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SECRET/WITH ATTACHMENTS

THE PRESIDENT HAS SEEN....

THE WHITE HOUSE

WASHINGTON

October 22, 1976

MEMORANDUM FOR THE PRESIDENT

FROM:

PHILIP W. BUCHEN *P.*

SUBJECT:

Declassification Request
of the Department of Justice

The Attorney General has approved an investigation by the Criminal Division of possible violations of Federal law arising from testimony in 1973 and 1975 before the Senate Foreign Relations Committee and its Subcommittees on Multi-national Corporations, as well as testimony before the Rockefeller Commission. In response to a request from Justice, we have provided to them a classified copy (at Tab A) of a November 6, 1970, intelligence briefing on Chile that was prepared by the CIA for delivery by Director Helms to a meeting of the National Security Council.

Justice has now requested from the NSC staff that as much of this briefing as possible be declassified in order that they can present it to witnesses before a grand jury. As a matter of policy, Justice will not take classified materials before a grand jury.

In response to this request, Bill Hyland has sent me the memorandum at Tab B, objecting to complete declassification. Although Bill states that "the material itself might not damage the national interest," he objects to declassification on grounds that it will imperil the ability of CIA Directors to provide the President a briefing in complete candor and with no reservations. He concludes that declassification in this instance means that every Director will henceforth have to assume that his briefing to NSC meetings may be publicized at any time. He suggests that relevant excerpts be declassified.

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OF CLASSIFIED ATTACHMENTS



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I cannot agree with Bill's conclusions. Under E. O. 11652, classification of information is not justified when release of the information will not damage national security. It is substance, not form, that controls the question of classification. The contents of this briefing are such that disclosure at this time could not be expected to cause damage to national security, which is the minimum test for classification. The issue then is not classification, but whether executive privilege should be maintained with respect to this document. In this regard, the briefing appears to be primarily factual in nature, rather than containing recommendations and opinions. Therefore, disclosure in this instance means only that government officials cannot be assured of protection of information that later is directly related to criminal investigations.

Justice needs virtually all of the briefing in order to question witnesses before the grand jury, and in its judgment, it cannot in advance of use before the grand jury limit its request to specific portions as NSC suggests.

RECOMMENDATION

For the above reasons, and for reasons given in another memorandum to you concerning differences between the CIA and the DOJ in connection with the same investigation, I recommend that you authorize NSC to declassify this document in order that Justice can make necessary use of it in connection with such investigation.

APPROVE

RR7

DISAPPROVE

Attachments



SECRET/WITH ATTACHMENTS



file 10/22

THE WHITE HOUSE
WASHINGTON

October 25, 1976

MEMORANDUM FOR: WILLIAM HYLAND
FROM: PHILIP BUCHEN *P.*
SUBJECT: Request by Department of Justice
for Declassification of November 6,
1970, Intelligence Briefing on Chile

On October 23, 1976, I reviewed with the President the contents of my memorandum to him of October 22, 1976, copy of which you have.

He has authorized you to declassify the document at Tab A of such memorandum in order that the Department of Justice may make use of the document in connection with its pending investigation into alleged criminal acts.

BT



Briefing by

RICHARD HELMS,

DIRECTOR OF CENTRAL INTELLIGENCE,

for the

NATIONAL SECURITY COUNCIL

6 November 1970

CHILE

DECLASSIFIED

Authority Memo, Buchen to President 10/22/76

By KR NLF Date 5/18/88

5 November 1970

DCI BRIEFING FOR
6 NOVEMBER NSC MEETING

CHILE

- I. Mr. President, Salvador Allende, the Chilean Marxist, has now taken office as President in that country with virtually no significant opposition to hold him in check, and with a cabinet dominated by the Communists and his own even more extreme Socialist Party.
- II. Allende was a narrow winner in the three-way presidential elections on September 4, when his Popular Unity coalition got him 36.6 percent of the vote.
 - A. The orthodox pro-Moscow Communist Party of Chile put together the Popular Unity coalition, chose Allende as the candidate, and provided the organizational base for his election.
 - B. Allende himself belongs to the Socialist Party. This is a Marxist, nationalist party with a strong faction committed to violent revolution, rather than the parliamentary road to power favored by the Moscow-line Chilean Communist Party.



