

in a manner that does not deviate from the "set of ideas."

The Secretary General, in paragraph 59 of his report, indicated that intensive efforts had failed to produce an overall agreement, and he concluded that the lack of political will mentioned in his previous report "continues to block the conclusion of an agreement that is otherwise within reach." He noted in the following paragraph that the Security Council had asked in its Resolution 774 (provided with my last letter) that, should an agreement not be reached, the Secretary General should recommend alternative courses of action to resolve the Cyprus problem. Subsequent paragraphs outline his proposals, including a number of measures to help create a new climate of confidence between the two parties, which would contribute to the success of the negotiating process. These confidence-building measures are outlined in paragraph 63 of the Secretary General's report.

On November 25, the U.N. Security Council adopted its Resolution 789, which endorsed the U.N. Secretary General's report of November 19, and urged both sides to commit themselves to the Secretary General's series of confidence-building measures, including initiating a significant reduction of foreign troops and defense spending on the island.

I am happy to note that, before departing New York in November, the parties agreed to resume their face-to-face negotiations in March 1993, which will be after the presidential elections in the Republic of Cyprus scheduled for February 7, 1993. We would have preferred, of course, that the October-November round of negotiations would have proceeded beyond the point of defining positions and differences and would have entered the phase of bridging gaps between the positions of the parties and the U.N. "set of ideas," including the Secretary General's map, which remains the basis for negotiations for a fair and permanent resolution that would benefit all Cypriots.

I continue to believe and to agree with the statement in Security Council Resolution 789 that the present status quo is not acceptable. An overall agreement in line with the U.N. "set of ideas" should be achieved without further delay. I also urge all concerned to com-

mit themselves to the implementation of the confidence-building measures set out in Resolution 789 and to come to the next round of talks prepared to make the difficult decisions that will bring about a speedy agreement.

Sincerely,

George Bush

Note: Identical letters were sent to Thomas S. Foley, Speaker of the House of Representatives, and Claiborne Pell, Chairman of the Senate Committee on Foreign Relations.

Executive Order 12829—National Industrial Security Program

January 6, 1993

This order establishes a National Industrial Security Program to safeguard Federal Government classified information that is released to contractors, licensees, and grantees of the United States Government. To promote our national interests, the United States Government issues contracts, licenses, and grants to nongovernment organizations. When these arrangements require access to classified information, the national security requires that this information be safeguarded in a manner equivalent to its protection within the executive branch of Government. The national security also requires that our industrial security program promote the economic and technological interests of the United States. Redundant, overlapping, or unnecessary requirements impede those interests. Therefore, the National Industrial Security Program shall serve as a single, integrated, cohesive industrial security program to protect classified information and to preserve our Nation's economic and technological interests.

Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, including the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011–2286), the National Security Act of 1947, as amended (codified as amended in scattered sections of the United States Code), and the Federal Advisory Committee

Act, as amended (5 U.S.C. App. 2), it is hereby ordered as follows:

PART 1. ESTABLISHMENT AND POLICY

Section 101. Establishment. (a) There is established a National Industrial Security Program. The purpose of this program is to safeguard classified information that may be released or has been released to current, prospective, or former contractors, licensees, or grantees of United States agencies. For the purposes of this order, the terms “contractor, licensee, or grantee” means current, prospective, or former contractors, licensees, or grantees of United States agencies. The National Industrial Security Program shall be applicable to all executive branch departments and agencies.

(b) The National Industrial Security Program shall provide for the protection of information classified pursuant to Executive Order No. 12356 of April 2, 1982, or its successor, and the Atomic Energy Act of 1954, as amended.

(c) For the purposes of this order, the term “contractor” does not include individuals engaged under personal services contracts.

Sec. 102. Policy Direction. (a) The National Security Council shall provide overall policy direction for the National Industrial Security Program.

(b) The Director of the Information Security Oversight Office, established under Executive Order No. 12356 of April 2, 1982, shall be responsible for implementing and monitoring the National Industrial Security Program and shall:

(1) develop, in consultation with the agencies, and promulgate subject to the approval of the National Security Council, directives for the implementation of this order, which shall be binding on the agencies;

(2) oversee agency, contractor, licensee, and grantee actions to ensure compliance with this order and implementing directives;

(3) review all agency implementing regulations, internal rules, or guidelines. The Director shall require any regulation, rule, or guideline to be changed if it is not consistent with this order or implementing directives. Any such decision by the Director may be appealed to the National Security Council. The agency regulation, rule, or guideline

shall remain in effect pending a prompt decision on the appeal;

