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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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August 17, 2010

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General James L. Jones, USMC
National Security Advisor
Executive Office of the President
The White House
Washington, DC 20500

Dear General Jones:

News reports indicate Pentagon officials are deeply concerned that plans by the organization WikiLeaks to publish 15,000 classified documents will cause even more harm to national security interests and the safety of U.S. military personnel than a previous release by WikiLeaks of 76,000 documents.¹ While necessary and appropriate attention appears to be focused on investigating the source of the leak to WikiLeaks, the efforts being made to stop WikiLeaks from publicly distributing classified information it received are much less clear. The recognition by Pentagon officials of an approaching danger, however, demands a pro-active strategy for considering efforts to stop the dissemination of information over the Internet that places American lives at risk through the release of documents that will aid our enemies in efforts to kill Americans.

While it is clearly the challenge at hand, information obtained by WikiLeaks is not the only foreseeable scenario under which the United States might be compelled to take proactive measures to protect sensitive information. Digital information related to satellites, weapons systems, critical infrastructure, civilian transportation, security protocols, and other areas could, if improperly released over the Internet, place military and civilian lives at great, if not imminent, danger.

In an effort to determine what steps the Administration is taking to prevent the damaging release of national security information obtained by WikiLeaks and its overall strategy for responding to and preventing the publication of national security related information on the Internet, please provide answers to the following questions as soon as possible, but in no case later than 5 pm EST on August 23, 2010:

¹ Anne Flaherty, *Pentagon: Next WikiLeaks dump could be worse*, Associated Press, August 13, 2010.

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1. Does the Administration believe that the release and dissemination of classified documents obtained by WikiLeaks will likely harm national security and place American lives at risk?
2. Does the Administration have the legal authority to prevent the publication and dissemination of classified national security information by those individuals affiliated or working with WikiLeaks?
3. What steps is the Administration undertaking to prevent the publication and dissemination of documents by WikiLeaks that would harm national security interests?
4. Does it violate federal criminal law to receive and distribute classified documents without authorization as WikiLeaks appears to have done?
5. Has the Administration developed or is it developing a strategy to prosecute those who knowingly participate in efforts to disseminate classified information over the Internet? Does this strategy include non-government employees and foreign nationals?
6. What diplomatic and law enforcement efforts are being undertaken to prevent individuals residing abroad and affiliated with WikiLeaks from publishing information contrary to the national security interests of the U.S. and its allies?
7. In the effort to limit publication of these sensitive materials, has the U.S. government received full cooperation from the United Kingdom, Australia, Sweden, and other countries pursuant to their respective obligations under applicable Mutual Legal Assistance Treaties (MLATs)?

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. If information responsive to this request needs to be delivered in a classified format, please also respond to these questions in a non-classified written response to the greatest extent possible. If you have any questions, please contact General Counsel Rob Borden at 202-225-5074.

Sincerely,



Darrell Issa
Ranking Member

Cc: The Honorable Edolphus Towns, Chairman