



United States Department of State

Washington, D.C. 20520

Case No.: 201107124

Mr. Grant F. Smith  
Director of Research, IRmep  
Calvert Station  
P.O. Box 32041  
Washington, DC 20007

Dear Mr. Smith:

I refer to your request dated January 19, 2011 to the Federal Bureau of Investigation (FBI), for the release of certain material under the Freedom of Information Act (Title 5 USC Section 552). The FBI forwarded some of the retrieved documents to the Department of Justice (DOJ), which in turn forwarded 12 documents to the Department of State for review.

Eleven of the documents forwarded by the DOJ may be released in full and are enclosed.

The remaining document has been forwarded to the Department of Defense, which will respond directly to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Galovich".

Alex Galovich  
Co-Director, Acting  
Office of Information Programs and Services

Enclosures:  
As stated.

ALL FBI INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 06-10-2011 BY UC 60322 LP/PJ/SZ

X 23683  
would like advise on  
how Dubs should answer  
this

4/16/76  
*The American Palestine Committee*

P.O. BOX 137 • SOUTHURY, CONNECTICUT 06488 • (203) 264-4440

March 30, 1976

Norman F. Dacey  
Chairman

Mr. Adolph Dubs,  
Deputy Assistant Secretary for Near  
Eastern and South Asian Affairs  
The Department of State  
Washington, D.C. 20520

Dear Mr. Dubs:

We have been referred to you by the Director, Freedom of Information Staff, Bureau of Public Affairs, Department of State.

On August 7, 1975, The New York Times reported that the contents of a classified document which the White House had submitted to the Senate Foreign Relations Committee and the House Foreign Affairs Committee on the subject of the proposed U. S. sale of a Hawk missile defense system to the Kingdom of Jordan, had been improperly transmitted to a registered agent of the State of Israel by Senator Clifford Case (N. J.) and Representative Jonathan Bingham (N. Y.) and/or their aides. The foreign agent involved was Morris Amitay, Director of the American-Israel Public Affairs Committee, the registered lobby of the State of Israel. *CLB*

This Committee joined with two other organizations, American Jewish Alternatives to Zionism, Inc. (headed by Rabbi Elmer Berger) and Middle East Perspective (headed by Dr. Alfred Lilienthal), in calling upon Attorney General Edward Levi to conduct an investigation into the alleged illegal disclosure and to bring appropriate charges against those responsible. The Attorney General replied that he could act in such a matter only upon receipt of a complaint from the agency or department which classified the document. We have spent all of the months since seeking to discover who classified it, and the Bureau of Public Affairs has now informed us that you are "the officer responsible for the classification of that Confidential document."

That the document was classified at the time, and it is still classified today, is attested by replies to our requests to be provided with a copy.

Will you kindly advise us:

- (a) As the officer responsible for maintaining the security of the classified document in question, on what date did you initiate action to discover the identity of the individual(s) responsible for the violation and to institute appropriate action to punish the violator?

DEDICATED TO THE RETURN OF THE PALESTINIAN PEOPLE TO THEIR HOMELAND

Department of State, A/GIS/IPS/SRP

Mr. Adolph Dubs

-2-

March 30, 1976

(b) If you did not initiate any such action, please state why you did not.

The unauthorized disclosure of classified government documents relating to our country's foreign affairs is a treasonable act. Section 2383 of Title 18 (the U.S. Criminal Code) provides that "whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States... is guilty of misprision of treason and shall be fined not more than \$1,000 or imprisoned not more than seven years, or both."

Section 2384 of the same Criminal Code provides that "if two or more persons in any state or territory subject to the jurisdiction of the United States conspire to... prevent, hinder or delay the execution of any law of the United States... they shall each be fined not more than \$20,000 or imprisoned not more than twenty years, or both."

The unauthorized disclosure of classified government documents has always been regarded as a serious violation of the law. In the case of Daniel Ellsberg, federal prosecution failed only because the government had used illegal means to gather evidence against him. More recently, the House of Representatives has voted to initiate action to punish radio newsman Daniel Schorr for what it regarded as his unauthorized disclosure of a classified government document. Neither of these instances involved the current foreign relations of the United States, or disclosure of confidential material to the agent of a foreign power. The matter which here concerns us involves the supply of arms and defense materials to a friendly power, and the disclosure of confidential information regarding such arms and defense aid to the agent of a government which has been at war with that friendly power for many years and a substantial area of whose territory has been under military occupation by that enemy for nine years. This is a far more serious breach of security than were the Ellsberg and Schorr matters which chiefly involved disclosure of historical facts not directly concerned with our country's present defense posture.

