

~~ADMINISTRATIVE-INTERNAL USE ONLY~~

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SUBJECT: Declassification

1. In January 1971 Dr. Kissinger, as National Security Advisor, issued a directive to the appropriate agencies, CIA included, calling for an interdepartmental study and appropriate revision of Executive Order 10501 which provided for classifying and protecting national security information. An ad hoc group comprising representatives of Justice, State, Defense, CIA, AEC and NSC was formed to study "Procedure for Declassification and Release of Official Documents." The study group was chaired by Assistant Attorney General William H. Rehnquist. CIA was represented by [redacted] of the Office of Security. It was clear from the directive that the main objective of the exercise was to get rid of overclassification and permanent classification practices.

2. The committee proceeded with its work through the ensuing months. In June 1971 the Pentagon Papers' issue evolved. It was directly as a result of this that the President attended a meeting of the committee in June or July of that year (1971). He directed that there be strict limits on the numbers of government employees authorized to classify information and the new Executive Order (11652) incorporated that feature. In December 1971, with the nomination of Mr. Rehnquist to the Supreme Court, Mr. David Young took over as chairman of the study group. The new Executive Order 11652, supplanting EO 10501, was finally approved on 8 March 1972.

3. In September 1971 Director Helms had a conversation with the President and Mr. Ehrlichman with regard to the possible declassification of documents relating to United States actions in various areas in times past. These included the "Bay of Pigs", the "Lebanon Landings", the "1962 Cuban Missile Threat", and two Special National Intelligence Estimates. The Director again met with Mr. Ehrlichman on 1 October 1971 and described to him the nature of the documents available stating that materials such as these cannot be declassified for public release. The Agency has attempted to recover these documents from the White House on several occasions, the latest on 18 February 1975. A draft memorandum

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from Director Helms to the President on the above matter dated 29 September 1971, which did not go forward, reflects the resistance that the Agency had for declassification of these documents. (Copy attached).

4. In his 7 December memorandum to the Honorable John D. Ehrlichman on the subject of declassification, Director Helms submitted an outline summary of the problem and a possible solution. He explained that an intelligence service needs (and strives) to protect the techniques it employs in going about its business and the human assets, especially foreign nationals, it uses or has used in the past. He further pointed out that some disseminated intelligence and almost all intelligence operational traffic should not and cannot be declassified without a highly inappropriate disclosure of intelligence sources and methods. The true names of our agents and the precise techniques of our operations should in no event be disclosed even after many years.

5. Attached herewith for possible background use are five documents namely:

a. A history of the development and issuance of Executive Order 11652 authored by [redacted] Associate General Counsel, CIA dated 4 October 1974.

b. Memorandum from the Attorney General on "Procedures for Declassification and Release of Official Documents", dated 18 February 1971.

c. Memorandum from the DCI to the Honorable John D. Ehrlichman on "Declassification", dated 7 December 1971.

d. Executive Order 11652, approved on 8 March 1972.

e. Draft Memorandum from Director Helms to the President dated 29 September 1971 (not forwarded).

Attachments a/s