PUBLIC INTEREST
DECLASSIFICATION BOARD

March 7, 2024

The Honorable Michael Johnson
Speaker of the House of Representatives
U.S. Capitol
Washington D.C. 20515

Dear Mr. Speaker:

This letter serves as the Public Interest Declassification Board's (PIDB) annual report under the provisions of section 706(e) of the Public Interest Declassification Act of 2000, as amended (P.L. 106-567).

On behalf of the members of the PIDB, I am pleased to provide you with a report of our activities and operations in the calendar year 2023. The PIDB began the year with a full board and during the course of the year terms for seven members expired. President Biden appointed four members and re-appointed one member between October 2023 and early January 2024 and appointed a chair. Also, in January 2024 the Speaker of the House of Representatives appointed one member. This leaves one vacancy at the beginning of 2024, an appointment by the minority leader of the House of Representatives.

The Board had a productive year with an in-person public meeting and a high-profile conference at the Lyndon Baines Johnson Presidential Library in Austin, Texas; briefings from federal agency representatives on their initiatives in developing artificial intelligence and machine learning tools for declassification; and discussions with experts on classification and declassification matters. Our activities are discussed in more detail in the attached report.

We value your continued support of the PIDB's mission of advocating for increased public transparency and access to the historical record. As you may know, in 2023, Congress enacted the Sensible Classification Act in the National Defense Authorization Act, which expressly authorized funding and staff for the PIDB, and Congress needs to continue that effort and specifically appropriate funds to support the PIDB's mission. The Information Security Oversight Office (ISOO) at the National Archives and Records Administration (NARA) provides all administrative and logistical support to the PIDB. ISOO has a wide range of responsibilities

and providing support for the PIDB reallocates resources from ISOO's core Classified National Security Information (CNSI) and Controlled Unclassified Information (CUI) oversight responsibilities. For the PIDB to meet its statutory requirements, the PIDB must have a separate and additional line item of funding in the annual budget, and we urge you to make funding for both the PIDB and ISOO a congressional priority. Members of the Board met with congressional staff on several occasions in 2023 to request funding and staffing for the PIDB. The PIDB would welcome the opportunity to provide you or your staff with additional information on our work and plans for 2024.

Respectfully,

Mary DeRosa
Chair

cc. The Honorable Hakeem S. Jeffries
    The Honorable Charles Schumer
    The Honorable Mitch McConnell

Summary of 2023 Activities

Appointments
As specified in section 703(c) of the Act, the PIDB is composed of nine members: five appointed by the President and four appointed by the leaders in Congress. Each member serves for a three-year term and may be reappointed twice. The National Defense Authorization Act for Fiscal Year 2024 amended section 703(c) and a member whose term has expired may continue to serve until a successor has been appointed and sworn in, for up to one year after the date of term expiration. During the year the following members completed their terms: John Tierney, Harold "Trey" Gowdy, Michael Lawrence, Benjamin Powell, and Paul-Noel Chretien. President Biden appointed Mary DeRosa and Carmen Medina on October 10, 2023. On December 6, 2023, President Biden appointed Mary DeRosa to a two-year term as chair of the PIDB. Andrew Byrnes and David Hickton were appointed, and Laura DeBonis was re-appointed by President Biden effective on January 11, 2024. Ezra Cohen, previously appointed by President Trump in 2021, was appointed by Speaker Johnson for a second term beginning on January 11, 2024.

Reports
FY 2022 PIDB Annual Report to Congress
The PIDB submitted the Annual Report to Congress on March 30, 2023 which detailed the work completed during calendar year 2022.

Letters to the President
The PIDB submitted two letters to President Biden in 2023. The first letter of January 6, 2023 supported the release of the JFK records and the requirement for agencies reviewing the remaining JFK Act records certified for postponed release to prepare "Transparency Plans" for the National Declassification Center (NDC) at the National Archives. This past October, the PIDB submitted a letter regarding the national security classification and declassification system and provided recommendations on reforming Executive Order 13526, Classified National Security Information.

Public Engagement
The PIDB engaged with the public and other stakeholders through in-person and virtual public meetings and broadcasting them on YouTube and posts on the PIDB's blog *Transforming Classification*.

