2006-0527-F

FOIA MARKER

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Original OA/ID Number: 1642				
Document ID: 9706404				
Stack: V	Row: 45	Section: 3	Shelf: 8	Position: 1

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9706404
RECEIVED: 22 SEP 97 14

TO: WIDNALL, S
BROWNER, C

FROM: PRESIDENT

DOC DATE: 26 SEP 97
SOURCE REF:

KEYWORDS: SECURITY

PERSONS: BAKER

SUBJECT: PD ON CLASSIFIED INFO CONCERNING AIR FORCE OPERATING LOCATION NEAR GROOM LAKE

ACTION: PRESIDENT SGD PD 97-35 DUE DATE: 27 SEP 97 STATUS: C

STAFF OFFICER: BAKER LOGREF: 9700471 9700698

FILES: WH NSCP: CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION	FOR CONCURRENCE	FOR INFO
		BAKER
		NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE 9/29 BY HAND W/ATTCH

OPENED BY: NSSWD CLOSED BY: NSGP DOC 4 OF 4

UNCLASSIFIED

ACTION DATA SUMMARY REPORT

DOC	ACTION OFFICER	CAO	ASSIGNED	ACTION REQUIRED
001	BERGER	Z	97092320	FWD TO PRESIDENT FOR SIGNATURE
002	PRESIDENT	Z	97092408	FOR SIGNATURE
002	EXECSEC	Z	97092522	FOR FURTHER ACTION
003	PRESIDENT	Z	97092522	FOR SIGNATURE
004		X	97092910	PRESIDENT SGD PD 97-35

DISPATCH DATA SUMMARY REPORT

DOC	DATE	DISPATCH FOR ACTION	DISPATCH FOR INFO
002	970924		VICE PRESIDENT
002	970924		WH CHIEF OF STAFF
003	970925		VICE PRESIDENT
003	970925		WH CHIEF OF STAFF
004	970926	WIDNALL, S	BURNS, W
004	970926	BROWNER, C	CONROY, R
004	970926		DUSAULT, P
004	970926		SAUNDERS, T

6404

THE WHITE HOUSE
WASHINGTON

9/24

Sandy:

Following our talk this morning, Jamie, Ros and I talked ... we have redone the memo to the President taking into account our trip there next month.

Request you initial off on memo to the President. We will send to the road. Ed Rice is our rep. Jamie has reconsidered and believes POTUS should actually sign/OK since a court case is involved.

(10)

National Security Council
The White House

PROOFED BY: _____ LOG # 6404 Redo

URGENT NOT PROOFED: _____ SYSTEM (PRS) NSC INT ARS

BYPASSED WW DESK: _____ DOCLOG K5 A/O _____

K5

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
Cosgriff	1	KR 9/24	
Rice			
Davies			
Kerrick	2	(K)	See NOTE
Steinberg	copy		
Berger	3		
Situation Room			
West Wing Desk	4	TMA 9.25	D Stein
Records Mgt.	→ 5	TMA 9.29	D
	→ 6		D

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc:

COMMENTS: Must be signed by Sep. 27

Exec Sec Office has diskette Yes

National Security Council
The White House

PROOFED BY: _____ LOG # 6404

URGENT NOT PROOFED: _____ SYSTEM (PRS) NSC INT ARS

BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
Cosgriff			
Rice			
Davies	1	9/23 w/edits	
Kerrick	2	(D) 9/23	
Steinberg	copy		
Berger	copy		
Situation Room			
West Wing Desk	3	Sterm	D
Records Mgt.			

A = Action	I = Information	D = Dispatch	R = Retain	N = No Further Action

cc:

COMMENTS:

'97 SEP 23 PM 7:21

Sandy: Routine extension of existing policy.... Jamied I are looking at a trip in 2d week of October. Unless you hear otherwise, will push to have this autopermed with back briefing from you.

Exec Sec Office has diskette yes — OK —

National Security Council
The White House

PROOFED BY: _____ LOG # 6404 Redo

URGENT NOT PROOFED: _____ SYSTEM (PRS) NSC INT ARS

BYPASSED WW DESK: _____ DOCLOG K5 A/O _____

K5

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
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Rice			
Davies			
Kerrick	2	(R) See NOTE	
Steinberg	copy		
Berger	3		
Situation Room			
West Wing Desk	4	TMA 9.25	D Stein
Records Mgt.	→ 5	TMA 9.29	D
	→ 6		D

A = Action	I = Information	D = Dispatch	R = Retain	N = No Further Action

cc:

COMMENTS: Must be signed by Sep. 27

Exec Sec Office has diskette Yes

National Security Council
The White House

PROOFED BY: _____ LOG # 6404

URGENT NOT PROOFED: _____ SYSTEM (PRS) NSC INT ARS

BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
Cosgriff			
Rice			
Davies	1	9/23 w/edits	
Kerrick	2	(D) 9/23	
Steinberg	copy		
Berger	copy		
Situation Room			
West Wing Desk	3	Stern	D
Records Mgt.			

