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12/23/74

CIA AND JUSTICE DEPARTMENT

Q: What role is the Justice Department playing in the investigation of the CIA?

A: At present, the Justice Department is not playing any role and I'm told that the Department is trying to correct erroneous reports which state otherwise.

Q: Will Justice become involved?

A: When and if it is determined that ~~there~~ there are matters which may fall under the jurisdiction of the Justice Department.

Q: Who can initiate such an investigation?

A: A request for an investigation could come from several areas. In this case, the CIA could request an investigation, the White House could, or the Justice Department could conduct an investigation on its own authority if it ~~is~~ believed that criminal violations had occurred.

But I want to repeat again that the Justice Department is making it clear to the AP that it ~~is~~ does not have an investigation underway.

Q: Has the Justice Department been in touch with the White House about this matter?

A: Yes, there has been contact. (Deputy AG Silberman called Legal Counsel Phil Areeda to advise Areeda of his discussions with Director Colby, but you probably should ~~say~~ ^{Not} say this at this time.)

Q: Does the White House know what the Justice Department is doing in this case?

A: Yes, we do. Deputy Attorney ~~General~~ General Lawrence Silberman has been in contact with the Director ~~of~~ of the CIA, Mr. Colby, over the weekend.

As I have already said, the President has directed Mr. Colby to give him a report on this matter. We are trying ~~to~~ to ascertain what the facts are. Once we have done that, then whatever steps that are appropriate to take will be taken.

Ron:

Les Janka says that [redacted] Pres. Ford did send a letter to Senator Jackson about discussing with Breshnev the MIA problem. Janka is trying to find the letter and will send us a copy as soon as he finds it.

I recommend that you have Rumsfeld put out a directive that all letters to Jackson have a carbon sent to you. It ought to be obvious that he'll market anything he can get his hands on and it makes us look like we don't know what GRF is doing if we can't comment immediately on such matters.

Jack

Q&A ON CIA REPORT--12/28/74

Q: What was the President's reaction to reading the report?

A: The President won't have any further comment until he is ready to make an announcement.

Q: Who will he be talking to about the report? Helms? etc?

A: I am not prepared to give you a list of those he will be discussing the report with. (If asked if Kissinger among them, you can say that you're sure he will be among them.)

Q: Why is he going to talk to people and take 10 days? Is the ~~report~~ report incomplete or unsatisfactory?

A: I am not going to be able to characterize the report for you.

Q: Is there consideration still being given to releasing the report?

A: No decision has been made with respect to release of the report.

Q: Are the NYT allegations accurate?

A: ~~You'll just have to~~ I just don't have any comment/and won't ^{on the report} until the announcement.

Q: Will the announcement lay out all the facts? Will the President make the announcement personally, or through you? What forum?

A: You'll just have to wait for the announcement.

Q: Is Kissinger involved in any of the ~~alleged~~ illegalities?

A: I just don't have any comment on the report at all.

Q: Does the President have confidence in Colby?

A: Sure (sort of off-handedly, as though there should be no question. If answer is too formal, it will be the lead.)

*Refer Qs on Helms to State (he works for State).
[whereabouts, etc.]*

12/28

STATEMENT BY RON NESSEN - CIA - Colby Report

The President has ^{received and} read the ^{from Director Colby.} ~~Colby~~ Report. He will be reviewing the report ~~with staff members~~ over the next few days.

The President will discuss the report with CIA Director William Colby and ^{with} others ^{after} upon his return to Washington. ^{There} ^{be} will ~~make~~ an announcement on the subject within ~~the next 10 days.~~ several days after the completion of those meetings.

That's all I have for you at this time. I don't expect anything further until the announcement.

The CIA Commission

Charles Bartlett:

Passing the CIA Potato

JANUARY 4, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I have today established a Commission to ascertain and evaluate any facts relating to activities conducted within the United States by the Central Intelligence Agency that give rise to questions as to whether the Agency has exceeded its statutory authority. I will soon be naming a distinguished group of members to serve on this "Blue Ribbon" Panel.