As the Code indicates, not only was the disclosure itself a breach of the law but any deliberate delay in prosecuting those responsible for the disclosure is equally a criminal act punishable by heavy fines and long imprisonment.

In the circumstances, we ask that you consider thoughtfully the violation we have cited and the applicable sections of the Criminal Code, and that you then advise us fully what action you have taken or now plan to take with a view to dealing with this violation of security.

Very truly yours,



Norman F. Dacey  
Chairman

dko  
encls.

2

# The Israel Lobby Is Small and Agile

JZ

**DAVID BINDER**  
 WASHINGTON, Aug. 7  
 A week, representatives  
 of 14 national organizations  
 claim to represent four  
 million American Jews meet  
 in a modestly furnished office  
 in downtown Washington to  
 discuss Israel and what they  
 think should be done to help  
 her.

They constitute the so-called  
 Israel lobby—by many ac-  
 counts the most powerful, best-  
 run and effective foreign-policy  
 interest group in Washington.  
 Many fear it. Some resent it.  
 But all in the Administration  
 and Congress who deal with the  
 Israel lobby seem to respect  
 its might and admire its agile  
 leadership.

"I am envious of them," said  
 Senator James G. Abourezk,  
 Democrat of South Dakota,  
 who is of Arab origin.

Its spearhead is the 21-year-  
 old American Israel Public Af-  
 fairs Committee, which is reg-  
 istered as a domestic lobby with  
 both the House and the Senate.

The director is Morris Ami-  
 tay, a New Yorker with a  
 wealth of experience as a State  
 Department officer and a legis-  
 lative assistant on Capitol Hill.

He seems to be a born per-  
 suader—low-keyed but persist-  
 ent, alternating good humor  
 with earnestness. He counts  
 Israel's Premier Yitzhak Rabin  
 as a friend and Secretary of  
 State Kissinger as an old ac-  
 quaintance.

**"On Behalf of Issues"**

"We lobby on behalf of issues  
 of interest to Israel," he said.  
 Mr. Amitay works largely  
 with a battery of telephones.  
 A secretary's phone has in-  
 structions written on it to "put  
 calls through immediately" to  
 him from an Under Secretary  
 of State, Ambassador Simcha  
 Dinitz and "any Senator."

Recently the pace of Mr.  
 Amitay's work has picked up.  
 He instituted the weekly meet-  
 ing of Jewish organization repre-  
 sentatives two months ago. The  
 day is kept confidential for  
 security reasons, he explained.  
 Mr. Amitay is also planning  
 to expand his operation beyond  
 its present staff of 12 and  
 to increase its budget beyond  
 its \$350,000 a year. Why?

"The reason is American Jews  
 are scared," he began. "Scared  
 is not the word," he corrected  
 himself. "But concerned, con-  
 cerned after the Yom Kippur  
 war that the United States  
 efforts to improve relations  
 with Arab states not be at  
 the expense of the security  
 of Israel."

An example of how the  
 American Israel lobby works  
 was provided last month when  
 it became known that the Ford  
 Administration was asking  
 Congress to approve the sale  
 to Jordan of 14 improved Hawk  
 missile systems worth \$256-  
 million.

The same day a confidential  
 notification from the Adminis-  
 tration reached the Senate  
 Foreign Relations Committee  
 and the House Foreign Affairs  
 Committee concerning the pro-  
 position Mr. Amitay was in-

formed of it. Though secretly  
 by aides of Senator Clifford  
 P. Case, Republican of New  
 Jersey, and Representative  
 Jonathan B. Bingham, Democrat  
 of New York.

Under the law Congress had  
 20 days to approve or dis-  
 prove of the request. Mr. Ami-  
 tay said the two members of  
 Congress asked for his "reac-  
 tion" to the Administration let-  
 ter.

Working through the next  
 weekend, Mr. Amitay and his  
 staff were ready on Tuesday,  
 July 15, with a two-page mem-  
 orandum succinctly describing  
 the scope and nature of the  
 Hawk sale, concluding that it  
 was a weapon capable of "pro-  
 viding cover for offensive oper-  
 ations" against Israel.

The memorandum was mailed  
 to all members of both Houses  
 of Congress and was also dis-  
 tributed with covering messages  
 to Jewish communities in 197  
 major cities and 260 smaller  
 ones across the country.

