### MEMORANDUM

### THE WHITE HOUSE

WASHINGTON

12-21-70

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### ACTION

HENRY A. KISSINGER

TOP SECRET/SENSITIVE

MEMORANDUM FOR:

THE PRESIDENT

FROM:

SUBJECT:

Disclosure of Classified Material

On December 15th, Admiral Anderson wrote you commenting on a series of unauthorized disclosures of classified and sensitive information (Tab B). He recommended in his letter that you reaffirm to the Departments and Agencies the necessity for stringent adherence to provisions of law and regulations governing the handling and release of classified information. The last formal expression of Presidential concern over the unauthorized disclosure of classified information was issued by President Eisenhower in May 1960.

The most recent example of a serious breach was the publication on 16 December of the current Soviet ICBM programs. Admiral Anderson has expressed deep concern over these articles (Tab C). Director Helms also called me to express his concern and Gerry Smith has cabled his surprise that these revelations could have been made without the Delegation's knowledge. The statement to the press made by the Department of Defense was one of the most fundamental announcements affecting our SALT negotiations yet made during this Administration. Beyond the foreign policy implications of the announcement, there is also the probable serious affect upon our ABM program. We will be hard-put to defend an extension of that program in the face of an announcement that the deployment of the weapon system against which it is to defend is being slowed down or stopped. The announcement was made with neither warning to us nor clearance at the White House.

The Attorney General is looking into the matter of security leaks and what can be done OSD review completed I am undertaking a study ON-FILE NSC RELEASE INSTRUCTIONS APPLY

PFIAB review completed.

TOP SECRET/SENSITIVE

TOP SECRET/SENSITIVE

in the NSC system concerned with the classification and declassification process. Meanwhile, however, the problem of controlling highly classified and sensitive material has become so serious that I believe it is time that you express your concern to the Heads of Departments and Agencies.

### RECOMMENDATION

That you approve and sign the memorandum at Tab A which includes the thoughts of a memorandum sent you by Admiral Anderson (Tab D) and which also reaffirms the directive you issued on September 1, 1969. (Tab E)

### TOP SECRET/SENSITIVE

No Objection to Declassification in Part 2012/12/28 : LOC-HAK-553-7-24-4

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THE WHITE HOUSE

WASHINGTON

### SECRET

### MEMORANDUM FOR:

December 21, 1970

The Secretary of State

The Secretary of Defense

The Attorney General

The Director, U.S. Arms Control and Disarmament Agency

The Chairman, Joint Chiefs of Staff The Director of Central Intelligence The Administrator, National Aeronautics and Space Administration

### SUBJECT:

Disclosures of Classified Information • and Coordination and Clearance of Official Statements

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that the practice of releasing such information without proper authorization will be brought to an end.

Executive Order 10501, of December 15, 1953, as amended, established regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures

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designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should assure that only those individuals with a demonstrated "need-to-know" receive classified information and that all recipients are constantly aware of the necessity to protect it from public disclosure. They should provide for an adequate security review of all statements and documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary action against individuals under their jurisdiction found responsible for careless or deliberate mishandling of classified information.

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The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

I also reaffirm the following instructions which I issued on September 1, 1970 concerning coordination and clearance of public statements and press releases and the necessity for White House clearance of all official communications having policy implications:

- -- 'Public statements and press releases: Prior to release, all public communications on matters of known or potential Presidential interest must be carefully cleared by the White House (Assistant to the President for National Security) for consistency with Presidential policy and for coordination with the departments and agencies who share overlapping interests and responsibilities. Should there be any uncertainty as to Presidential or interdepartmental interest, it will be resolved in favor of clearance."
- --"Official communications: All official communications with policy implications must be cleared by the White House. When in doubt, the rule is that messages will be so cleared. This procedure requires close and confidential staff relationships at all levels between the White House and your department as well as among departments."

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### THE WHITE HOUSE

WASHINGTON

### PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

December 15, 1970

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### Dear Mr. President:

Your Foreign Intelligence Advisory Board is deeply concerned by the increasing frequency with which highly classified and sensitive information is disclosed in the press and other open literature. At the Board's December meeting it was clear that our concern is shared by the entire intelligence community.

Examples of recent unauthorized disclosures include a 19 October 1970 "New York Times" article by Neil Sheehan which leaves little doubt that the author had access to a May 1970 CIA publication, "Viet Cong Covert Agencies in South Vietnamese Territory." A 21 September 1970 item in "Aviation Week and Space Technology" accurately described the delay in the new reconnaissance satellite. There have been others. Equally damaging to the national interest are public statements or testimony by high government officials which utilize intelligence information without due regard for protecting the source, its technical capabilities, or both.