1. The Socialists, in fact, earlier this year appeared to be ready to jettison Allende. He has been the perennial Marxist candidate, but the extreme left wing of the Socialist Party mistrusts him. This radical wing feels that he has not been a firm supporter of violent revolution, but has favored alliances with the Communists with a view to parliamentary victory.
2. The leftwingers--who could gain control of the Socialist Party in coming months--feel that Allende, under Communist tutelage, would move cautiously to turn Chile into a Communist state. In contrast, they believe that the current situation is favorable for a massive, radical, and violent consolidation of power.

III. Chilean election law provides that when no presidential candidate receives a majority, the president will be chosen in a run-off by both houses of Congress meeting jointly.

- A. The forces which might have opposed Allende in that Congressional vote on October 24

were not only fragmented, but were left leaderless before the Congress met.

1. Radomiro Tomic, the candidate of outgoing President Eduardo Frei's Christian Democrats, recognized Allende on the heels of the popular vote as president-elect, because of his plurality.
2. In a special Christian Democratic congress, Tomic and other left-wing leaders overrode moderate elements and voted to support Allende.
3. Conservative former president Jorge Alessandri, who had trailed by only 40,000 in the popular vote, at first planned to make a strong fight in the run-off. But on October 9--after the Christian Democratic caucus decided to support Allende--Alessandri asked his followers not to vote for him.

IV. The Allende forces, even before the run-off, were moving quickly and forcefully to ensure his inauguration and to consolidate control.

- A. Methods ranging from soothing persuasion to terrorist threats were used effectively to make his presidency appear palatable--and inevitable.
1. His supporters exerted major influence on the information media, either maneuvering their way in, or simply declaring their authority in the name of the forthcoming regime.
 2. Allende and his close associates contacted many important Chileans in political, economic, and such professional fields as education, to reassure them that cooperation would pay.
 3. Grass-roots support for Allende was whipped up by some 8,000 Popular Unity Committees in factories and neighborhoods, organized originally as campaign forces for Allende's popular election. These groups, largely controlled by the Communist Party, will apparently be kept in being and expanded to provide local propaganda, control, and intelligence.

- B. On October 24, 195 of the 200 legislators in the full Congress showed up. (Allende himself did not vote, and four others were ill.)
1. Allende got 153 votes--74 of them from the Christian Democrats. Their 19 senators and 55 national deputies followed party orders to vote for Allende.
 2. Alessandri got 35 votes from the National Party.
 3. Seven members of the Congress abstained.
- V. Even before the election, there had been speculation that as a last resort the Chilean military would not permit a Marxist government to take office.
- A. Many high-ranking officers had expressed opposition to Allende, and a few had told United States officials that as a Marxist, he would not be allowed to become president if he should win.
- B. When Allende won his plurality, a number of high officers--including troop commanders and the head of the Air Force--were casting about for ways, means, and support to prevent a Marxist government.
1. This group included General Vicente Huerta,



commandant of the carabineros, who has now been replaced.

2. A number of them still expressed optimism that Allende would be defeated in the Congressional run-off.

C. To sum up the situation between the election on September 4 and the inauguration on November 3, there were some important elements in both the military and political establishments which perceived that Allende should not be allowed to bring a Marxist regime into office.

Also present, there was an array of power factors which--if it had been united and totally committed to a plan--could have prevented Allende's assumption of the presidency.

1. As the situation developed, however, the faction which controlled the Christian Democratic Party was determined to reach an accommodation with Allende, and would not consider an ad hoc political alliance with the National Party to stop him.

2. The military, for its part, was committed to support the constitutionally-elected president, both by its non-political tradition, and through the firm conviction

and explicit policy of the Army commander-in-chief, General René Schneider.