The mobilization of 13 na-  
 tional Jewish organizations  
 was instantaneous. They are:  
 American Jewish Committee,  
 American Jewish Congress,  
 B'nai B'rith International,  
 B'nai B'rith Anti-Defamation  
 League, Jewish War Veterans,  
 National Jewish Welfare Board,  
 National Council of Jewish and  
 Women, Jewish Community  
 Council, Union of American He-  
 brew Congregations, Institute  
 for Jewish Policy Planning and  
 Research, National Conference  
 on Soviet Jewry, Zionist Or-  
 ganization of America and  
 B'nai B'rith Women.

According to Mr. Amitay, the  
 American Israel Public Affairs  
 Committee has a nationwide  
 membership of 12,000. The  
 budget is met entirely by indi-  
 vidual contributions, the high-  
 est of which is \$5,000, he said.  
 The relationship of the commit-  
 tee to the 13 other Jewish or-  
 ganizations is informal but  
 close. As for the committee's  
 relationship to Israel, Mr. Ami-  
 tay remarked that he travels  
 to Israel at least twice a year  
 and he confers frequently with  
 Israeli diplomats.

Many Calls to Congress  
 Within 24 hours of the distri-  
 bution, Congressmen were be-  
 ing deluged with phone calls,  
 telegrams and mailgrams from  
 Jewish constituents, urging  
 them to oppose the Hawk sale  
 to Jordan.

Edward J. Derwinski, Repub-  
 lican of Illinois, recalled having  
 received two such telephone  
 calls and having argued his  
 opinion that the "military se-  
 curity of Jordan could be en-  
 dangered not a liability to Israel."  
 "I was absolutely firm," he  
 said. "I was backed off" he  
 complained of an "overpres-  
 sure" of the Israel lobby, and  
 found the leader of the Pales-  
 tinian Liberation Organization,  
 Yasir Arafat, relatively "moder-  
 ate" compared with other  
 Palestinian leaders.

Since then he has received  
 about 20,000 pieces of mail—  
 some with a quizzical look-  
 ing about 50 letters a week—  
 from Americans antagonistic to

his views. Mr. Amitay "tirred"  
 much of this practically cry-  
 ing case-filing Senator  
 Percy, though he was now that  
 "Percy is not a Jew."  
 "Hate Mail" mentioned  
 Senator Abourezk, who sup-  
 ported the Arab cause after  
 the 1973 war in the Middle  
 East, said that he had received  
 a lot of vicious mail  
 afterward.

The Senator added that at  
 a New Year's Eve Party given  
 by a South Dakota "dossiers"  
 on me were distributed to every-  
 one and they were prepared  
 by the Israel lobby.

Another Democratic Senator  
 said he would test a suit  
 against the Israel lobby, but only on back-  
 ground, "because you can de-  
 liver votes and they control  
 a lot of campaign contributions  
 —that's why I can't go on  
 the record, or I'd be dead."

"It is the strongest lobby,"  
 he went on, adding: "It doesn't  
 dilute its strength by lobby-  
 ing on other issues. A lot of mem-  
 bers resent it, but they don't  
 feel they can do anything about  
 it. That lobby wants to con-  
 trol Congress's thinking on Israel.  
 They don't want any indepen-  
 dent judgments."

Last spring the Israel lobby  
 rounded up those 76 Senators  
 to sign the petition backing  
 Israel, another member of  
 Congress recalled, adding: "A  
 lot of guys said they were  
 afraid not to sign it, even  
 though they didn't want to.  
 Some of them told me it was  
 the last time they would sign  
 such a petition. But if another  
 one comes I'll bet they'll  
 just as scared of the lobby  
 and sign up again. But don't  
 quote me by name."

While the lobby concentrates  
 mainly on aid to Israel and  
 defense questions, it occasion-  
 ally gets involved in what Mr.  
 Amitay calls "peripheral is-  
 sues." One of these was when  
 the United States Navy  
 should acquire a base at Diego  
 Garcia in the Indian Ocean.  
 "If we're asked we say 'yes,'"  
 he said, adding that an uncon-  
 sidered Soviet naval presence  
 in the Indian Ocean might  
 prove strategically detrimental  
 to Israel.

quick application of lobbying  
 power. "I put a premium on  
 working quickly, on quick re-  
 sponse," he said. "That's why  
 I like being fairly small and  
 unbureaucratic."

