

Date: Fri, 28 May 2004 09:24:38 -0400
From: Je n Hernandez <jahern@us.ibm.com>
To: msm@wjh.harvard.edu
Cc: pauldoty@fas.harvard.edu
Subject: Origins of US Executive Orders banning BW and toxins.

Richard L. Garwin
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May 26, 2004

(Via Email to msm at wjh.harvard.edu)

Dr. Matthew S. Meselson
Fairchild Biochemistry Building
Harvard University
7 Divinity Avenue
Cambridge, MA 02138

Dear Matt,

It was good to talk with you at the dinner Saturday night at John's Energy and Security Symposium.

I am glad you are looking into the origin of the U.S. Executive Orders banning biological weapons and toxins, and I hope that you will follow up by talking with Paul Doty about this.

As I mentioned, I served on the PSAC Panel created to advise President Nixon in advance of this Executive Order. We were furnished with two "minders," who, as I recall, were Barry Carter and Walt Slocombe. They were a lot younger then.

In any case, here is the response I received from Henry in 1972, when I suggested that President Nixon use his achievement in the reelection campaign. I provide also the letter I sent him.

Since Paul chaired this Panel, I am sure he could tell you a lot more about it.

Very best regards.

Sincerely yours,

/R.L. Garwin/

Richard L. Garwin
Forwarded in his absence

Encl:

01/29/72 LTR H.A. Kissinger to RLG. (012972.HAK)
01/11/72 LTR RLG to H.A. Kissinger. (011172.HAK)

cc:

P. Doty, Harvard. (Via Email to pauldoty at fas.harvard.edu)

RLG:jah:4147MSM:052604.MSM

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[Part 2, Application/OCTET-STREAM (Name:]

Richard L. Garwin

Post Office Box 218, Yorktown Heights, New York 10598

(914) 945-2555

January 11, 1972

Dr. Henry Fissinger
The White House
Washington, D. C. 20500

Dear Henry:

Among the President's accomplishments which cannot possibly be placed on the scale between disappointment and disaster are his 1969 actions in unilaterally renouncing for the United States not only the use but also the development and manufacture of biological warfare agents and toxins. This is a good solid achievement, and one which I hope will be used in any credible accounting of the accomplishments of the administration.

I have just sent Senator Fulbright a letter and a paper which could provide a basis for compromise between the positions "no gas" and a general interpretation of the Geneva Protocol as banning riot control agents. I don't have much hope for its success.

I have read with interest the documents recently released by Jack Anderson. I see no reason why the person transmitting this information to him cannot be detected, prosecuted, convicted, and punished. For the future, an overt marking scheme for Secret documents should be considered, whereby a large transparent numeral might be overlaid on the text, as I have illustrated on this page. A covert marking scheme might also be employed which could use subtle distortions of the letterhead or other means. In this way, one would at least know which authorized copy was the source of a bootlegged copy later made available for analysis.

Dr. Henry Kissinger
January 11, 1972
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A few months before the Ellsberg affair, Hal Lewis and I discussed with Bob Froehke and his minions the need for a complete revision of the means of creating, protecting, and transmitting classified information. We were not touching on the policy questions but simply on technological and operational possibilities for doing a better job in support of a policy. It might be desirable for you to task DOD and CIA independently to propose such revisions of our techniques and procedures which might make a major reduction in the probability of loss or compromise of classified information. At some later time, a choice could be made among the proposals, and a combined implementation program begun. It seems that this could all be done through the National Security Memorandum mechanism.

I keep looking for a rabbit to be pulled out of the SALT hat, and certainly hope that when the time comes we will see more than just the evidence that a rabbit was once there.

Best regards.

Sincerely yours,

Dick Garwin

enclosures

THE WHITE HOUSE**WASHINGTON****R L GARWIN
IBM WATSON LABORATORY****January 29, 1972**

JAN 30 9 AM 10:50

Dear Dick:

Your compliment on the President's action in banning the development and manufacture of biological warfare agents is most welcome. We have pointed to that accomplishment in the President's annual report to the Congress on foreign policy and I am sure it will be noted prominently in the course of the year.

I have sent your suggestion on a marking scheme for classified documents to an interagency committee which is looking into ways to foreclose the kind of leaks you mentioned. I am sure they will find it helpful.

Warm regards,
Henry A. Kissinger

**Mr. Richard L. Garwin
Post Office Box 218
Yorktown Heights, New York 10598**