In the world in which we live, beset by continuing threats to our national security, it is vital that we maintain an effective intelligence and counterintelligence capability. This capability is fundamental in providing the safeguards that protect our national interests and help avert armed conflict. The Central Intelligence Agency has had a notable record of many successes in this field, but by the nature of its operations, such successes and achievements cannot be divulged publicly.

It is essential in this Republic that we meet our security requirements and at the same time avoid impairing our democratic institutions and fundamental freedoms. Intelligence activities must be conducted consistently with both objectives.

To that end, in addition to asking the panel to determine whether the CIA has exceeded its statutory authority, I have asked the panel to determine whether existing safeguards are adequate to preclude Agency activities that might go beyond its authority and to make appropriate recommendations. The Commission will immediately have the benefit of the report already furnished to me by Director W. E. Colby of the CIA. The Justice Department is, of course, also looking into such aspects of the matter as are within its jurisdiction.

I am aware of current plans of various Committees of the Congress to hold hearings on matters similar to those which will be addressed by the Commission. Whether hearings are undertaken by existing oversight Committees, or should the Congress deem a joint House-Senate Committee to be the best approach to avoid a proliferation of hearings, it is my strong hope that the Committees consider the findings and recommendations of the Commission.

I am confident that through the cooperative efforts of the Executive Branch, particularly by the new Commission, and of the Congress, the results will be beneficial both to our national security and to the traditions and institutions of this Republic.

Moreover, I am writing to those Department and Agency heads who are responsible for the overall intelligence activities of the United States as related to our national security and to the conduct of our foreign policy, for the purpose of emphasizing that they are at all times to conduct their activities within the scope of their respective statutory authorities.

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January 4, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

EXECUTIVE ORDER

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ESTABLISHING A COMMISSION ON CIA
ACTIVITIES WITHIN THE UNITED STATES

The Central Intelligence Agency as created by the National Security Act of 1947 fulfills intelligence functions vital to the security of our nation, and many of its activities must necessarily be carried out in secrecy. Such activities are nevertheless subject to statutory limitations. I have determined that in order to insure scrupulous compliance with these statutory limitations, while fully recognizing the statutory missions of the Agency, it is advisable to establish a Commission on CIA Activities Within the United States.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, and as President of the United States, I hereby order as follows:

Section 1. Establishment of the Commission. There is hereby established a Commission on CIA Activities Within the United States (hereinafter referred to as the Commission"), to be composed of a Chairman and other members to be appointed by the President.

Sec. 2. Functions of the Commission. The Commission shall:

(a) Ascertain and evaluate any facts relating to activities conducted within the United States by the Central Intelligence Agency which give rise to questions of compliance with the provisions of 50 U.S.C. 403;

(b) Determine whether existing safeguards are adequate to prevent any activities which violate the provisions of 50 U.S.C. 403;

(c) Make such recommendations to the President and to the Director of Central Intelligence as the Commission deems appropriate.

Sec. 3. Cooperation by and with Executive Departments and Agencies. The Commission is authorized to request, at the direction of the Chairman, from any executive department or agency, any information and assistance deemed necessary to carry out its functions under this order. Each department or agency shall furnish such information and assistance to the Commission, to the extent permitted by law. The Commission shall furnish to the Attorney General any evidence found by the Commission which may relate to offenses under the statutes of the United States.

Sec. 4. Compensation, Personnel, and Finance. (a) Each member of the Commission may receive compensation for each day he or she is engaged upon the work of the Commission at not to exceed the daily rate now or hereafter prescribed by law for

more

persons and positions in GS-18, as authorized by law and may also receive travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the government service intermittently employed.

(b) The Commission shall have an Executive Director who shall be designated by the President and shall receive such compensation as may hereafter be specified. The Commission is authorized to appoint and fix the compensation of such other personnel as may be necessary to enable it to carry out its functions, and is authorized to obtain services in accordance with the provisions of 5 U.S.C. 3109.

(c) All necessary expenses incurred in connection with the work of the Commission shall be paid from the appropriation for "Unanticipated Personnel Needs" P.L. 93-381, 88 Stat 617, or from such other funds as may be available.

