

United States Senate

WASHINGTON, DC 20510

November 26, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20002

Dear Mr. President:

We write to urge that your Administration complete reforms of Executive Order 13526 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). The need for reform has also been stressed repeatedly by the Director of National Intelligence, who has stated that deficiencies in the current system “undermine our national security, as well as critical democratic objectives.”

Critical to this reform effort are amendments to Executive Order 13526, which was last updated in 2009. As we noted in an October 4, 2021, letter to Director of National Intelligence Avril Haines, the ISOO’s 2020 Report to the President issued on June 24, 2021, had recommended that the Executive Order be modernized to address flaws in the system. Our letter urged that Director Haines coordinate with the National Security Council in pushing forward these critical modifications.

On May 25, 2022, we followed up with a letter to you urging that your administration begin the process of updating the Executive Order. On August 19, 2022, DNI Haines responded on your behalf, announcing that “departments and agencies were participating in a White House-led process to address these issues.”

Since then, administration officials have testified that the process is underway. On March 29, 2023, Principal Deputy DNI Stacey Dixon testified that “aspects of the classification reform are ongoing” and that “there’s a commitment from all the parts of the interagency that want to get this done, that want to get this moving.” On July 10, 2024, the Deputy DNI testified that the Administration “continues to make progress” on the rewriting of the Executive Order, and that “I believe that they will have some upcoming deliverables over the course of the

summer that we're all looking forward to." She further testified that the rewrite would include the designation of an Executive Agent for Declassification, a critical reform that we have been pushing since 2020.

Completing the work of modernizing the Executive Order and fundamentally reforming the country's broken classification and declassification system would be a historically significant part of your legacy. Key members of your administration, in particular the DNI, have repeatedly stressed the importance of this project, both to strengthening American democracy and the national security.

Thank you for your attention to this urgent and important matter.

Sincerely,

Handwritten signature of Ron Wyden in blue ink.

Ron Wyden
United States Senator

Handwritten signature of Jerry Moran in blue ink.

Jerry Moran
United States Senator

CC: The Honorable Avril Haines
Director of National Intelligence