In the last decade, the pace of scientific development and technical sophistication of the public have increased enormously. This, coupled with the climate of controversy in the Congress surrounding such matters as the size and nature of our strategic forces and our support to friendly governments in Southeast Asia, has tended to obscure in the minds of many, particularly those concerned only peripherally or with limited aspects of complex technical intelligence matters, just which items or aspects of a problem are classified and which are properly in the public domain.

The problem of deliberate disclosures has been exacerbated by changing moral and ethical standards in the United States. Many now believe it is their duty to question authority at every turn and, security oaths notwithstanding, show little compunction about revealing classified information which they personally believe should be known to the public in general.

In assessing the informational and even human losses caused by security breaches, the economic losses have, in the past, been considered only secondarily, if at all. Present U. S. dependence on satellite-borne sensors and computer analytical techniques have placed the cost of many individual technical intelligence systems in the realm of millions of dollars. U. S. security is clearly dependent on continued technical intelligence collection. What is perhaps less clear is that the cost of a single collection system is now so great that, from a strictly dollars and cents standpoint, we can no longer afford to have its effectiveness nullified by unauthorized disclosures. From a technical standpoint, we may not be able to replace it even with unlimited funds.

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The last formal expression of Presidential concern over the unauthorized disclosure of classified information was issued by President Eisenhower in May 1960. We believe a strong expression of Presidential concern is imperative at this time. Such an expression will do much to tighten up departmental security practices and have a very salutary effect on careless or inadvertent disclosures. Additionally, it will again serve notice on those who willfully disclose classified information that their actions will be dealt with severely. It is the unqualified view of the Board that strong punitive action should be taken against such individuals.

Appended for your consideration is a draft of a Presidential memorandum on the disclosure of classified information.

Respectfully,

MAUSTRI George W. Anderson, Jr. Admiral, USN (Ret.) Chairman

The President The White House Washington, D. <u>C.</u>

No Objection to Declassification in Part 2012/12/28 : LOC-HAK-553-7-24-4

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### THE WHITE HOUSE

WASHINGTON

PRESIDENT'S FOREIGN INTELLIGENCE ADVISORY BOARD

December 17, 1970

My dear Mr. President:

Your Foreign Intelligence Advisory Board is gravely concerned over unauthorized, unwise or unintentional disclosure of highly classified intelligence information. This was a subject of a Board memorandum to you dated 15 December 1970, and delivered by hand to Dr. Kissinger.

This morning the press carries front page articles which reveal intelligence on Soviet ICBMs derived from sensitive sources and the brand new National Intelligence Estimate on Soviet Forces for Intercontinental Attack dated 24 November, but distributed on 11 December. These articles stemmed from an authorized Department of Defense release but contained a great deal of sensitive data not in the release itself. The lid of Pandora's box was lifted and we can now anticipate that before long all of the contents will be out.

As its Chairman and on behalf of the Board, I would appreciate the opportunity to speak to you at your early convenience in regard to the seriousness of the situation pertaining to such disclosures of sensitive information and the urgent necessity for corrective action.

Very respectfully,

George W. Anderson, Jr. Admiral, USN (Ret.) Chairman

The President The White House Washington, D. C.

# SECRET SENSITIVE

### U.S. Data Indicate Moscow Is Slowing ICBM Deployment

1

By WILLIAM BEECHER

Special to The New York Times WASHINGTON, Dec. 16 — American reconnaissance satellites have picked up evidence that the Soviet Union has slowed the construction of longrange strategic nuclear missiles and is dismantling a modest number of intermediate-range missiles.

Senior Administration analysts are uncertain whether these two developments are motivated primarily by military or economic considerations or by a desire by Moscow to influence the talks with the United States on the limitation of strategic arms. Negotiators for the two nations wound up the Helsinki phase of those discussions today and prepared to adjourn on Friday with the issuance of a brief communiqué. [Page 3.]

Jerry W. Friedheim, a Defense Department spokesman, disclosed today that the Russians appeared to have slowed the deployment of their giant SS-9 intercontinental missiles, the weapons that American planners fear would pose the

Continued on Page 8, Column 1

## SHIFT BY MOSCOW ON MISSILES SEEN

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#### Continued From Page I, Col. 5

greatest potential threat in the event of a surprise attack on United States land-based missiles.

Other officials said that the Russians appeared to be dismantling some older intermediate-range missiles among approximately 70 weapons deployed in the Asian part of the Soviet Union. These weapons, while believed to be primarily aimed at Communist China and Japan, could hit military bases in Alaska as well.