Sec. 5. Administrative Services. The General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

Sec. 6. Report and Termination. The Commission shall present its final report to the President not later than three months from the date of this order. It shall terminate within one month after presenting its final report.

GERALD R. FORD

THE WHITE HOUSE,

January 4, 1975.

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1. All questions of a technical nature (staff size, where located, when it will meet, etc.) should be referred to Nelson Rockefeller's office.

There is no one at the White House who can determine the answer to any of these questions.

Q. How will the Commission be funded?

A. Section 4 (c) in the Executive Order states as follows: "All necessary expenses incurred in connection with the work of the Commission ^{shall} ~~shall~~ be paid ^{from} ~~from~~ appropriation for unanticipated personnel needs," or from such other ^{with appropriate} ~~other~~ funds as may be available. (possibly supplemental)

Q. Has the President selected someone to be Executive Director as the Executive Order says he shall do?

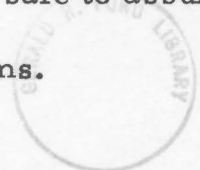
A. No, the President will await the recommendation of the Commission and will make his selection ⁱⁿ consultation with the Vice President.

Q. Will the meetings of the Commission be open to the public?

A. That will be up to the Commission to decide. I would think, however, that the meetings would not be open to the public because there obviously will be times when highly classified information will be discussed.

Q. How soon do you expect the Commission to start work?

A. You will have to ask the Vice President, but I think it is safe to assume that he is already at work on staffing and related problems.



Q. What is the President's response to the charges that this is a Commission stacked in favor of the CIA?

A. On the contrary, the eight members of the Commission are highly responsible public figures who bring to this Commission an independence of mind to fully carry out their responsibilities as set forth in the Executive Order.

Q. Will the President abide by the recommendations of the Commission?

A. I think the fact that the President has established the Commission to look into the activities of the CIA within the United States to determine if the CIA has lived within its charter is the best answer I can give to this question at this time. Beyond that, I think we have to abide the event.

FYI: Whatever criticism has been leveled at the Commission members for being "friends of the CIA" is, for the most part, directed at the CIA's ~~foreign~~ activities. I think you should continually remind your questioners that this Commission is to investigate whether the CIA violated its charter in connection with domestic affairs. Most of the criticisms in today's Post, for instance, are directed towards foreign operations.

NEW FYI: As an example of an independent minded appointee, Phil Areeda suggested you point out that Erwin Griswold is a long time member of the Civil Rights Commission who was one of the few who spoke out publicly against Senator Joseph McCarthy's abuses of individual rights of the 1950's. The one problem I see with citing one example is that it will leave you open to not having examples to cite for others on the Commission.



1/7/75

5. Senator Sparkman has written the CIA asking it to comply with new legislation prohibiting covert operations not related to intelligence gathering unless the President reports to Congress on such operations and finds that they are important to the national security of the United States. Has the President made such a determination at this time?

Guidance: The President has not yet made such a determination but he intends to comply with the legislation contained in Section 32 of the 1974 Foreign Assistance Act.

"I feel in the national interest I will not hesitate to sign the measure." I intend to comply with the law.

1/9/75
2. According to a New York Times article yesterday, CIA Director, William Colby has sent a report to the President on CIA activities. Has Director Colby provided the White House with this required list of covert operations and a draft "finding" for the President to submit to Congress as required by Section 32 of the 1974 Foreign Assistance Act?

GUIDANCE: We are not prepared to discuss the internal flow of paper within the Administration, but I can assure you that the President fully intends to comply with the provisions of the law.

FYI: We would not discuss when we might provide Congress with the required "finding" that existing covert operations are in the national interest, nor would we discuss whether Colby's descriptive list indicates reductions in these operations or not.

3. ABC reported last night that a current member of the NSC staff, Mr. Richard Ober, participated in carrying communications between Howard Hunt and Richard Helms in 1972. Can you confirm or deny this report?

1/22/75
Guidance: Such reports are within the province of the Blue Ribbon Commission on CIA activities and I am not going to comment on these matters until the President has received and reviewed the report of the Commission.