Public Events
The PIDB began the year by co-hosting a conference and holding a public meeting in Austin, Texas on January 26-27, 2023. The PIDB's public meeting included a discussion on reforms to the declassification system with Evan Gottesman, counsel with the Senate Select Committee on Intelligence. The event is available on NARA's YouTube channel where it has received over

2,200 views to date. The conference, "America's Secrets: Classified Information and Our Democracy," was co-hosted with The Clements Center for National Security, Strauss Center for International Security and Law, the Clements-Strauss Intelligence Studies Project, the LBJ Presidential Library, and the LBJ School of Public Affairs. The conference featured keynote addresses by Director of National Intelligence Avril Haines and Senator John Cornyn, panel discussions with historians, archivists, technologists, and members of the media. The five panels focused on a wide range of issues: the importance of declassification to understand the inner workings of the federal government; the use of technological solutions for classification and declassification; resources for managing classified records at the presidential libraries; the media's role in disseminating information; and the role of federal agency historians in preparing institutional histories which can be used to inform policy making.

On May 11, Benjamin Powell participated in a panel discussion sponsored by the Nonproliferation Policy Education Center (NPEC) and the American Bar Association (ABA) Standing Committee on Law and National Security on the NPEC's study on "Over-classification: How Bad Is It, What's the Fix?". The panel met at the U.S. Capitol Visitors Center and featured Senator Mark R. Warner, Chairman of the Senate Select Committee on Intelligence, and Senator Mike Rounds, member of the Senate Select Committee on Intelligence. Their discussion focused on challenges to the current classification and declassification system; how best to reduce the volume and level of classified documents to help prevent future leaks of classified information; and the two Senate bills introduced on May 10 to reform the classification system: the Classification Reform Act of 2023, and the Sensible Classification Act of 2023.

On October 30, Ezra Cohen and Carter Burwell participated in a panel discussion at Harvard Law School titled "America's Secrets: Classification System Issues and How the Public Interest Declassification Board is Charting a Path Forward."

Executive Session Meetings
The PIDB held ten virtual and one in-person executive session meetings during the past calendar year. The PIDB focused its executive sessions on learning about agency efforts to modernize the declassification process, with a particular focus on new technology.

The PIDB met virtually with representatives from the Department of State in May for a briefing on their pilot for AI assisted tools to declassify cables from 1995 to 1997. Cables traditionally have been manually reviewed by a team of reviewers and it takes the team about a year to review each year of cables; however, with the sharp increase in the number of cables created, this method has become unsustainable. The pilot used previously reviewed cables from 1995 and 1996 to recreate declassification decisions made in 2020 and 2021. The pilot included over 300,000 classified cables, took three months, and five data scientists to develop and train a model that replicates human declassification review. The budget for this three-month pilot was

$400,000. The performance was impressive, with a high accuracy rate of over 97 percent, a low error rate of about one percent, and a reduction in the manual workload of 65 percent which saved months of work. Future expansion of the pilot will require constantly updating the data, algorithms, and models, and consulting with historians, bureaus, and other agencies as each new year brings new terms, changing world events and sensitivities that need to be considered in the records. The State Department will also need to examine how to use these tools to review other types of records beyond cables. The State Department's pilot uses AI to augment the reviewers' work who still validate and provide oversight of the declassification decisions.

The PIDB met in-person with representatives from the Office of the Secretary of Defense (OSD) to discuss their initiatives in developing artificial intelligence and machine learning tools for declassification. OSD has been working with the Applied Research Laboratory for Intelligence and Security (ARLIS) at the University of Maryland to develop declassification tools that operationalize declassification guides. Similar to the State Department's effort, the intent is for these tools to assist humans with the process. The Department of Defense has 26 different operations; the goal of this project is to create a holistic approach throughout DoD for classification and declassification of records. The project uses artificial intelligence and natural language processing techniques along with human-centered systems engineering for declassification review. Additionally, OSD has been developing the Electronic Records and Declassification System (eRADS) to transition to an electronic records environment. The system will support automatic and mandatory declassification reviews and records management functions.

The PIDB also met virtually with guests to discuss modernizing declassification policy. In September, Liza Goitien, Senior Director, Brennan Center for Justice's Liberty & National Security Program, attended an executive session to discuss classification and declassification issues, potential reforms, and technological applications. Brian Greer, a former associate general counsel with the Central Intelligence Agency, joined a meeting in November to discuss funding issues, development of technology, and potential legislation to address classification and declassification matters. At the December executive session, Geof Kahn, a senior counselor and lead of the company's intelligence and national security business, and Anthony Persico at Palantir presented a demo using large language models for declassification.

Transforming Classification blog
Over the past year, the PIDB posted 27 blog entries. Each invited feedback and public comments. The posts highlighted PIDB activities, including notices of PIDB events and agendas for PIDB Executive Sessions, interviews with PIDB members, discussions about modernizing the classification and declassification system, and the public release of declassified records.

Internships

During the spring semester a legal intern who worked remotely, continued an internship that had begun in the fall semester. The intern supported arrangements for the America's Secrets conference and prepared blog posts on the conference content.