3. Those diverse groups of military and political leaders who did wish to prevent an Allende presidency at no time acted in concert nor demonstrated the courage to move.
- D. This immobilism can be attributed in a considerable degree to the existing climate of public opinion. The Chilean people had been softened up and conditioned for six years to accept revolutionary language, not only coming from the Communists and Socialists, but generated by the ruling Christian Democrats themselves.
1. The Chilean government had permitted the Soviets and the local Marxists to carry on their political action and propaganda activities without hindrance.
 2. As a result, the Chileans viewed the coming of Allende with apprehension and unease, but not with the repugnance and gut concern which could have led to action.
- E. Essentially, each element in the power structure-- the political and the military--looked to the other to provide the leadership, but no leader

with the clout to bring it off was willing to step forward at the crucial moment.

1. Among the military, the negative attitude of Army commander Schneider was a blocking factor, whether it stemmed from dedication to the constitution, or a reported preference for Allende. It influenced General Carlos Prats, who became Army commander when Schneider was assassinated. In early stages, some officers had considered Prats the best potential leader against Allende.
- F. Retired Army General Roberto Viaux, who had led an earlier abortive military revolt to improve the position and perquisites of the military, was actively seeking support for a coup attempt.
- G. Most of the senior active officers, however, feared the risks involved in the communication and coordination essential for choosing a leader and ensuring support from their fellow officers and troops.
1. As the deadline for action approached, the cooperation of troop commanders in the Santiago area--considered a necessity--was not assured. Divisions among leading officers became more evident, for example by the calls

which several admirals paid on Allende.

H. Schneider's assassination unified the military, but the shock of it unified them against any likelihood of a coup to keep Allende from office. In addition, the assassination provided an excuse for some to take no action.

VI. Allende announced his cabinet a few days before his takeover.

A. Allende himself--and probably the Communists--would prefer for the time being to project a non-radical image.

B. Let us make no mistake, however: This is a hard-line, militant cabinet. It reflects the determination of the Socialists to assert their more radical policy from the start. The Communists have countered by holding out for the key economic and patronage ministries. In satisfying both, Allende has wound up with a cabinet clearly dominated by these two parties at the expense of the other members of the coalition.

VII. Allende's attainment of the presidency with only about one third of the country's vote climaxes a highly successful political career of nearly 35 years.

- A. The man knows how to achieve his ends. He knows the political forces of the country inside and out. He has a thorough familiarity with the governmental and economic structures he plans to revolutionize, in the course of building the socialism he claims will solve Chile's many serious problems.
1. He is tenacious and singleminded, but he knows how to dissemble his determination with a flair for maneuvering, a quick wit, and an instinct for when to reassure and when to challenge.
 2. He has also demonstrated in the past that he is adept at remaining in command of a quarreling coalition by playing off rival forces against each other--a balancing act he will have to rely on to set his own pace for change when the Socialists want to proceed full tilt with the proclamation of a Marxist Chile, while the Communists call for a more deliberate construction of the foundations.
- B. We do not expect an immediate flood of radical constitutional revisions to consolidate his political and economic control. The consti-

tution already gives the president broad powers of executive decree--recently enlarged by the Frei government. With the next congressional elections set for 1973, he has ample time to obtain the legislation he may need without triggering opposition by hasty and alarming demands.

- C. We expect that his first economic moves will be aimed at control of the major mining, industrial and financial enterprises that he considers essential to his plans.
1. These assets, combined with the substantial foreign exchange reserves he inherits from the outgoing government, will put his regime in good financial shape at the outset.
 2. Recent high copper prices and extensive recent U.S. investment in expanded copper production in Chile are additional bonuses for the new regime, although world copper prices have been dropping, and there are indications that supply is approaching demand.
 3. He and his main economic advisers are concerned, however, about the deterioration

of the internal economy since his election.

- D. He has described inflation as the most urgent problem of the moment.
- E. His program for socialism will be facilitated by the already preponderant role of the Chilean government in nearly every field of economic activity. The private enterprise system has already been distorted by 30 years of rapid inflation and government intervention.

VIII. In the international economic field, we expect that Allende, at the start at least, will move with caution and with considerable regard for the realities. He has asserted his interest in foreign capital and technology as long as "the benefits are mutual."

- A. Understandably, foreign investors will be wary of a professedly Marxist regime, and new foreign credits will be harder to come by.
- B. Allende and his representatives have reiterated in public and in private their hopes of retaining Chile's traditional hard currency markets in Western Europe, Japan, and elsewhere for their copper, iron, and other exports, as well as plans for expanding into Communist markets.

