Extent

30 folders, approximately 1,264 pages

Summary

This collection consists of the final ten decisions made by the Interagency Security Classification Appeals Panel (ISCAP). Specifically related to the process and not the documents that were appealed. Included in this collection are the sanitized documents released by the ISCAP following appeal. The collection also includes the unclassified minutes from the meetings of the ISCAP in 2000. It includes the returned votes of the ISCAP members on appeal cases. It includes correspondence between the requestor, presidential libraries, federal agencies, and members of the ISCAP related to appeal cases. The collection also includes limited interagency discussion of cases before the ISCAP.

Scope and Content Note

This request was for the final ten decisions made by the Interagency Security Classification Appeals Panel (ISCAP). Specifically the request was for records related to the process and not the documents that were appealed. Included in this collection are the sanitized documents released by the ISCAP following appeal. The collection also includes the unclassified minutes from the meetings of the ISCAP in 2000. It includes the returned votes of the ISCAP members on appeal cases. It includes correspondence between the requestor, the libraries, agencies, and members of the ISCAP related to appeal cases. The collection also includes limited interagency discussion of cases before the ISCAP. The ISCAP reviewed fifty-nine appeal documents in 2000. The final meeting of the ISCAP in which an appeal decision was made, prior to the change in administration, was December 15, 2000. At that meeting, the ISCAP reviewed four documents. At the August 1, 2000, meeting the ISCAP reviewed thirty-five documents. Using Briefing Books 20 and 21 in combination with ISCAP records, we can identify fourteen appealed documents, in

four cases, for which a decision was made in the final representative, or primary, member meetings of the Clinton administration. The ISCAP reviewed each document on its own merit. A group of liaisons would discuss classification in monthly meetings and make recommendations to the primary member meetings. At times the votes were made on sets of documents; at others on documents individually. This complicated the determination of what were the last ten decisions made by the ISCAP under the Clinton administration. During the Clinton administration ISCAP cases and documents were most often referred to by name and document number. The final documents on which decisions were made are Alcindor V (Number 1-7), Jeanty (Number 1-3), NSA (National Security Archive) XII (Number 1-3), and Alcindor VI (Number 1). We have included, due to processing policies, Alcindor II, Alcindor III, and Alcindor IV from Briefing Book 20. Of note is that NSA XII was decided on December 15, 2000 and following the mandatory sixty day appeal period was officially released under the George W. Bush administration. (The documents opened can be found here: http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB45/index.html). There were three cases opened in the Clinton administration and carried into the administration of President George W. Bush: Maddox II, Pasavento, and Demetracopolous. The ISCAP was authorized by President Clinton in Executive Order 12958, signed April 17, 1995. Their authority is codified at 32 CFR Part 2003. The Executive Order (E.O.) created a six person panel who would advise the President on declassification of national security information. This six member panel was comprised of senior level staff members designated by the Secretary of Defense, Secretary of State, the Attorney General, the Director of the Central Intelligence Agency, the Archivist of the United States, and the Assistant to the President for National Security Affairs. The executive secretary was the Director of the Information Security Oversight Office (ISOO), part of the National Archives and Records Administration (NARA). In addition, ISOO staff was to assist in the daily administration of ISCAP. ISCAP was originally charged with three responsibilities: first, to decide appeals by authorized persons who have filed classification challenges under Section 1.9 of the E.O.; second, the panel was to approve, deny, or amend agency exemptions from automatic declassification; third, the panel was to decide on mandatory review appeals by individuals whose requests for declassification had been denied at the agency level. Executive Order 13526, signed by President Barack Obama, amended E.O. 12958 and added two additional duties for the panel. They now also inform senior agency officials and the public of their appeal decisions and they have final decision on agency requests to remove file

series from automatic declassification at 25 years.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in one collection area—Clinton Presidential Records: Interagency Security Classification Appeals Panel. The records of ISCAP are maintained by ISOO on behalf of the National Security Council. As such they are considered to be Presidential Record.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records

Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, March 2013. Previously restricted materials are added as they are released.

Last Modified Date

2015-09-11

Container List

The following is a list of documents and folders processed in response to FOIA 2012-0286-F:
Box 1
Clinton Presidential Records: Interagency Security Classification Appeals Panel (ISCAP)
Briefing Book 20 [Binder] [1] [OA/ID 45263]
Briefing Book 20 [Binder] [2] [OA/ID 45263]
Briefing Book 20 [Binder] [3] [OA/ID 45263]
Briefing Book 20 [Binder] [4] [OA/ID 45263]
Briefing Book 21 [Binder] [OA/ID 45263]
[Case File] Alcindor V [1] [OA/ID 45264]
[Case File] Alcindor V [2] [OA/ID 45264]
[Case File] Alcindor VI [OA/ID 45264]
[Case File] Jeanty [OA/ID 45265]
[Case File] NSA XII [1] [OA/ID 45266]
[Case File] NSA XII [2] [OA/ID 45266]
Communiqué 2000 [OA/ID 45259]
Memoranda – Chair, 2000 [OA/ID 45259]
Memoranda – Executive Secretary, 2000 [OA/ID 45259]
Minutes, 2000 [OA/ID 45259]
CIA

ISCAP Related Materials 1996-2000: [Tab O] [OA/ID 45277]
DOD
DOD ISCAP 1996-2000 [OA/ID 45279]
DOJ
ISCAP 2000 [OA/ID 45278]
Box 2
NARA
115-1a Interagency Security Classification Appeals Panel (ISCAP) – 3 [1] [OA/ID 45273]
115-1a Interagency Security Classification Appeals Panel (ISCAP) – 3 [2] [OA/ID 45273]
ISCAP Briefing Book 20 [1] [OA/ID 45274]
ISCAP Briefing Book 20 [2] [OA/ID 45274]
ISCAP FY 2000 [1] [OA/ID 45275]
ISCAP FY 2000 [2] [OA/ID 45275]
Marty ISCAP Meeting Minutes 11/01/2000 [OA/ID 45275]
NSC
Soubers, Rod
ISCAP [June to August 2000] [OA/ID 45272]
ISCAP Briefing Book 20 [1] [OA/ID 45270]
ISCAP Briefing Book 20 [2] [OA/ID 45270]
ISCAP Briefing Book 20 [3] [OA/ID 45270]
State
ISCAP 2000 [2] [OA/ID 45276]