Among those politicians who  
 disagree with the Israel lobby  
 and have felt its sting are Sena-  
 tor Charles H. Percy, the Illi-  
 nois Republican, and Senator  
 Abourezk.

Last January Senator Percy  
 returned from a Middle East  
 tour and declared that Israel  
 would eventually have to return  
 some of the territory she  
 seized from the Arabs in the  
 1967 war. He added that he  
 found the leader of the Pales-  
 tinian Liberation Organization,  
 Yasir Arafat, relatively "moder-  
 ate" compared with other  
 Palestinian leaders.

Since then he has received  
 about 20,000 pieces of mail—  
 some with a quizzical look-  
 ing about 50 letters a week—  
 from Americans antagonistic to

Deleted  
by [unclear]

Department of State, A/GIS/IPS/SRP  
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 With concurrence of: \_\_\_\_\_  
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 IPS by HARE Date 10/7/2011



DEPARTMENT OF STATE

Washington, D.C. 20520

J3

March 18, 1976

*Noted by Dacey*  
Mr. Norman F. Dacey  
Chairman  
The American Palestine Committee  
P.O. Box 137  
Southbury, Connecticut 06488

Dear Mr. Dacey:

I refer to your letter of February 26, 1976 requesting information about the classification of the document advising Congress on the sale of Hawk missiles to Jordan.

After looking into this question and discussing it with the Department of Defense, I found that although the document was technically classified Confidential by the Comptroller of the Defense Security Assistance Agency, there is an agreement between the Department of Defense and the Department of State regarding Congressional notices of this type, whereby the Department of State assumes responsibility for the classification of information which by its unauthorized disclosure could reasonably be expected to cause damage to U.S. foreign relations. Thus, the officer responsible for the classification of that Confidential document was the Deputy Assistant Secretary for Near Eastern and South Asian Affairs.

Sincerely,

*Barbara Ennis*

Barbara Ennis,  
Director  
Freedom of Information Staff  
Bureau of Public Affairs

Department of State, A/GIS/IPS/SRP

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With concurrence of: \_\_\_\_\_

IPS by HARE obtained \_\_\_\_\_ Date 10/17/2011

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DEPARTMENT OF STATE

Washington, D.C. 20520

April 29, 1976

J4

Mr. Robert L. Keuch  
Deputy Assistant Attorney General  
Criminal Division, Rm. 2113  
10th & Constitution Avenue, N.W.  
Washington, D.C. 20530

Dear Bob:

As we agreed, I am enclosing a copy of the American Palestine Committee letter to Spike Dubs, along with an earlier State letter to the Committee on the Hawk Missile document classification.

The document is technically a Defense Department document classified by Defense. However, State issues very detailed classification guidelines regarding military sales and assistance programs for the Middle East, which the Department of Defense follows. A notice of a sale is normally not considered by the Department of Defense to require classification and protection as information related to United States national defense. Rather, as in this case, classifications are attached at the suggestion of the State Department pursuant to foreign relations considerations. The usual foreign relations reason, as in this case, is the request of a foreign government for confidentiality.

I would appreciate any comments you could offer on the issues presented by the letter in light of this background.

Sincerely yours,

David H. Small  
Assistant Legal Adviser for  
Near Eastern and South Asian  
Affairs

Enclosures:  
a/s

7

K.C.

Department of State, A/GIS/IPS/SRP  
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IPS by HARE Date 10/17/2011

Mr. Martin

JS

RECEIVED

June 25, 1976

JUN 6 1976

Mr. Norman Dacey  
The American Palestine Committee  
P.O. Box 137  
Southbury, Connecticut 06489

Dear Mr. Dacey:

Your latest letter dated June 22 has been received. The Department has attempted to be responsive to your letters and the concerns expressed in them.

As you were informed in Mr. Dubs' letter of May 19, 1976, the Department of State has discussed the disclosure incident with the Justice Department. Mr. Dubs does not possess any special information regarding the alleged disclosure incident. While the State Department did not originate or classify the document, it has made the judgment that the document was properly classified for foreign relations reasons. We are not aware that any Department of State official has failed to meet his obligations under applicable law and regulation regarding this document.

Sincerely yours,

S/

David E. Small  
Assistant Legal Adviser  
for Near Eastern and  
South Asian Affairs

146-1-14-0

8 NLE

Department of State, A/GIS/IPS/SRP  
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28  
May 19, 1976

Mr. Norman Dacey  
The American Palestine  
Committee  
P. O. Box 137  
Southbury, CT 06488

Dear Mr. Dacey:

Thank you for your letters of March 30 and May 7 concerning the allegations of unauthorized disclosure of classified material relating to the sale of a Hawk missile system to Jordan.