In a statement that he said had been authorized by Secretary of Defense Melvin R. Laird, Mr. Friedheim said that some analysts believed the Russians were "approaching what might be called leveling-off phases" in their missile programs.

Specifically, he said, "preliminary indications" suggested that the Soviet Union had started slowing its SS-9 construction and might now have "somewhat fewer than 300 SS-9's operational or under construction."

#### Slower Deployment Seen

Mr. Friedheim said the Penfagon statement was in response to questions about recent published reports that the Russians were, slowing their SS-9 program.

Last year at this time, intelligence information indicated that the Soviet Union had about 280 SS-9's. The pace in recent years appears to have been to build about 50 to 60 a year. The new estimate, which conflicts with the estimate of "more than 300" Mr. Laird has talked of in recent months, seems to indicate a reduced deployment effort.

Qualified sources explained that the Russians had apparently stopped construction work already at a small number of SS-9 sites leading to the reduced estimate.

Mr. Friedheim offered two cautionary comments, however.

"I want to point out that there have been previous years of low activity in the SS-9 construction program, followed by years of increased activity," he said. "We cannot yet tell exactly where the Soviet's SS-9 force level will come out after this year.

He also spoke of an accelerated Soviet program of test-ing multiple warheads for the SS-9 and smaller SS-11 missiles and raised the possibility that the Russians might have slowed deployments of new mis siles so as to replace some of their earlier weapons with new ones containing multiple warheads.

The United States is now replacing about 500 Minuteman-1 intercontinental missiles with Minuteman-3 missiles carrying three-part warheads and is replacing 496 submarine-borne Polaris missiles with Poseidon missiles carrying 10 to 14 war-

heads each. Mr. Friedhelm said the Russians now had more than 2,500 land-based intercontinental mis-siles in place or under con-struction, compared with 1,054 American ICBM's.

Old Weapons Retired by U.S.

The United States has con-sistently retired old weapons as modern replacements have been developed. But, until now, the Soviet pattern apparently has been to keep adding newer ones to the old.

The Soviet Union's Interconti nental missiles have ranges of 6,500 to about 8,000 miles. Its intermediate missiles have ranges of 1,200 to 3,500 miles.

One school of analysts here feels that the slowing of the ICBM program and the limited dismantling of intermediate mis siles may represent the first sign that Soviet leaders have concluded they are approach-ing the point of having enough nuclear weapons and may there fore genuinely be prepared to agree with the United States to an over-all freeze on weapons.

American experts, it is said, have long expected the Russians to reach such a point and so to start to retire some of the older, less efficient, less well-protected and costly-to-

operate systems. "There comes a point," one official suggested, "where even for the Russians inefficient old systems must be retired if they are to free funds for the consumer side of the economy.

So, far no dismantling bas been discussed in the European part of the Soviet Union, where the Russians reportedly have the bulk of their 700 to 800 the bulk of their rub solution intermediate-range missiles. On the contrary, it is said, the Rus-sians have been installing for about a year approximately 100 SS-11 intercontinental missiles in complexes in the southwest that have previously con-tained nothing beyond intermediate-range weapons.

Another group of analysts, on the basis of the same recon-naissance-satellite data, is concerned that the limited dismantling may be motivated by a Soviet desire to strengthen an argument their negotiators have been making in Helsinki. If this is the case, the analysts say, it could signal a tougher Soviet stance that could dim the prospects of ultimate agreement.

Their reasoning focuses on the fact that the missiles reportedly being dismantled in Soviet Asia have a range sufficient to reach targets in Alaska.

DO NOT FORGET THE NEEDIEST!



By Michael Getler Washington Post Staff Writer months, In addition, these sources

Friedheim yesterday was re-

The massive build up of Rusnuclear-tipped ICBMs say the Russians have also not that has helped fuel the arms started any new silos for the race for the past five years smaller and more numerous is now slowing down, accord-ing to the Pentagon ing to the Pentagon. A cautiously worded state- ed even earlier will not be

ment issued yesterday by De-completed fense Secretary Melvin R. Laird reported "some prelimi-nary indications" that the So-viet Union may have recently started slowing somewhat the level of activity associated with SS-9 missile construction.

The SS-9, able to carry a single 25-megaton warhead or three 5-megaton multiple warheads, has been portrayed by the Pentagon as the big threat to survival of U.S. Minuteman ICBMs and the main reason for building the Safeguard ABM system.

Laird's statement, issued by Deputy Assistant Secretary of Defense Jerry W. Friedheim, comes on the heels of a just completed national intelligence estimate which points to a dramatic halt in Soviet missile construction.