(4) have the authority, pursuant to terms of applicable contracts, licenses, grants, or regulations, to conduct on-site reviews of the implementation of the National Industrial Security Program by each agency, contractor, licensee, and grantee that has access to or stores classified information and to require of each agency, contractor, licensee, and grantee those reports, information, and other cooperation that may be necessary to fulfill the Director’s responsibilities. If these reports, inspections, or access to specific classified information, or other forms of cooperation, would pose an exceptional national security risk, the affected agency head or the senior official designated under section 203(a) of this order may request the National Security Council to deny access to the Director. The Director shall not have access pending a prompt decision by the National Security Council;

(5) report any violations of this order or its implementing directives to the head of the agency or to the senior official designated under section 203(a) of this order so that corrective action, if appropriate, may be taken. Any such report pertaining to the implementation of the National Industrial Security Program by a contractor, licensee, or grantee shall be directed to the agency that is exercising operational oversight over the contractor, licensee, or grantee under section 202 of this order;

(6) consider and take action on complaints and suggestions from persons within or outside the Government with respect to the administration of the National Industrial Security Program;

(7) consider, in consultation with the advisory committee established by this order, affected agencies, contractors, licensees, and grantees, and recommend to the President through the National Security Council changes to this order; and

(8) report at least annually to the President through the National Security Council on the implementation of the National Industrial Security Program.

(c) Nothing in this order shall be construed to supersede the authority of the Secretary of Energy or the Nuclear Regulatory Com-

mission under the Atomic Energy Act of 1954, as amended, or the authority of the Director of Central Intelligence under the National Security Act of 1947, as amended, or Executive Order No. 12333 of December 8, 1981.

Sec. 103. National Industrial Security Program Policy Advisory Committee. (a) *Establishment.* There is established the National Industrial Security Program Policy Advisory Committee ("Committee"). The Director of the Information Security Oversight Office shall serve as Chairman of the Committee and appoint the members of the Committee. The members of the Committee shall be the representatives of those departments and agencies most affected by the National Industrial Security Program and nongovernment representatives of contractors, licensees, or grantees involved with classified contracts, licenses, or grants, as determined by the Chairman.

(b) *Functions.* (1) The Committee members shall advise the Chairman of the Committee on all matters concerning the policies of the National Industrial Security Program, including recommended changes to those policies as reflected in this order, its implementing directives, or the operating manual established under this order, and serve as a forum to discuss policy issues in dispute.

(2) The Committee shall meet at the request of the Chairman, but at least twice during the calendar year.

(c) *Administration.* (1) Members of the Committee shall serve without compensation for their work on the Committee. However, nongovernment members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707).

(2) To the extent permitted by law and subject to the availability of funds, the Administrator of General Services shall provide the Committee with administrative services, facilities, staff, and other support services necessary for the performance of its functions.

(d) *General.* Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to

the Congress, which are applicable to the Committee, shall be performed by the Administrator of General Services in accordance with the guidelines and procedures established by the General Services Administration.

PART 2. OPERATIONS

Sec. 201. National Industrial Security Program Operating Manual. (a) The Secretary of Defense, in consultation with all affected agencies and with the concurrence of the Secretary of Energy, the Nuclear Regulatory Commission, and the Director of Central Intelligence, shall issue and maintain a National Industrial Security Program Operating Manual ("Manual"). The Secretary of Energy and the Nuclear Regulatory Commission shall prescribe and issue that portion of the Manual that pertains to information classified under the Atomic Energy Act of 1954, as amended. The Director of Central Intelligence shall prescribe and issue that portion of the Manual that pertains to intelligence sources and methods, including Sensitive Compartmented Information.

(b) The Manual shall prescribe specific requirements, restrictions, and other safeguards that are necessary to preclude unauthorized disclosure and control authorized disclosure of classified information to contractors, licensees, or grantees. The Manual shall apply to the release of classified information during all phases of the contracting process including bidding, negotiation, award, performance, and termination of contracts, the licensing process, or the grant process, with or under the control of departments or agencies.

(c) The Manual shall also prescribe requirements, restrictions, and other safeguards that are necessary to protect special classes of classified information, including Restricted Data, Formerly Restricted Data, intelligence sources and methods information, Sensitive Compartmented Information, and Special Access Program information.

(d) In establishing particular requirements, restrictions, and other safeguards within the Manual, the Secretary of Defense, the Secretary of Energy, the Nuclear Regulatory Commission, and the Director of Central Intelligence shall take into account

these factors: (i) the damage to the national security that reasonably could be expected to result from an unauthorized disclosure; (ii) the existing or anticipated threat to the disclosure of information; and (iii) the short- and long-term costs of the requirements, restrictions, and other safeguards.

