

# FOIA MARKER

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Original OA/ID Number: 605				
Document ID: 9507092				
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NSC/RMO PROFILE

RECORD ID: 9507092  
RECEIVED: 26 SEP 95 12

TO: PRESIDENT

FROM: WHITE, JOHN

DOC DATE: 25 SEP 95  
SOURCE REF:

KEYWORDS: LEGAL ISSUES

SECURITY

PERSONS:

SUBJECT: CLASSIFIED INFORMATION RE AIR FORCE OPERATING LOCATION NEAR GROOM  
LAKE NEVADA

ACTION: SEE 9507055 FOR FINAL ACTION DUE DATE: 29 SEP 95 STATUS: C

STAFF OFFICER: KRECZKO

LOGREF: 9507055

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

COMMENTS: \_\_\_\_\_  
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DOC 1 OF 1

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ACTION DATA SUMMARY REPORT

RECORD ID: 9507092

DOC ACTION OFFICER

001 KRECZKO  
001

CAO ASSIGNED ACTION REQUIRED

Z 95092612 PREPARE MEMO FOR LAKE  
X 95100214 SEE 9507055 FOR FINAL ACTION

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ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 29 SEP 95 STATUS: S

STAFF OFFICER: KRECKO

LOGREF:

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  
KRECKO

FOR CONCURRENCE

FOR INFO  
BEERS

COMMENTS:

*Close out number - see package 7055  
original removed for package 7055*

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RECORD ID: 9507092  
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TO: PRESIDENT

**SUSPENSE**

FROM: WHITE, JOHN

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DUE DATE: 29 SEP 95 STATUS: S

STAFF OFFICER: KRECKO

LOGREF:

FILES: WH

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION  
KRECKO

FOR CONCURRENCE

FOR INFO  
BEERS

COMMENTS: \_\_\_\_\_  
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DOC 1 OF 1

UNCLASSIFIED



DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1010



25 SEP 1995

MEMORANDUM FOR PRESIDENT CLINTON  
THROUGH MR. LAKE

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

A recent Federal district court decision has raised a question whether certain documents, even though properly classified, must nonetheless be disclosed pursuant to an environmental statute, the Resource Conservation and Recovery Act (RCRA). The documents concern an Air Force operating location near Groom Lake, Nevada. Although this legal ruling will be challenged, it is important that the continued protection for this classified information be clearly and promptly affirmed. Accordingly, for reasons addressed in the attached memorandum from Secretary Widnall, I concur in her request and recommendation that you issue the proposed exemption under RCRA for the operating location near Groom Lake from any requirement to disclose classified information to unauthorized persons. I note that EPA Administrator Browner and the Justice Department's Environment and Natural Resources Division concur in this recommendation.

Attachment  
a/s

John White  
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MEMORANDUM FOR THE SECRETARY OF THE AIR FORCE AND  
THE ADMINISTRATOR OF THE ENVIRONMENTAL  
PROTECTION AGENCY

SUBJECT: 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, 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.