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MEMORANDUM

NATIONAL SECURITY COUNCIL

SECRET/SENSITIVE

July 17, 1970

MEMORANDUM FOR DR. KISSINGER

FROM: Michael A. Guhin *mg*

THRU: Robert M. Behr *RM*

SUBJECT: Further Explanation of Proposed Review re Necessity of
Classified Biological Research Program

On July 13, you requested (Original Cover Memorandum, Tab E) further explanation regarding our proposal to review the question whether the US requires classified biological research programs under the President's policy and, if so, where such programs should best be located within the bureaucracy (for example, DOD or HEW).

We believe the issue should be reviewed for the following reasons:

- On February 14, you stated that "there will be no need for secret research in this field under this program". This was also implied in other parts of your backgrounder.
- There have recently been numerous requests from the Hill for copies of your CBW and toxins backgrounders.
- On July 16, Senator McIntyre (D-New Hampshire) released a press statement and his letter (Tab D) to the President requesting a fuller explanation of Administration policy on biological warfare. (We have not ~~yet~~ officially received the letter.) A member of the Armed Services Committee, he states that Senate debate on the military procurement authorization bill, which includes funds for the defensive biological program, will begin shortly. The crux of the matter, to him, is the type of defensive research and whether there is any need to continue research on possible new agents. He quotes your statement above from a White House source and requests a clarification of this and other points.

For the reasons above, we can suspect that the issue may well be raised to cast doubt on the credibility of the President's policy. We remain convinced that the issue should be addressed before we are confronted with a public affairs problem.

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For our part, we need to know what Defense's programs are and, if classified programs are included, whether their classification is justifiable. We do not know yet where Defense or Secretary Laird comes out on this issue. If classified research is necessary, there is the subsidiary question of where to do it— e. g., DOD, HEW or CIA?

National Security Decision Memoranda 35 and 44 (Tab C) direct that the Under Secretaries Committee shall conduct an annual review of US chemical warfare, toxins and biological research programs and public information policy and make recommendations to the President. Presumably this review would include the question of classified programs. We should ensure that it does.

Attached at Tab A is a memorandum for the Chairman of the NSC Under Secretaries Committee which requests that the USC annual review include identification and evaluation of classified programs in biological or toxins research. The memorandum also states that the annual review and recommendations should be forwarded to the President by mid-November of each year. This would fall in line with the annual Defense programs and Budget review process, and give ample time for public information policy related to the chemical warfare and biological research programs.

RECOMMENDATION

That you sign the memorandum to the Chairman of the Under Secretaries Committee at Tab A.

Attachments:

- Tab A - Memorandum for the Chairman, Under Secretaries Committee
- Tab B - Defense Press Release (June 19, 1970)
- Tab C - NSDM 35 and NSDM 44
- Tab D - Senator McIntyre's Statement and Letter
- Tab E - Original Covering Memorandum

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