(e) To the extent that is practicable and reasonable, the requirements, restrictions, and safeguards that the Manual establishes for the protection of classified information by contractors, licensees, and grantees shall be consistent with the requirements, restrictions, and safeguards that directives implementing Executive Order No. 12356 of April 2, 1982, or the Atomic Energy Act of 1954, as amended, establish for the protection of classified information by agencies. Upon request by the Chairman of the Committee, the Secretary of Defense shall provide an explanation and justification for any requirement, restriction, or safeguard that results in a standard for the protection of classified information by contractors, licensees, and grantees that differs from the standard that applies to agencies.

(f) The Manual shall be issued no later than 1 year from the issuance of this order.

Sec. 202. Operational Oversight. (a) The Secretary of Defense shall serve as Executive Agent for inspecting and monitoring the contractors, licensees, and grantees who require or will require access to, or who store or will store classified information; and for determining the eligibility for access to classified information of contractors, licensees, and grantees and their respective employees. The heads of agencies shall enter into agreements with the Secretary of Defense that establish the terms of the Secretary's responsibilities on behalf of these agency heads.

(b) The Director of Central Intelligence retains authority over access to intelligence sources and methods, including Sensitive Compartmented Information. The Director of Central Intelligence may inspect and monitor contractor, licensee, and grantee programs and facilities that involve access to such information or may enter into written agreements with the Secretary of Defense, as Executive Agent, to inspect and monitor these programs or facilities, in whole or in part, on the Director's behalf.

(c) The Secretary of Energy and the Nuclear Regulatory Commission retain authority over access to information under their respective programs classified under the Atomic Energy Act of 1954, as amended. The Secretary or the Commission may inspect and monitor contractor, licensee, and grantee programs and facilities that involve access to such information or may enter into written agreements with the Secretary of Defense, as Executive Agent, to inspect and monitor these programs or facilities, in whole or in part, on behalf of the Secretary or the Commission, respectively.

(d) The Executive Agent shall have the authority to issue, after consultation with affected agencies, standard forms or other standardization that will promote the implementation of the National Industrial Security Program.

Sec. 203. Implementation. (a) The head of each agency that enters into classified contracts, licenses, or grants shall designate a senior agency official to direct and administer the agency's implementation and compliance with the National Industrial Security Program.

(b) Agency implementing regulations, internal rules, or guidelines shall be consistent with this order, its implementing directives, and the Manual. Agencies shall issue these regulations, rules, or guidelines no later than 180 days from the issuance of the Manual. They may incorporate all or portions of the Manual by reference.

(c) Each agency head or the senior official designated under paragraph (a) above shall take appropriate and prompt corrective action whenever a violation of this order, its implementing directives, or the Manual occurs.

(d) The senior agency official designated under paragraph (a) above shall account each year for the costs within the agency associated with the implementation of the National Industrial Security Program. These costs shall be reported to the Director of the Information Security Oversight Office, who shall include them in the reports to the President prescribed by this order.

(e) The Secretary of Defense, with the concurrence of the Administrator of General Services, the Administrator of the National

Aeronautics and Space Administration, and such other agency heads or officials who may be responsible, shall amend the Federal Acquisition Regulation to be consistent with the implementation of the National Industrial Security Program.

(f) All contracts, licenses, or grants that involve access to classified information and that are advertised or proposed following the issuance of agency regulations, rules, or guide-lines described in paragraph (b) above shall comply with the National Industrial Security Program. To the extent that is feasible, economical, and permitted by law, agencies shall amend, modify, or convert preexisting contracts, licenses, or grants, or previously advertised or proposed contracts, licenses, or grants, that involve access to classified information for operation under the National Industrial Security Program. Any direct inspection or monitoring of contractors, licensees, or grantees specified by this order shall be carried out pursuant to the terms of a contract, license, grant, or regulation.

(g) Executive Order No. 10865 of February 20, 1960, as amended by Executive Order No. 10909 of January 17, 1961, and Executive Order No. 11382 of November 27, 1967, is hereby amended as follows:

(1) Section 1(a) and (b) are revoked as of the effective date of this order.

(2) Section 1(c) is renumbered as Section 1 and is amended to read as follows:

“Section 1. When used in this order, the term ‘head of a department’ means the Secretary of State, the Secretary of Defense, the Secretary of Transportation, the Secretary of Energy, the Nuclear Regulatory Commission, the Administrator of the National Aeronautics and Space Administration, and, in section 4, the Attorney General. The term ‘head of a department’ also means the head of any department or agency, including but not limited to those referenced above with whom the Department of Defense makes an agreement to extend regulations prescribed by the Secretary of Defense concerning authorizations for access to classified information pursuant to Executive Order No. 12829.”

