

NSC Says Security Would Be Impaired By Release of Data

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The National Security Council's work is so sensitive that even the release of the titles of documents it prepares would impair national security, according to an affidavit the council filed in U.S. District Court here.

In the affidavit, the NSC argues that the slightest breach of classified documents could lead to exploitation by "unfriendly outside powers" of differences in opinion among the nation's foreign policy leaders. On the other hand, it admits that the classified materials it is seeking to keep secret would show that the United States is sometimes two-faced in its dealings with other nations on foreign policy matters.

For example, releasing the titles of documents would show "that certain issues and options relating to our relations with another government were privately being considered, while at the same time negotiations were under way with the government along a different course . . ." according to the affidavit filed by NSC staffer Jeanne Davis.

The 13-page affidavit was submitted to the court July 25 to explain why the NSC feels it should not be forced to release documents sought by former NSC staffer Morton Halperin in a freedom of information suit. Ironically, Halperin prepared some of the documents the government is seeking to keep from him.

Only the general subject matter of scores of national security memoranda written in the past six years is identified in the court document. Memos are listed under such headings as "identifying a classified activity in another country, our knowledge of which was acquired by sensitive methods," "mentioning future U.S. policy toward a country after the departure of the current leader of that country" and "identifying various nuclear policies or activities."

To give further description would harm the national security because the documents reveal "at any given moment in the history of the foreign relations of the United States from 1969 until the present time, the entire flow of foreign-policy thinking, areas of interest, concern and attention at the very highest level of

government of the United States," the affidavit says.

The differences of opinion reflected in the documents could be used by a "potential adversary" to save money on intelligence by focusing intelligence-gathering efforts on the alleged split in the foreign-policy ranks, and could be seen as "potential weaknesses in the President's ability to act decisively in certain areas," the affidavit continued.

Possible foreign-policy changes by the United States toward another country being considered by the NSC might "diminish that country's willingness to cooperate with us in such matters as bases, trade relationships or other areas of international concern," according to the affidavit.

The document also said domestic lobbying groups could attempt to influence the outcome of a national security study if it was known publicly that a change in foreign policy was being considered in the high levels of government.

Halperin is seeking access to the numbers and titles of all national security study memoranda and national security decision memoranda since 1969 for use in analyzing foreign policy trends.

All of that material except for one document is classified in categories from confidential to top secret, "with special sensitivity indicators in some cases," the affidavit said.

The one document that has been "declassified and released" allows the NSC to declassify and release documents, the NSC said. The procedures outlined in that document have not been put to further use.