

RON WYDEN  
OREGON

CHAIRMAN OF COMMITTEE ON  
FINANCE

221 DIRKSEN SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 224-5244

United States Senate  
WASHINGTON, DC 20510-3703

**COMMITTEES:**  
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September 29, 2016

The Honorable James R. Clapper  
Director of National Intelligence  
Office of the Director of National Intelligence  
Washington, DC 20511

Dear Director Clapper:

I write seeking information on the intelligence community's use of cash incentives to promote the accurate classification of sensitive information.

As you know, the government spends an exorbitant amount of money on security classification. Just last year, the Information Security Oversight Office reported that government agencies spent more than \$16 billion on security classification activities. This is an increase of nearly one billion dollars since 2014. While it is crucial to manage national security information with the utmost care, the current federal system for managing these documents has grown too unwieldy to be truly secure. Multiple external reviews, including the 9/11 Commission, have concluded that over-classification prevents effective information sharing between agencies.

In order to address the problem of over-classification, Congress passed the Reducing Over-Classification Act (ROCA), which was subsequently signed into law by the President in 2010. ROCA establishes specific guidelines that governmental agencies must meet in order to designate information as classified. The law allows government agencies to offer payment bonuses to employees who accurately classify and declassify documents consistently. These cash awards can promote the proper classification of national security information and incentivize governmental transparency.

Due to a number of Freedom of Information Act (FOIA) requests filed by the Electronic Frontier Foundation, it has come to my attention that federal agencies may not be implementing the ROCA cash incentive program. Specifically, the Office of the Director of National Intelligence (ODNI) reported that it could not find any records regarding the criteria for cash incentives by intelligence agencies. Congress included this provision in ROCA to reverse the culture of unnecessary classification, reduce the volume of classified documents, and better protect the secrets whose disclosure would truly threaten national security. I am concerned that federal agencies with the power to classify and declassify documents may not be taking advantage of these payment awards, and I believe doing so could benefit our national security.

911 NE 11TH AVENUE  
SUITE 630  
PORTLAND, OR 97232  
(503) 326-7525

405 EAST 8TH AVE  
SUITE 2020  
EUGENE, OR 97401  
(541) 431-0229

SAC ANNEX BUILDING  
105 FIR ST  
SUITE 201  
LA GRANDE, OR 97850  
(541) 962-7691

U.S. COURTHOUSE  
310 WEST 6TH ST  
ROOM 118  
MEDFORD, OR 97501  
(541) 858-5122

THE JAMISON BUILDING  
131 NW HAWTHORNE AVE  
SUITE 107  
BEND, OR 97701  
(541) 330-9142

707 13TH ST, SE  
SUITE 285  
SALEM, OR 97301  
(503) 589-4555

With this in mind, please answer the following questions:

- Have any intelligence agencies provided cash awards, as directed by Congress in the Reducing Over-Classification Act, to employees who consistently classify and declassify documents accurately?
- Have any intelligence agencies established criteria or metrics for providing such awards?

Thank you for your attentions to this important matter. I look forward to your prompt response.

Sincerely,



Ron Wyden  
United States Senator