A = Action	I = Information	D = Dispatch	R = Retain	N = No Further Action

cc:

COMMENTS:

'97 SEP 23 PM 7:21

Exec Sec Office has diskette yes

Sandy: Routine extension of existing policy.... Jamied I are looking at a trip in 2d week of October. Unless you feel otherwise, will push to have this autopenned w.l. sack sweep from you.

OK ——

6404

THE WHITE HOUSE
WASHINGTON

9/24

Sandy:

Following our talk this morning, Jamie, Rob and I talked ... We have redone the memo to the President taking into account our trip there next month.

Request you initial off on memo to the President. We will send to the road. Ed Rice is our rep. Jamie has reconsidered & believes POTUS should actually sign/OK since a court case is involved.

(K)

THE WHITE HOUSE

WASHINGTON

September 26, 1997

Presidential Determination
No. 97-35

MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
THE SECRETARY OF THE AIR FORCE

SUBJECT: Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada (the subject of litigation in Kasza v. Browner (D. Nev. CV-S-94-795-PMP) and Frost v. Perry (D. Nev. CV-S-94-714-PMP)), from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada, from any Federal, State, interstate, or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

The Secretary of the Air Force is authorized and directed to publish this determination in the Federal Register.

William J. Clinton

THE WHITE HOUSE

WASHINGTON

September 25, 1997

President sgd per WH Executive Clerk TMM 9.26

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL R. BERGER

SUBJECT: Presidential Determination on RCRA Exemption for the Operating Location at Groom Lake

Purpose

To continue to exempt the Air Force from public disclosure requirements concerning the inspection and inventory of hazardous waste at the Air Force "operating location near Groom Lake."

Background

You have twice issued an exemption under the Resource Conservation and Recovery Act (RCRA) protecting from disclosure classified information concerning an Air Force location near Groom Lake, Nevada. By statute, the exemption is effective for one year, unless renewed. As a result, the attached exemption should be **signed by September 27**. The exemption was necessitated by litigation over RCRA compliance at the facility. While ruling that the information in question was appropriately classified, the Federal district court ruled that under RCRA classified information could only be protected from public disclosure pursuant to a Presidential exemption.

That ruling remains under appeal. In the interim, Deputy Secretary of Defense Hamre and Secretary of the Air Force Widnall recommend that you renew the exemption to provide continued protection for national security information. EPA Administrator Browner and the Department of Justice's Environmental and Natural Resources Division concur in this recommendation as does Katie McGinty. As with last year's exemption, the attached document is worded to exempt the location only from disclosure requirements and not from applicable environmental standards.

Continuation of this exemption does not prejudge our review of the health and environmental record at the Air Force location. General Kerrick and Jamie Baker are scheduled to visit the

cc: Vice President
Chief of Staff

location in mid-October. As you know, Secretary Cohen is also taking an interest in the matter. We will report back to you, and to Bill, after General Kerrick's trip.

RECOMMENDATION

That you sign the exemption at Tab A.

Attachments
Tab A Presidential Determination
Tab B Incoming Correspondence from the Deputy Secretary of Defense

DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

20 SEP 1997

MEMORANDUM FOR PRESIDENT CLINTON
THROUGH: MR. BERGER

SUBJECT: Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

On September 28, 1996, you issued an exemption under the Resource Conservation and Recovery Act (RCRA) protecting from disclosure classified information concerning an Air Force operating location near Groom Lake, Nevada. By statute, the exemption is effective for one year, unless renewed. The exemption was necessitated by a Federal district court ruling that held that classified information could not be withheld from public disclosure under RCRA absent such an exemption. That ruling is now being appealed. In the meantime, and for reasons addressed in the attached memorandum from Secretary Widnall, I concur in her request and recommendation that you renew the exemption to provide continued protection for the full one-year statutory period while the matter is on appeal.

I note that EPA Administrator Browner and the Justice Department's Environment and Natural Resources Division concur in this recommendation.