The Department of State shares your concern for the proper handling of classified material, including materials which contain information considered sensitive by a foreign government. However, the legal situation regarding breaches of confidentiality is somewhat more complex than your letter implies. Further, it has been the understanding of the Department of State that determinations as to whether or not the U. S. criminal code has been violated particularly by persons outside the Department, or as to the action to be taken with regard to allegations of such violation do not depend upon any formal action by the Department or particular officials of the Department.

We consulted with the Justice Department informally after receipt of your first letter and, at their request, transmitted it to them for further consideration. The matter is still under review in the Justice Department, which expects to provide you with a direct response in the near future.

Sincerely yours,

/s/ Adolph Dubs

Adolph Dubs  
Deputy Assistant Secretary for  
Near Eastern and South Asian  
Affairs

cc: Department of Justice - Mr. Robert Keuch ✓

Clearance: NEA/P - Mr. Barry      Drafted by: L/NEA:DSmall;llb  
x 29501 5/18/76

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Department of State, A/GIS/IPS/SRP  
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IPS by HARE Date 10/17/2011



DEPARTMENT OF STATE

Washington, D.C. 20520

J9

June 25, 1976

Mr. John L. Martin  
Department of Justice  
Criminal Division, Rm. 200  
Washington, D.C. 20530

Dear John:

Per our telephone conversation yesterday, I am forwarding copies of our recent correspondence with Mr. Dacey.

As I mentioned before, neither Mr. Dubs nor I know anything more about this alleged unauthorized disclosure than what we all have read in the papers. The document in question has not recently been reviewed for declassification but could be reviewed should this appear desirable for any reason. I might explain that Mr. Dubs was brought into this in March merely as a result of his responsibilities for Freedom of Information matters within the NEA bureau.

A copy of the correspondence is being sent to Defense, as the originating and classifying agency for the document in question. Should Defense or Justice believe an investigation might be warranted, we are prepared to cooperate fully.

Sincerely yours,

David H. Small  
Assistant Legal Adviser  
for Near Eastern and  
South Asian Affairs

Department of State, A/GIS/IPS/SRP  
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IPS by HARE Date 10/17/2011

American Palestine Committee

Box 137 · SOUTHURY, CONNECTICUT 06488 · (203) 264-4440

J10

June 22, 1976

REGISTERED MAIL - RETURN RECEIPT REQUESTED

Mr. Adolph Dubs  
Deputy Assistant Secretary of State  
For Near Eastern & South Asian Affairs  
The Department of State  
Washington, D.C. 20520

Dear Mr. Dubs:

This will refer to our previous correspondence regarding the unauthorized disclosure by two members of the Congress to a registered lobbyist of the State of Israel of the contents of a document officially classified by you as secret.

We have endeavored unsuccessfully to learn from you what official steps you have taken to cause an investigation to be made of the circumstances of the leak, having in mind the obligation imposed upon you by Sections 2383 and 2384 of the U.S. Criminal Code. It is now four weeks since our last request (May 25) in which we invited a prompt response.

While we are certain that you have not intended to give the appearance of exhibiting disdain for public inquiries courteously submitted, the lack of any satisfactory response leaves us with no alternative to that conclusion.

We do not wish to proceed publicly under Sections 2383 and 2384 but you appear to leave us no other course. To allow for a possibility of there having been a delay in communications, we will wait a further seven days before commencing action to fix responsibility.

Department of State, A/GIS/IPS/SRP

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IPS by HARE Date 6/17/2011

dko

- Very truly yours,

Norman F. Dacey  
Chairman

American Palestine Committee

137 - SOUTHURY, CONNECTICUT 06488 - (203) 264-4440

JLI

June 16, 1976

Mr. Adolph Dubs,  
Deputy Assistant Secretary for Near  
Eastern and South Asian Affairs  
The Department of State  
Washington, D. C. 20520

Dear Mr. Dubs:

It is now more than three weeks since we wrote you for the third time regarding the unauthorized disclosure to an agent of the State of Israel of the contents of a document classified "secret," relating to the Administration's plan to provide the Kingdom of Jordan with a Hawk missile defense system.

We have had no response.