FYI: If asked about Ober's current status, you should say that he has been assigned to the NsC staff since March of 1974. His duties involve intelligence coordination between the NSC and the intelligence community. End FYI.

[2/19/75]

Question

The CIA is reported to have warned its clandestine agents that they are entitled to remain silent under the 5th Amendment if asked about their activities, and that they might want to retain legal counsel. Do you approve? Is this a hint to such agencies that they shouldn't talk?

Answer Ask the CIA

Whenever the government interrogates anyone about possible violations of criminal law, the following problem arises: The Supreme Court has, as you may know, invalidated certain criminal convictions where the person convicted was not adequately warned of his constitutional rights before being questioned. The government is often, therefore, obligated to give such warnings.

Now, you must also bear in mind, however, that an act might violate a statute or a regulation or principles of good government without being or implying any violation of the criminal statute. With respect to such acts there is no constitutional privilege to remain silent at all.

The President has made clear and reiterates his ^{expectation that} ~~view that it~~ is the ~~duty~~ of all government officials to answer fully and truthfully the questions put by their superiors and other properly constituted government agencies.



PA 2/19

THE WHITE HOUSE

WASHINGTON

March 11, 1975

MEMORANDUM FOR:

RON NESSEN

FROM:

PHILIP BUCHEN *T.W.B.*

SUBJECT:

Monday's Leftovers on CIA

- Q: Saul Kohler: Has the President asked Church to hold some of his committee hearings secret?
- A: Senators Church and Tower told the President that the Committee was planning to have principally Executive sessions but might have some open hearings.
- Q: Risher: Is anyone looking into the allegations of CIA assassinations of foreign political figures. ditto Deakin: Is anyone in the Executive or Legislative branch checking into political assassinations?
- A: ~~Deakin~~ The White House will not comment on particular areas on investigations within the Executive Branch. This is also the policy of the Vice President in regard to the Commission on which he is Chairman. As to what the Legislative branch may be doing, you should make your inquiry to the Congress.
- Q: Lisagor, Shaw, Brokaw: Does the President plan to broaden the charter of the Rocky Commission beyond domestic intelligence? Does he have any part of the charter under review?
- A: The President has no plan in this regard and he does not have the charter under review.
- Q: Helen: Did the Colby report take in anything outside of domestic activities and did Colby give the President further information or an update on the report verbally?
- A: The White House is not commenting on the contents of the Colby report or on any of the verbal reports in that

connection. The report and any further information which Mr. Colby has on the subject were referred by the President to the Commission on CIA activities within the U. S.

Q: Kondracke, Deakin: Must all requests for information on CIA activities be funneled through the WH? Has there been any special machinery set up to handle Church's requests? Who is the WH liaison with Church?

A: Requests for information on CIA activities need not be funneled by the Congressional committees through the White House but if the Chairman of any committee involved in the investigation has a request to make of the White House, it is to be handled initially by the Office of the Counsel to the President.

Q: Schieffer: The President's position on CIA activities in assassinations. Ron said he would provide any public comment the President has made on the subject.

A: The President made the following comment on this subject:

"I am not in a position to give you an factual account. I have had a full report from Mr. Colby on the operations that have been alluded to in the news media in the last week or so, really involving such actions that might have taken place beginning back in the 1960s.

I don't think it is appropriate for me at this time to go any further. We do have an investigation of the CIA, of our intelligence agencies, by the Congress, both overt and covert, going back from the inception of the CIA. And, of course, we do have the Rockefeller Commission going into any CIA activities in the domestic front.

But for me to comment beyond that, I think, would be inappropriate at this time."

Q: Deakin: Asked a two-part question summing up the CIA questions ... which I didn't get and we will have to check the transcript.

From the transcript: Would it be possible for you to ascertain the President's views in a concrete and detailed way and report them back to us with specific reference to (1) the question of whether assassinations are or are not the policy of the government and (2) whether or not the

President wishes and will permit the Church Committee to investigate these assassination reports?