John J. Hamre

Attachment:
SECAF Memo

SECRETARY OF THE AIR FORCE
WASHINGTON

SEP 19 1997

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

FROM: SECRETARY OF THE AIR FORCE, SHEILA E. WIDNALL
Prepared by: Mr. Slater, SAF/GC, 697-4406

SUBJECT: Renewal of Presidential Exemption for Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada - ACTION MEMORANDUM

PURPOSE: Protect classified information concerning the operating location near Groom Lake

DISCUSSION: I recommend and request that you seek from the President a renewal of the exemption he issued on September 28, 1996, protecting from public disclosure classified information concerning an Air Force operating location near Groom Lake in the Nellis Range Complex in Nevada. By statute, the exemption granted last year is effective for one year, unless renewed. The exemption was prompted by a judicial decision in a lawsuit against the Environmental Protection Agency, Kasza v. Browner, which is now on appeal to the U.S. Court of Appeals for the Ninth Circuit. In the meantime, continued protection through a renewed exemption is necessary.

As discussed in the memoranda requesting the exemption the last two years, the activities undertaken at the operating location near Groom Lake are crucial to national security. The nature of the activities requires that virtually all information about the location remain classified. To protect national security in the pending litigation, I have made a formal claim of the military and state secrets privilege, which the court has found procedurally and substantively proper.

In the ruling at issue, the court nonetheless held that classified information must be produced pursuant to the public disclosure provisions of Section 3007(b) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6927(b), unless an exemption is granted by the President pursuant to Section 6001(a) of RCRA, 42 U.S.C. § 6961(a). EPA, through briefs filed by the Justice Department, has contested that construction, arguing that RCRA is properly interpreted as not mandating disclosure of classified information, which is consistent with other statutes, the common law, and separation of powers considerations. That issue is now on appeal. To protect classified information concerning the operating location near Groom Lake while the issue is litigated, the President granted such an exemption on September 29, 1995, which he renewed on September 28, 1996. To ensure continued protection of the information during the appeal process, a further renewal is required now.

The text of the proposed exemption is the same as that granted last year. It exempts the Air Force's operating location near Groom Lake from any provision of hazardous waste law that might require disclosure of classified information concerning the operating location. It also makes clear that other environmental obligations are not diminished. We ask that the exemption be executed and made effective on (but in all events not later than) September 28, 1997, the one-year anniversary of the previous exemption.

COORDINATION: As was true last year, EPA Administrator Browner concurs in this request for exemption, as does the Department of Justice's Environment and Natural Resources Division, which is defending EPA in the pending litigation.

OSD/GC _____

RECOMMENDATION: I recommend you send to the President the enclosed memorandum and proposed Presidential Determination.

Attachment:
A/S

DEPSECDEF DECISION:
_____Approved
_____Disapproved
_____Other

Presidential Determination
No. _____

MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
THE SECRETARY OF THE AIR FORCE

SUBJECT: Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada (the subject of litigation in Kasza v. Browner (D. Nev. CV-S-94-795-PMP) and Frost v. Perry (D. Nev. CV-S-94-714-PMP)) from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada, from any Federal, State, interstate or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

The Secretary of the Air Force is authorized and directed to publish this determination in the Federal Register.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

6404
Redo

September 24, 1997

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ALAN KRECZKO AK

FROM: JAMES E. BAKER JB

SUBJECT: Continuation of RCRA Exemption for Operating Location Near Groom Lake

The President has twice exempted the "Operating Location near Groom Lake" from the public disclosure requirements of the Resource Conversation Recovery Act in order to protect national security information. By statute, the exemption is effective for one year.

With the concurrence of EPA and Justice, the Deputy Secretary of Defense is recommending that the President renew the exemption. Katie McGinty concurs as well. As with last year's exemption, the continuation expressly notes that it is not intended to limit the applicability or enforcement of any requirement of law applicable to the facility except those concerning the disclosure of classified information. To ensure continued protection of classified information the **President should sign the attached exemption by September 27.**

Subsequent to receiving concurrence on the attached memorandum to the President, we have added a paragraph noting that execution of this determination does not prejudge our review of the health record and current conditions at the location and that you will report back to the President after General Kerrick's trip.

Concurrence by: Bob Bell and David Sandalow 3 previous drafts

RECOMMENDATION

That you sign the attached memorandum to the President.