There has been a flagrant violation of the U.S. Criminal Code, Mr. Dubs. The Department of State has confirmed that you bore the responsibility for reporting that violation promptly to the Department of Justice. We have asked that you advise us promptly of the steps you have taken in accordance with the law to fix responsibility for the violation and to punish the violators. You have failed to provide that information.

Failing receipt of the information within ten more days, we shall file formal charges.

Very truly yours,



Norman F. Dacey  
Chairman

Department of State, A/GIS/IPS/SRP  
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IPS by HARE Date 10/17/2011

dko

*American Palestine Committee*

*Rec'd  
6/1/76*

P.O. BOX 137 · SOUTHURY, CONNECTICUT 06488 · (203) 264-4440

*J12*

May 25, 1976

*F. Dacey  
Chairman*

Mr. Adolph Dubs,  
Deputy Assistant Secretary for Near  
Eastern and South Asian Affairs  
The Department of State  
Washington, D.C. 20520

Department of State, A/GIS/IPS/SRP

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With concurrence of:

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IPS by HARE Date 10/17/2011

Dear Mr. Dubs:

Receipt is acknowledged of your May 19th reply to our letters of March 30 and May 7 regarding unauthorized disclosures by Senate members of the contents of classified documents relating to the sale of a Hawk missile defense system to Jordan.

You advise that it is the understanding of the Department of State that "determinations as to whether or not the U.S. Criminal Code has been violated, particularly by persons outside the Department, or as to the action to be taken with regard to allegations of such violation, do not depend upon any formal action by the Department or particular officials of the Department."

Enclosed is a photocopy of a letter from the Assistant Attorney General, Criminal Division, which spells out that "the agency which originally classified it as affecting the national security of the United States is responsible for safeguarding such information from unauthorized public disclosure. In the event classified information is released without proper authorization, it is the responsibility of that agency to inform the Department of Justice in order that an appropriate investigation may be undertaken to determine whether there has been a violation of Federal law."

Next, we enclose a letter from Mr. George F. Sherman, Public Affairs Advisor of the Department of State confirming that the information which is the subject of our inquiry was, in fact, classified, and not available for release to us.

Finally, as we advised you earlier, the Bureau of Public Affairs has identified you specifically as "the officer responsible for the classification of that document."

*13*

It appears, Mr. Dubs, that as Harry Truman put it, "the buck stops here" at your desk. We assume that it is an essential part of your duties as Deputy Assistant Secretary to be aware of important stories which appear in the New York

May 25, 1976

Times concerning our country's relations with those Middle Eastern countries which are in your Department. It follows that you must have been aware of the story published by the Times on August 8, 1975 which stated that: "The same day a confidential notification from the administration reached the Senate Foreign Relations Committee and the House Foreign Affairs Committee, Mr. Amitay (the registered lobbyist of the State of Israel) was informed of it, though secret, by aides of Senator Clifford P. Case, Republican of New Jersey, and Representative Jonathan Bingham, Democrat of New York. . . Mr. Amitay said the two members of Congress asked for his 'reaction' to the administration letter."

From these records, it appears that you, in your official capacity, classified as secret a document sent by the administration to two committees of the Congress. Subsequently, you became aware that a criminal violation of the document classification had taken place.

We have asked you to state if and when you notified the Department of Justice of such violation; pursuant to your responsibility as spelled out by Mr. Thornburgh in his letter of October 10. In reply you have stated that you "consulted with the Justice Department informally" upon receipt of our letter of March 30, 1976. It would appear that you did not make a timely report of the violation. This must now make you uneasy for, as we observed in our letter of March 30th, "the unauthorized disclosure of classified government documents relating to our country's foreign affairs is a treasonable act. Section 2383 of Title 18 (the U.S. Criminal Code) provides that 'whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States. . . is guilty of misprision of treason and shall be fined not more than \$1,000 or imprisoned not more than seven years, or both.'"

Section 2384 of the same Criminal Code provides that "if two or more persons in any state or territory subject to the jurisdiction of the United States conspire to. . . prevent, hinder or delay the execution of any law of the United States. . . they shall each be fined not more than \$20,000 or imprisoned not more than twenty years, or both."

If you were to give tardy recognition to the seriousness of this matter within the next ten days, file a formal complaint with the Department of Justice we would be inclined to think of it as a delayed but none-the-less genuine effort to deal with a matter the seriousness of which may not have been fully apparent to you. Such a course would happily point public attention to those responsible for the violation and eliminate any thoughts that you had condoned what was obviously a treasonable act.

We shall hope to hear from you promptly in this matter.

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Very truly yours,