Informed government officials say that the Soviets have actually halted work on 12 of 18 underground S5.9 silos that were started last May and have not begun any new SS-9

silo construction for seven luctant to draw any conclusions about the meaning of the Soviet slowdown. He noted that there have been previous periods of low activity.

Should the construction remain suspended, however, some government officials think it may have a dramatic effect on halting the arms race and lowthat some work on silos startering Pentagon spending.

See SOVIET, A15, Col. 7

THE WASHINGTON POST Thursday, Dec. 17, 1970 A 15

# Laird Says Soviets **Slow Arms Buildup**

### SOVIET, From A1

Several big Pentagon programs have been linked direct-ly that they are encouraged iy with the Soviet buildup. It that the Soviets themselves These include Safeguard, an did not mention the slowdown expanded ABM known as at the Helsinki arms talks and "Hardsite", a new missile fir-thereby put U.S. negotiators ing submarine, and an Air immediately on the spot to Force plan, approved by Depu-ty Secretary Packard just last and publiciv about Safeguard. Saturday, to harden about half the 1,000 Minuteman silos.

ployed or under construction. deployment, or that it might Yesterday, Friedheim said the just be a pause to allow them Pentagon now believes the So-tiete the said the sa viets "could have fewer than heads on those missiles. 300."

Informed officials say the current estimate is 294.

that the Soviets, in the past down in Soviet ICBM activity. year have continued to deploy small numbers as a bargaining prompted by news leaks on counter at SALT to the U.S. Safeguard ABM.

be most interested in halting tional. He also upped the total Safeguard, and the size of the of SS-1s ready or under con-SS-9 force is the key limita- struction to more than 900; tion proposed by U.S. negotia- some of these, however, have tors.

low 300, some strategists be- range missiles targeted on lieve this could set the stage Europe. American negotiators were time some serious doubts said to be asking for.

Defense officials have said repeatedly that a force of 420 tend the big missile may not SS-9s equipped with independently-targetable multiple war-dently-targetable multiple war-heads could wipe out 95 per may not be able to reach the cent of the Minuteman force southernmost U.S. Minuteman in a first strike without Safe-bases. guard protection. Officials admit that the urgency for Safe sile has also been tagged as guard would be reduced with between 0.5.0.7 tenths of a only 300 of the big missiles mile. This would give a single ready to fire but say the Pen-5-megaton warhead only a 50tagon will not propose aban- 50 chance of knocking out a doning Safeguard without a Minuteman silo - not deadly pecific SALT agreement. Friedheim said he was re? wiping out U.S. missiles in a specific SALT agreement.

luctant to associate the Soviet surprise attack. developments specifically with <u>The SS9 is deployed at six</u> SALT. But other administratibig missile bases in the USSR, tion planners believe the slow each containing several groups. down may well be a tacit of six missiles each. signal that the Russians are prepared to negotiate scrious 10 bases, each with several ly, perhaps following the 24th groups of 10 missiles each.

Communist Party Congress which begins March 30.

Defense officials say privateand publicly about Safeguard.

Freidheim also pointed out As recently as Oct. 9, Laird that the lull in Soviet activity credited the Russians with could simply mark the normal, "more than 300 SS-9s" de-

case, yesterday marked the first time that the Pentagon, under Laird, has publicly acknowledged a slow-The admission reportedly was the Soviet slowdown.

Freidheim said the Soviets now have 250 SS-9s operabeen shipped into bases that If the Soviets do stop at be- formerly contained medium-

The latest U.S. intelligence the figure is close to the 250 estimate is also said to have missile SS-9 limitation that about SS-9 performance.

Some weapons experts con-

Current accuracy of the mis-

The SS-11s are deployed at

### 55-9 COMMENTS

LETTIZETT -

10 IN 11-30

Secretary Laird has authorized me to state that there are some preliminary indications that the Soviet Union <u>may have recently started</u> <u>slowing somewhat the level of activity associated with SS-9 missile</u> construction. As a consequence, we now believe that the Soviet Union <u>could have somewhat fewer than 300 SS-9 soperational or under construct</u> There are more than 250 SS-9's operational.

I want to point out that there have been previous years of low activity in the SS-9 construction program, followed by years of increase activity. The cannot yet tell exactly where the Soviet's SS-9 force level will come out after this year.

There has been some thought among some of our strategic weaps analysts that both the SS-9's and SS-11's are approaching what might be called levelling-off phases.

Also, it is most important to note that we have seen the Soviets conduct during the past year an accelerated test program of multiple re entry vehicles for both these strategic missiles. We cannot tell yet who the current construction slow-down means that they intend to retrofit existing SS-9 and SS-11 missiles with multiple warheads. The Soviet U in addition to the SS-9, has more than 900 SS-11's operational or under construction.