Attachments
Tab I Memorandum for the President
Tab A Presidential Determination
Tab B Incoming Correspondence from the Deputy Secretary of Defense

FACSIMILE COVER SHEET

AIR FORCE GENERAL COUNSEL
SAF/GC
1740 AIR FORCE PENTAGON
WASHINGTON, DC 20330-1740

I CERTIFY THAT THE MATERIAL BEING TRANSMITTED IS UNCLASSIFIED AND FOR OFFICIAL USE ONLY

TO: Jamie Baker
Company:
Phone: 202-456-9111
Fax: 202-456-9110

FROM: Matt Slater
COMPANY: **SAF/GC**
PHONE: 703-697-0941 (DSN: 2270941)
FAX: 703-693-9355 (DSN: 223-9355)

DATE: 9/22/97

PAGES INCLUDING THIS COVER PAGE: 5

SUBJECT: Groom Lake

COMMENTS:

THE WHITE HOUSE
WASHINGTON

'97 SEP 24 AM8:27

September 24, 1997

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL R. BERGER (R) FOR

SUBJECT: Presidential Determination on RCRA Exemption for the Operating Location at Groom Lake

Purpose

To continue to exempt the Air Force from public disclosure requirements concerning the inspection and inventory of hazardous waste at the Air Force "operating location near Groom Lake."

Background

You have twice issued an exemption under the Resource Conservation and Recovery Act (RCRA) protecting from disclosure classified information concerning an Air Force location near Groom Lake, Nevada. By statute, the exemption is effective for one year, unless renewed. As a result, the attached exemption should be **signed by September 27.** The exemption was necessitated by litigation over RCRA compliance at the facility. While ruling that the information in question was appropriately classified, the Federal district court ruled that under RCRA classified information could only be protected from public disclosure pursuant to a Presidential exemption.

That ruling remains under appeal. In the interim, Deputy Secretary of Defense Hamre and Secretary of the Air Force Widnall recommend that you renew the exemption to provide continued protection for national security information. EPA Administrator Browner and the Department of Justice's Environmental and Natural Resources Division concur in this recommendation as does Katie McGinty. As with last year's exemption, the attached document is worded to exempt the location only from disclosure requirements and not from applicable environmental standards.

cc: Vice President
Chief of Staff

RECOMMENDATION

That you sign the exemption at Tab A.

Attachments
Tab A Presidential Determination
Tab B Incoming Correspondence from the Deputy Secretary of Defense

THE WHITE HOUSE

WASHINGTON

Presidential Determination
No. _____

MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
THE SECRETARY OF THE AIR FORCE

SUBJECT: Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada (the subject of litigation in Kasza v. Browner (D. Nev. CV-S-94-795-PMP) and Frost v. Perry (D. Nev. CV-S-94-714-PMP) from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada from any Federal, State, interstate or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

The Secretary of the Air Force is authorized and directed to publish this Determination in the Federal Register.

DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

20 SEP 1997

MEMORANDUM FOR PRESIDENT CLINTON
THROUGH: MR. BERGER

SUBJECT: Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

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I note that EPA Administrator Browner and the Justice Department's Environment and Natural Resources Division concur in this recommendation.

John J. Hamre

Attachment:
SECAF Memo

SECRETARY OF THE AIR FORCE
WASHINGTON

SEP 19 1997

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

FROM: SECRETARY OF THE AIR FORCE, SHEILA E. WIDNALL
Prepared by: Mr. Slater, SAF/GC, 697-4406

SUBJECT: Renewal of Presidential Exemption for Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada - ACTION MEMORANDUM

PURPOSE: Protect classified information concerning the operating location near Groom Lake

DISCUSSION: I recommend and request that you seek from the President a renewal of the exemption he issued on September 28, 1996, protecting from public disclosure classified information concerning an Air Force operating location near Groom Lake in the Nellis Range Complex in Nevada. By statute, the exemption granted last year is effective for one year, unless renewed. The exemption was prompted by a judicial decision in a lawsuit against the Environmental Protection Agency, Kasza v. Browner, which is now on appeal to the U.S. Court of Appeals for the Ninth Circuit. In the meantime, continued protection through a renewed exemption is necessary.

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COORDINATION: As was true last year, EPA Administrator Browner concurs in this request for exemption, as does the Department of Justice's Environment and Natural Resources Division, which is defending EPA in the pending litigation.

OSD/GC _____

RECOMMENDATION: I recommend you send to the President the enclosed memorandum and proposed Presidential Determination.

Attachment:
A/S

DEPSECDEF DECISION:
_____Approved
_____Disapproved
_____Other

Presidential Determination
No. _____

MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY
THE SECRETARY OF THE AIR FORCE

SUBJECT: Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada

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The Secretary of the Air Force is authorized and directed to publish this determination in the Federal Register.

6404

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

September 22, 1997

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ALAN KRECZKO

FROM: JAMES E. BAKER

SUBJECT: Continuation of RCRA Exemption for Operating Location Near Groom Lake

The President has twice exempted the "Operating Location near Groom Lake" from the public disclosure requirements of the Resource Conversation Recovery Act in order to protect national security information. By statute, the exemption is effective for one year.