1. We know that Fidel Castro has advised Allende to keep Chile's copper sales in hard currency.
- C. U.S. private assets in Chile total about one and a half billion dollars, of which slightly less than half consists of Chilean government notes issued for nationalization, holdings of public bonds, and long- and short-term loans.
1. We estimate the book value of direct U.S. investment at \$800 million, although replacement would be considerably higher. More than half--\$480 million--is in mining and smelting.
 2. As of September 10, U.S. investors had A.I.D. current investment insurance against expropriation amounting to \$293 million, and standby coverage for another \$355 million.
- IX. As for foreign relations, many governments are skeptical of Allende's aims, but anxious to avoid an appearance of prejudging him.
- A. The pleas he has made so far for international understanding would appear to be contradicted by the appointment of the radical Clodomiro Almeyda as Foreign

Minister.

1. Almeyda is so far to the left that his admiration for the Chinese Communists and the Cubans in the past has placed him in opposition to Moscow.
- B. Several Latin American governments, including in particular Argentina, are deeply concerned over the possible effect of the Allende government on political stability inside their own countries.
1. A reliable clandestine source reports that in late October Allende promised representatives of revolutionary guerrilla groups in Latin America that Chile would become a center of support for them as soon as he is firmly in control.
- C. There is every indication and every reason to expect that--whatever Allende may say or intend--the forces around him will use every opportunity to exacerbate relations with the United States.
1. The personal emissary Allende sent to our Embassy in Santiago said there was

little the new president could do to curb the constant attacks on the United States in the Chilean press.

E. As for the Soviet Union, Moscow is showing caution in dealing with the new government. In turn, the Chilean Socialists will want to avoid excessive dependence on Moscow, and the Chilean Communists --for the sake of their domestic appeal--will exercise restraint in promoting closer ties with Russia.

1. The USSR extended a credit of \$57 million to Chile in 1967, none of which has been used. Chilean economic problems, however, will inevitably create the opportunity for Moscow to use this for leverage with the new Marxist government.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

SECRET

October 18, 1976

MEMORANDUM FOR: PHIL BUCHEN

FROM: BILL HYLAND *with*

The Department of Justice has requested that an intelligence briefing given to the NSC on November 6, 1970, by the Director of Central Intelligence, be declassified for use as evidence in a criminal proceeding. In response to the Department's initial request to review this briefing, you indicated on September 1, 1976, that it contained sensitive material, unlikely to be declassified.

The NSC has again reviewed the content of this briefing. There is still an objection to its declassification. The material itself might not damage the national interest, but we have a strong and continuing objection to the declassification of intelligence briefings given to the President and the entire NSC. The ability of the Director of Central Intelligence to provide the President a briefing in complete candor and with no reservations obviously depends on his understanding that all sources may be used without concern for eventual release to the general public. If this particular briefing is declassified, every Director will henceforth have to proceed on the assumption that NSC meetings may be publicized at any time. This would be a disastrous precedent.

Therefore, we recommend that the Justice Department indicate precisely which portions of this briefing have a direct bearing on the criminal prosecution, and those portions could be declassified.

Attachment: NSC Briefing - November 6, 1970

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UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ATTACHMENTS

ACTION MEMORANDUM

WASHINGTON

LOG NO.: *See: ASAP*

Date: November 4, 1976

Time:

FOR ACTION:

cc (for information):

Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Soon As Possible

Time:

SUBJECT:

Declassification Request of the
Department of Justice

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

It is my feeling that we should have an original sign off from the President.

No copy made of this file - please return entire package.



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor
For the President

THE WHITE HOUSE
WASHINGTON

November 2, 1976

MEMORANDUM FOR: TRUDY FRY

FROM: PHILIP BUCHEN

P.W.B.

Attached is the original of a Memorandum For The President on the subject of "Declassification Request of the Department of Justice," along with a copy of my memorandum of October 25 to William Hyland.

The President did not mark the original of my memorandum to him, but I presented it to him on Air Force One on October 23. The President verbally authorized my memorandum to William Hyland.

The attached should therefore become a part of Presidential records.

Attachments

