

The National Security Archive

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13 December 1999

Interagency Security Classification Appeals Panel
c/o Information Security Oversight Office
National Archives, Room 100
Washington, D.C. 20408

Re: Eisenhower Library Mandatory Review case NLE 89-321, document 1, 3, and 5

Dear panel members:

This is my final appeal for a mandatory review case concerning several documents held in collections at the Dwight D. Eisenhower Library. Through a letter dated 29 November 1999 the National Archives informed me of the National Security Council's decision to release three documents with significant excisions. I request further declassification review of the withheld material to determine whether additional information can be released. For your convenience, I enclose a copy of the Archive's decision letter.

The withheld information in these documents concerns President Dwight D. Eisenhower's decisions to predelegate to senior commanders decisionmaking authority on nuclear weapons use in a national crisis. As sensitive as this issue once was, presidential instructions from the late 1950s on nuclear weapons use must have been either superseded or abrogated by now. So much declassified material is available on president Eisenhower's decisions on this subject, some of it declassified through previous ISCAP decisions, that it should be possible for the panel to declassify these documents in their entirety.

Critically relevant to ISCAP's review of this material is the prior declassification by the panel itself of the following significant documents on the predelegation issue:

- 1) "Authorization for the Expenditure of Nuclear Weapons," signed by president Eisenhower on 16 May 1957 (enclosure 1). These are Eisenhower's original guidelines on predelegation. If all of the information in this basic document can be declassified, then follow-up instructions such as document 1 in this case should be ripe for declassification.

2) "Memorandum of conference with the President, December 19 1958," 31 December 1958 (enclosure 2). If this candid discussion of predelegation issues can be declassified, then much more, and perhaps all, information in a related item--document 5--from only a few months earlier should be releasable.

3) Joint Chiefs Memorandum for Commander-in-Chief, Atlantic, "Instructions for Expenditure of Nuclear Weapons in Emergency Conditions," n.d. (enclosure 2a). ISCAP's previous declassification of these detailed instructions suggest that any action on the documents in this appeal should be a routine, noncontroversial one.

3) Memo for the president from McGeorge Bundy, "Re: summary of the existing plans for emergency use of nuclear weapons," 23 September 1964 (enclosure 3). This summary undoubtedly contains the key points covered in document 1 in this appeal. Again, if this item could be declassified, then all of the documents in this case should be released immediately.

With so much material in the public domain on Eisenhower's decisions on advanced authorization for the use of nuclear weapons it should be possible to declassify these documents without harm to national defense or foreign relations. An affirmative decision to release more material from these documents would contribute to better understanding of the Cold War and the nuclear era. Military historians and social scientists would be able to reach a better understanding of crucial developments in American nuclear weapons policy during the 1950s and 1960s. And better understanding of the past can only benefit U.S. policymakers in this new era in U.S. foreign and military policy.

I look forward to an early decision on this appeal.

Very truly yours,



William Burr