

63-32800a

MAY 1963

Honorable U. Alexis Johnson *Ford*
Deputy Under Secretary of State
Department of State
Washington 25, D. C.

Dear Mr. Johnson:

Except for the slight modifications suggested below, I generally approve the draft of the National Disclosure Policy prepared pursuant to NSC Action No. 2125 and forwarded to this Agency by your memorandum of 19 April 1963.

It is noted with approval that the draft National Disclosure Policy incorporates by reference, the agreements of 1958 between the Secretaries of State and Defense with the Director of Central Intelligence which relate to the release of national and interdepartmental intelligence to foreign governments.

In the interests of emphasizing the responsibility of the Director of Central Intelligence, under the National Security Act of 1947, As Amended, for protecting intelligence sources and methods from unauthorized disclosure, these changes are recommended:

- (1) Under "General Principles" (page 3), introduce a new paragraph D to read: "Nothing herein shall be construed as pre-empting, affecting, modifying or delegating the responsibility vested

State Dept. review completed

(EXECUTIVE REGISTRY FILE

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in the Director of Central Intelligence, under the National Security Act of 1947, As Amended, for protecting intelligence sources and methods from unauthorized disclosure. "

(2) Under "Conditions of Disclosure," (Page 4), paragraph A, introduce a new point as A. 3. or A. 4. to read: "The disclosure is not inimical to the protection of United States intelligence sources and methods from unauthorized disclosure. The decision in this respect rests with the Director of Central Intelligence. "

With these changes, the draft will be entirely satisfactory from my standpoint.

Faithfully yours,

(Signed) Marshall S. Carter
Marshall S. Carter
Lieutenant General, USA
Deputy Director

CONCURRENCE:

[Redacted Signature Box]

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M. L. K. White
Deputy Director

13 MAY 1963 (Support)

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63-3280/B

13 MAY 1963

MEMORANDUM FOR: Executive Director

THROUGH : Deputy Director (Support)

SUBJECT : Revised National Disclosure Policy

REFERENCES : A - Memorandum from ADCI to Executive Director, 7 May 1963, Same Subject, Attached (Tab A).

B - Draft of United States National Disclosure Policy (MIC 206/29; Revised 10/4/63), Attached (Tab B).

1. This memorandum contains a recommendation in paragraph 4.

2. General Carter, in Reference A attached (Tab A), expresses concern that the revised National Disclosure Policy (attached as Tab B) is insufficiently emphatic on the responsibility of the DCI to protect intelligence sources and methods from unauthorized disclosure.

3. The proposed reply to the Deputy Under Secretary of State has been rewritten to incorporate the changes General Carter suggests.

4. Recommend the proposed reply to the Deputy Under Secretary of State (Tab C) be presented to the DDGI for his signature.

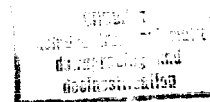
DCI informed


SIGNED

Shafield Edwards
Director of Security

Attachments:

Tab A
Tab B
Tab C



CONCURRENCE:

WALTER W. RATES Dwyer

for **L. K. White**
Deputy Director
(Support)

13 MAY 1963

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7 May 1963

MEMORANDUM FOR: Executive Director

SUBJECT : Revised National Disclosure Policy

1. After reading the rather compelling memorandum from the Acting Director of Security, I signed the proposed letter to Secretary Johnson. However, after reading the document itself, I have doubts that it goes far enough into the problem insofar as the responsibilities of the DCI are concerned.

2. Section 102 (d) of Title I of the National Security Act of 1947, As Amended, clearly states, "... That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;..."

3. As you are aware, there have been a number of flagrant violations of this part of the National Security Act during recent years, and particularly during the Cuban crisis. Nowhere in the proposed disclosure policy do I find any real emphasis, and certainly no adequate emphasis on this responsibility of the DCI. It seems to me that this is so important that it should be stressed right up in the front portion of the proposed policy, and certainly under Section III, "Conditions of Disclosure," it should appear as a subparagraph under paragraph A, probably as A (3) or A (4).

4. Please take another reading on this and have the proper people come in and try to convince me that the proposed policy is satisfactory in its present form. Please do not dispatch my letter * until I am so convinced.



Marshall S. Carter
Lieutenant General, USA
Acting Director

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*signed copy of letter detached in O/Exec Dir - 8 May

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3 MAY 1963

MEMORANDUM FOR: Acting DCI
THROUGH : Executive Director *LDK 6 May*
Deputy Director (Support) *MMW 5/6/63*
SUBJECT : Revised National Disclosure Policy

1. This memorandum contains a recommendation in paragraph 4.

2. The attached draft National Disclosure Policy (Tab B) has been staffed within the Agency and concurred in by the Deputy Director (Intelligence), Deputy Director (Plans), and Deputy Director (Research).

3. The revised National Disclosure Policy is a codification of existing policy governing the disclosure of classified military information to foreign governments. Until 1958 there was an apparent conflict between the authority of the DCI, under NSCID I to disseminate national and interdepartmental intelligence to foreign governments and the authority of the Secretaries of State and Defense (through S-DMICC) to control the release of classified military information, including intelligence to foreign governments. By an exchange of memoranda in 1958 the Secretaries of State and Defense agreed not to exercise any control over the release of national and interdepartmental intelligence which may contain military intelligence. This release authority now rests solely with the DCI and USIB. The agreements are incorporated by reference in the attached revision of the National Disclosure Policy.

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4. Recommend your signature on the proposed reply to the Deputy Under Secretary of State (Tab A).

[Signature Box]

Acting Director of Security

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Attachments:
Tab A
Tab B

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63-3280

DEPARTMENT OF STATE
WASHINGTON



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April 19, 1963

Dear Mr. McCone:

As you know, the National Security Council, by NSC Action No. 2125 (September 14, 1959) requested the Departments of State and Defense, consulting as appropriate with other agencies, including the Atomic Energy Commission and the Central Intelligence Agency, to prepare a single, up-to-date, comprehensive, self-contained statement of policy on the release of classified military information to foreign governments and international organizations and to transmit such policy statement to the National Security Council for its information.

A working group of the State-Defense Military Information Control Committee has completed a draft of the policy statement requested by the NSC. It has been approved for the Department of State and I hope that you are able to approve it for the Central Intelligence Agency. A copy of the draft policy statement is enclosed.

I shall appreciate your informing me as soon as possible of your approval of this policy statement in order that the Secretary of State may make a responsive reply to the National Security Council letter of March 25, 1963, informing the Council that the appropriate agencies have complied with NSC Actions No. 2125 and No. 2376, and transmit an approved policy statement, as the Council requested.

Sincerely,

U. Alexis Johnson
U. Alexis Johnson
Deputy Under Secretary

Enclosure:

Draft National Disclosure Policy.

The Honorable
John A. McCone,
Director of Central Intelligence.

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Honorable U. Alexis Johnson
Deputy Under Secretary of State
Department of State
Washington 25, D. C.

Dear Mr. Johnson:

I have approved the draft of the National Disclosure Policy prepared pursuant to NSC Action No. 2125 and forwarded to this Agency by your memorandum of 19 April 1963.

It is noted with approval that the draft National Disclosure Policy incorporates by reference the agreements of 1958 between the Secretaries of State and Defense with the Director of Central Intelligence which relate to the release of national and interdepartmental intelligence to foreign governments.

Faithfully yours,

Marshall S. Carter
Lieutenant General, USA
Acting Director

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CONCURRENCE: _____

L. K. White
Deputy Director
(Support)

6 MAY 1963

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