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26 August 1960

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Clearance of CIA Information for Publication in the
Foreign Relations Series of the Department of State

- REFERENCES: (Attached):
- (1) Memorandum for Chief, Foreign Intelligence, from Col. Stanley J. Grogan, Assistant to the Director. Same Subject. 22 July 1960.
 - (2) Memorandum for the Director of Central Intelligence from the Deputy Assistant Secretary of State for Public Affairs (Mr. Kretzmann). Same Subject. 8 July 1960.
 - (3) Memorandum for the Deputy Assistant Secretary of State for Public Affairs (Mr. Kretzmann) from Dr. Noble, Historical Office, Bureau of Public Affairs, Department of State. Objections by CIA to Publication of Documents in Foreign Relations, 1942, Volumes II and IV. 22 April 1960.
 - (4) Letter for Mr. R. A. Winnacker, Historian for the Department of Defense, from the Executive Officer, CIA, [redacted]. 23 February 1960.
 - (5) Galley Proofs of the Material Under Consideration.

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1. Paragraph 5 of the present paper recommends action by the Director.

2. The Problem

Two questions are presented for decision:

a. First, whether the Director should approve publication by the Department of State, in the Foreign Relations of the United States, Diplomatic Papers, of certain information bearing on COI/OSS operations during the Second World War.

b. Second, whether the Department of State in future should refer directly to the Agency, for clearance, material bearing on COI/OSS which

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the Department proposes to publish. (Hitherto the Department has referred such material to the Department of Defense, which in turn has referred it to CIA.)

3. Material the Department Proposes to Publish

a. Subjects of the Material

The information which the Department proposes to publish bears on three principal subjects, entitled by Dr. Noble of the Department's Historical Office: I. THE HOSKINS MISSION; II. NEGOTIATIONS REGARDING SPANISH ZONE OF MOROCCO AND TUNISIA; and III. INTEREST OF THE UNITED STATES IN POLITICAL AND ECONOMIC CONDITIONS IN NORTH AFRICA. (Reference (3).)

b. Previous Disapproval by Executive Officer

A previous request by the Department of State for clearance of this same material was disapproved by the Executive Officer [redacted] on the grounds that: "Disclosure of this information would reveal sources and methods which could adversely affect current operations of this Agency." (Reference (4).)

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c. Appeal by the Department

The Deputy Assistant Secretary of State for Public Affairs (Mr. Kretzmann) has now asked the Agency to reconsider this disapproval (Reference (2),) forwarding argumentation adduced by Dr. Noble in support of this request. (Reference (3).)

d. State Department Arguments in Favor of Publication

Dr. Noble advances two principal arguments in favor of publication:

(1) First, he asserts that the Department has the right to publish the information because, among other things, the material appears in Department, not Agency, papers.

(2) Second, Dr. Noble argues that the material can be published without harmful consequences. In this connection he makes the point, among others, that much of the information has already been revealed in various official and non-official publications.

e. Arguments Against Publication

(1) Dr. Noble would appear to err in arguing that the Department

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has the right to publish this information.

(a) First the fact that the information appears in Department documents hardly gives the Department the right to publish it. COI/OSS was the source of the information; COI/OSS operations are the subjects treated; and it is CIA's current operations which would be adversely affected by publication--a judgment which obviously only CIA can make.

(b) Second, the National Security Act of 1947, as amended, and NSCID's 1 and 11 make the Director of Central Intelligence responsible for the protection of intelligence sources and methods--and the question under consideration is precisely whether publication would adversely affect current Agency operations by disclosing intelligence sources and methods.

(c) Third, the National Security Council has formally stated, "as a matter of policy," that it "considers that any publicity, factual or fictional, concerning intelligence is potentially detrimental to the effectiveness of an intelligence activity and to the national security." (Memorandum for The Heads of Executive Departments and Establishments from the Executive Secretary, NSC. Avoidance of Publicity Concerning the Intelligence Agencies of the U.S. Government. 6 January 1950.)

(d) It would thus seem clear: that there is a strong presumption the material under consideration should not be published and that the Director of Central Intelligence has the authority and responsibility for determining whether the material should be published notwithstanding the presumption.

(2) With respect to the merits of Dr. Noble's substantive arguments:

(a) It would be possible to debate the question, in each of the cases argued by Dr. Noble--or in all of them--whether the harm caused by disclosure would, in fact, be enough to justify the withholding of the information from publication.

(b) Such debate would, however, necessitate an exhaustive inquiry into all the relevant facts in each case, and the search for these facts and the debate as to the harm which could be done by their disclosure would be inordinately time-consuming, would require a very considerable expertise in intelligence on the part of all the participants in the discussion--and in the end would probably be inconclusive, because some of the considerations involved could not be revealed.

(c) The question, moreover, is not only whether certain details can safely be published; other and much weightier considerations are

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also involved. Thus the questions would need to be debated: Which details could be published--no matter how harmless in themselves--without revealing methods and other patterns of Agency operations whose disclosure could cause damage?

(d) The fact that some of these data have been previously disclosed does not justify publications in the Foreign Relations series.

1. Two wrongs do not make a right; indeed the harm done by repeated publication tends, up to a point, to increase by a geometric ratio with each new disclosure.

2. Most of the disclosures cited by Dr. Noble were made by individuals, not by Government agencies. This is not at all the same thing as their disclosure in an official publication by the Department of State--which would provide the most solid and incontrovertible of evidence, thus far lacking.

(e) Publication in this form and at this time is likely to bring the facts to the attention of persons now unaware of them and likely to remain so, and to recall the facts to persons who have forgotten them.

(f) It might be particularly unfortunate at the present juncture of affairs to provide official proof that the shipment of American goods to French North Africa was motivated to a considerable extent by a desire to engage in clandestine activities there.

(g) The more the United States Government officially reveals of its clandestine activities in the past, the more difficult it is likely to become to recruit personnel for such activities in the future.

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4. Direct Referral of Agency Material for Clearance

Referral of Agency material to CIA through the Department of Defense would seem to serve no useful purpose. Referral of such material directly to the Agency would presumably save time without causing any harmful consequences.

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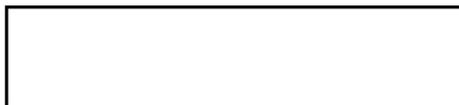
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5. Recommendations

In light of the foregoing, it is

a. Recommended that the Director disapprove publication of the material under consideration.

KS 5. It is further recommended that the Director concur with the proposal by the Deputy Assistant Secretary of State (Mr. Kretzmann) that the Department of State in future refer directly to the Agency for clearance any classified material bearing on COI/OSS which the Department proposes to publish.



for
Chief
Foreign Intelligence

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