With the concurrence of EPA and Justice, the Deputy Secretary of Defense is recommending that the President renew the exemption. As with last year's exemption, the continuation expressly notes that it is not intended to limit the applicability or enforcement of any requirement of law applicable to the facility except those concerning the disclosure of classified information. To ensure continued protection of classified information the **President should sign the attached exemption by September 27.**

Katie McGinty concurs in this recommendation.

Concurrence by: Bob Bell and David Sandalow

RECOMMENDATION

That you sign the attached memorandum to the President.

Attachments
Tab I Memorandum for the President
Tab A Presidential Determination
Tab B Incoming Correspondence from the Deputy Secretary of Defense

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL R. BERGER

SUBJECT: Presidential Determination on RCRA Exemption for the Operating Location at Groom Lake

Purpose

To continue to exempt the Air Force from public disclosure requirements concerning the inspection and inventory of hazardous waste at the Air Force "operating location near Groom Lake."

Background

You have twice issued an exemption under the Resource Conservation and Recovery Act (RCRA) protecting from disclosure classified information concerning an Air Force location near Groom Lake, Nevada. By statute, the exemption is effective for one year, unless renewed. As a result, the attached exemption should be **signed by September 27.** The exemption was necessitated by litigation over RCRA compliance at the facility. While ruling that the information in question was appropriately classified, the Federal district court ruled that under RCRA classified information could only be protected from public disclosure pursuant to a Presidential exemption.

That ruling remains under appeal. In the interim, ~~the~~ Deputy Secretary of Defense Hamre and Secretary of the Air Force Widnall recommend that you renew the exemption to provide continued protection for national security information. EPA Administrator Browner and the Department of Justice's Environmental and Natural Resources Division concur in this recommendation as does Katie McGinty. As with last year's exemption, the attached document is worded to exempt the location only from disclosure requirements and not from applicable environmental standards.

cc: Vice President
Chief of Staff

Hasman, Thomas M.

From: Hasman, Thomas M.
Sent: Monday, September 29, 1997 10:21 AM
To: Baker, James E.; Kreczko, Alan J.; Bell, Robert G.; Sandalow, David B.
Cc: @CROSS - Cross Hatches; @WWD - West Wing Desk; @UP - APNSA Special Assistants; @ENVIRON - Environmental; @LEGAL - Legal Advisor; @DEFENSE - Defense Policy
Subject: Package 6404 - PD on RCRA Exemption for the Operating Location at Groom Lake [UNCLASSIFIED]

This is to inform you that through the White House Executive Clerk, package 6404 "Presidential Determination on RCRA Exemption for the Operating Location at GRoom Lake" was signed by the President on Friday, September 26, 1997.

Records Management will be dispatching this PD today.

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9706404
DATE 26 SEP 97

SUBJECT: PD ON CLASSIFIED INFO CONCERNING AIR FORCE OPERATING LOCATION NEAR
DOCUMENT CLASSIFICATION: UNCLASSIFIED

EXTERNAL DISTRIBUTION:	DATE	TIME	SIGNATURE
DR. SHEILA WIDNALL DEPARTMENT OF DEFENSE	_____	_____	_____
	PRINT LAST NAME:		_____
	COPY: ORIGINAL + 1		
MS. CAROL M. BROWNER VIA ROOM 1135, WEST TOWER 401 M STREET, SW WASHINGTON, DC 20460 ENVIRONMENTAL PROTECTION AGENCY	_____	_____	_____
	PRINT LAST NAME:		_____
	COPY: 2		
MR. WILLIAM J. BURNS ROOM 7224, MAIN STATE 2201 C STREET, N.W. WASHINGTON, D.C. 20520 DEPARTMENT OF STATE	_____	_____	_____
	PRINT LAST NAME:		_____
	COPY: 2		
MS. RYAN CONROY ROOM 5945, NEW STATE 2201 C STREET, NW WASHINGTON, DC 20523 AGENCY FOR INTL DEVELOPMENT	_____	_____	_____
	PRINT LAST NAME:		_____
	COPY: 2		
MR. PHILIP DUSAULT INTL SECURITY AFFAIRS ROOM 10002 NEOB OFFICE OF MANAGEMENT & BUDGET	_____	_____	_____
	PRINT LAST NAME:		_____
	COPY: 2		
MR. TIM SAUNDERS ROOM 5 OEOB WH EXECUTIVE CLERK	_____	_____	_____
	PRINT LAST NAME:		_____
	COPY: 2		

DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC RECORDS MGNT, ROOM 379 OEOB