(3) Section 2 is amended by inserting the words “pursuant to Executive Order No. 12829” after the word “information.”

(4) Section 3 is amended by inserting the words “pursuant to Executive Order No. 12829” between the words “revoked” and “by” in the second clause of that section.

(5) Section 6 is amended by striking out the words “The Secretary of State, the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the Secretary of Transportation, or his representative, or the head of any other department or agency of the United States with which the Department of Defense makes an agreement under section (1)(b),” at the beginning of the first sentence, and inserting in their place “The head of a department of the United States”

(6) Section 8 is amended by striking out paragraphs (1) through (7) and inserting in their place “. . . the deputy of that department, or the principal assistant to the head of that department, as the case may be.”

(h) All delegations, rules, regulations, orders, directives, agreements, contracts, licenses, and grants issued under preexisting authorities, including section 1(a) and (b) of Executive Order No. 10865 of February 20, 1960, as amended, by Executive Order No. 10909 of January 17, 1961, and Executive Order No. 11382 of November 27, 1967, shall remain in full force and effect until amended, modified, or terminated pursuant to authority of this order.

(i) This order shall be effective immediately.

George Bush

The White House,
January 6, 1993.

*[Filed with the Office of the Federal Register,
10:52 a.m., January 7, 1993]*

Note: This Executive order was released by the Office of the Press Secretary on January 7, and it was published in the Federal Register on January 8.

**Letter to Congressional Leaders
Transmitting Forest Service Reports**
January 7, 1993

Dear Mr. Speaker: (Dear Mr. President:)

I am pleased to transmit to the Congress three study reports prepared by the Department of Agriculture's Forest Service. I support the recommendations provided by the Secretary of Agriculture in each of these reports. The three reports are:

- (1) Wild and Scenic River study and draft legislation to designate 19.4 miles of the Red River in Kentucky as part of the National Wild and Scenic Rivers System.
- (2) Wild and Scenic River study and recommendation for designation of 133 miles of the Greenbrier River in West Virginia as a component of the National Wild and Scenic Rivers System under State administration and jurisdiction.
- (3) Wilderness study report for the Pyramid Peak Wilderness Study Area in California with a recommendation that this area be released from further consideration for wilderness designation. Current management will emphasize nonmotorized, dispersed recreation, essentially maintaining the area in an undeveloped state.

Red River:

I am particularly pleased to transmit legislation to designate 19.4 miles of the Red River as a component of the National Wild and Scenic Rivers System. Designation of the Red River received strong public support during the study, and this would be the first Wild and Scenic River designated in the State of Kentucky.

The natural, scenic, and recreational qualities of the Red River are unique and irreplaceable resources. The majority of the river corridor is within the Red River National Geologic Area, a "geological wonderland" of sedimentary rock formations unique to that area and the United States. The Red River also flows through the scenic Clifty Wilderness for a distance of 4.5 miles.

Recreational use of the Red River and adjacent lands totaled over 200,000 visitor days in 1990. This figure is expected to increase

in the future, as approximately 94 million people presently live within a day's drive of the Red River.

Greenbrier River:

The Greenbrier River in West Virginia was studied by the Forest Service, in cooperation with the State of West Virginia and local communities. The Secretary recommends that 133 miles of the river be added to the System through local and State initiatives.

Outstanding outdoor recreation values are associated with the Greenbrier River and its corridor lands. Recreation activities include boating, whitewater canoeing, primitive and developed site camping, hiking, fishing, hunting, spelunking, and cross-country skiing. In recognition of these values, the State of West Virginia has already included the main stem of the Greenbrier River below Knapps Creek under the West Virginia Natural Streams Preservation Act. This Act maintains the free-flowing character of that portion of the river. This indicates the considerable support by local residents and interest groups for protection of the values of the river corridor, provided such protection is under local management control.

Under the approach recommended by the Secretary, the decision to seek designation as a Wild and Scenic River would be the prerogative of the State. First, the West Virginia State legislature would include the remainder of the upper Greenbrier River under the West Virginia Natural Streams Preservation Act. Second, a group would be formed locally to develop a proposed management plan for the river, which would be reviewed and approved by the Governor. The Governor would then recommend to the Secretary of the Interior that the Greenbrier River be federally designated under section 2(a)(ii) of the Wild and Scenic Rivers Act. If the Secretary approves, the river would be so designated, and the State would have the primary responsibility for administration of the river according to the management plan. I am hopeful that the State of West Virginia will assume this responsibility.

This emphasis on local control is recommended over Federal administration of the river because the State of West Virginia already manages a significant portion of the