

Thank you for your attention to this important matter.

Sincerely,



Ron Wyden
United States Senator



Jerry Moran
United States Senator

CC: Jake Sullivan
National Security Advisor

The Honorable Avril D. Haines
Director of National Intelligence

The Honorable Lloyd J. Austin III
Secretary of Defense

The Honorable Antony J. Blinken
Secretary of State

The Honorable Jennifer M. Granholm
Secretary of Energy

Mark A. Bradley
Director, Information Security Oversight Office