By the time of Secretary Laird's Defense report early next year it may be possible for us to make a better judgment about the significan No Objection to Declassification in Part 2012/12/28 : LOC-HAK-553-7-24-4 on and multipla\_\_\_\_

of this year's Soviet ICEM effort, including construction and multiple re-entry vehicle progress.

### THE WHITE HOUSE

WASHINGTON

### CONFIDENTIAL

MEMORANDUM FOR:

The Secretary of State The Secretary of Defense The Attorney General The Director, U. S. Arms Control and Disarmament Agency The Chairman, Joint Chiefs of Staff The Director of Central Intelligence The Administrator, National Aeronautics and Space Administration The Chairman, Atomic Energy Commission

SUBJECT

Disclosures of Classified Information

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that every effort be made to prevent the appearance of such information in the public domain.

Executive Order 10501, of December 15, 1953, as amended, establishes regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances. It is evident, however, that some authorized recipients of such information have been careless in their handling of it or have exercised bad judgment in drawing on it for use in the public domain.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should assure that only those individuals with a demonstrated "need-to-know" receive classified information and that all recipients are constantly aware of the necessity to protect it from public disclosure. They should provide for an adequate security review of all statements and documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary action against individuals under their jurisdiction found responsible for careless or deliberate mishandling of classified information.

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The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

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# SECRET EVES ONLY SENT SUIZ P.M.

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FROM THE PRESIDENT SECRETARY OF STATE TO SECRETARY OF DEFENSE THE DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY CITE CSWH90020

S E C R E T/EYES ONLY/NODIS

I HAVE BEEN DISTURBED IN RECENT DAYS BY THE LACK OF TEAMWORK IN THE CONDUCT OF NATIONAL SECURITY AFFAIRS. CONSEQUENTLY, I AM REAFFIRMING MY POLICIES WITH RESPECT TO THIS MATTER.

1. PUBLIC STATEMENTS AND PRESS RELEASES: PRIOR TO RELEASE, ALL PUBLIC COMMUNICATIONS ON MATTERS OF KNOWN OR POTENTIAL PRESIDENTIAL INTEREST MUST BE CAREFULLY CLEARED BY THE WHITE HOUSE (ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY) FOR CONSISTENCY WITH PRESIDENTIAL POLICY AND FOR COORDINATION WITH THE DEPARTMENTS AND AGENCIES WHO SHARE OVERLAPPING INTERESTS AND RESPONSIBILITIES. SHOULD THERE BE ANY UNCERTAINTY AS TO PRESIDENTIAL OR INTER-DEPARTMENTAL INTEREST, IT WILL BE RESOLVED IN FAVOR OF CLEARANCE.

2. OFFICIAL COMMUNICATIONS: ALL OFFICIAL COMMUNICATIONS WITH POLICY IMPLICATIONS MUST BE CLEARED BY THE WHITE HOUSE. WHEN IN DOUBT, THE RULE IS THAT MESSAGES WILL BE SO CLEARED. THIS PROCEDURE REQUIRES CLOSE AND CONFIDENTIAL STAFF RELATIONSHIPS AT ALL LEVELS BETWEEN THE WHITE HOUSE AND YOUR DEPARTMENT AS WELL AS AMONG DEPARTMENTS.

/S/ RICHARD NIXON

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### TOP SECRET/SENSITIVE

December 17, 1970

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Here is revised memorandum to the President recommending he approve and sign the memorandum to the Department and Agency Heads bucking them up on security of classified information.

I have classified the memorandum proposed for the President's signature "confidential" on the grounds that this would prevent its immediate dissemination to the entire press corps nationwide. (Admiral Anderson, in forwarding the proposed memorandum to you, had not classified it). I think we must expect that it will get to the press and then there may be press common that the President obviously has lost control, is angry about the reports of intelligence agents shadowing political figures, is respectituting the hardline against the press and running afoul of the Moss Committee.

These charges are inevitable if the President is to express himself on this question at all other than in private communication to each of the Heads of Departments and Agencies. The President, however, would certainly be on defensible ground. He would be merely reaffirming his own concern for our national security and exhorting his Department and Agency Heads to remind all concerned of their responsibilities to protect that security.

Before forwarding the paper to the President, I recommend that you discuss this with Bob Haldeman. He, too, has been interested in the control of loaks problem. John Dean recently has asked the Attorney General to look into ways of centrolling leaks.

Should you prefer that the communication be forwarded as a personal letter from the President to each of the addressnes, I have drafted one drawing directly from the memorandum proposed by Admiral Anderson.

Dick Kennedy

### Attachment

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### CONTIDENTIAL

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### CONFIDENTIAL

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