A: It is not the policy of this Administration to plot political assassinations, but the President does not think it appropriate, as he stated in his Press Conference, to make comments on allegations of actions taken in the early 1960s which may be the subject of pending investigations.

CIA

Q: Has the Letter from Senator Church requesting a copy of the Colby Report for his select committee arrived at the White House?

A: Yes, it [REDACTED] arrived this morning. It has been sent to the President's legal counsel for study and recommendation.

Q: What needs to be studied? The question is whether you are going to turn over the report.

A: The Colby Report is a classified document, so there are security aspects to consider. And we have to look at what other information is being sought.

Q: Have there been any decisions made on what to turn over?

A: As of now, no decisions have been made and I cannot give you a time frame in which they will be.

Q: Who will make the final decision on what is to be turned over?

A: There really has been no decision made on that. It depends on several things, such as the type of information requested, whether there is any dispute over what may be released, etc.

(FYI ONLY: Buchen asks that we try to refrain from saying that the President will make the final decision.)

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Sent to Buchanan
ACK

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)
WASHINGTON, D.C. 20510

after
ack. by
Bill Kendall
3/13 10.45

March 12, 1975

The President
The White House
Washington, D. C.

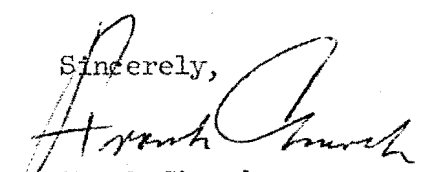
Dear Mr. President:

On behalf of the Senate Select Committee To Study Governmental Operations With Respect To Intelligence Activities, Senator Tower and I want to thank you for the opportunity we had on March 5 to discuss the work of the Committee. I want to express my personal appreciation for the direct and forthright manner in which you addressed some of the initial questions that lay before the Select Committee, and your willingness to assist the Committee to meet its responsibilities under the mandate of S. Res. 21.

We are in agreement that the work of the Committee should proceed as expeditiously as possible and the Committee is gratified at the full and complete cooperation that we have received from the Executive agencies up to this point. In every respect thus far, the agencies have been fully cooperative with the Committee and the staff and I believe this augers well for a constructive and expeditious conclusion to our inquiry.

At our meeting on March 5th with you, we discussed the general areas in which the Committee would need initial documentation. As we discussed, our first requirements are to determine the legal basis for the activities for the intelligence agencies of the United States Government. In this regard, it will be helpful to the Committee to receive from whomever you may designate, the documents, files, and other papers that might be required to fully determine the legal basis for the activities of United States intelligence agencies. With the unanimous approval of the Committee, I respectfully request that the documents on the attached list directly relevant to the inquiry authorized by S. Res. 21, be supplied to the Committee at the earliest opportunity.

With kind regards,

Sincerely,

Frank Church

ATTACHMENT

1. The report furnished to the President by Director Colby in January 1975.
2. All Executive Orders, National Security Decision Memoranda (NSDMs) or Intelligence Directives (NSCIDs), and other White House* directives pertaining to the charter, structure or guidelines for any overt or covert foreign or domestic intelligence agencies or activities.
3. All Executive Orders, National Security Council memoranda and directives, and other White House instructions pertaining to the structure, functions or organization of intelligence policy organizations within the Office of the President, including the Forty Committee and the Washington Special Action Group (and their predecessor organizations, e.g., the Operations Coordinating Board, Special Group, 54/12 Group, 303 Committee, etc.).
4. Organization charts and staffing patterns (for the present and, to the extent reasonably convenient, back to 1947) for all intelligence-related organizations within the White House (NSC, Forty Committee, OEP, WSAG, etc.) including names of key officials and staff personnel.

* "White House" as used in this listing is meant to include the President, the Office of the President, including the Assistant to the President for National Security Affairs, the National Security Council and the Office of Management and Budget.

March 20, 1975

NO COMMENT

- 1.) We will have no comment on the presence of CIA agents in Great Britain.
- 2.) We never comment on reconnaissance from the White House, despite the Pentagon's willingness to do so. If they push on the DOD source, refer them to the Pentagon.
- 3.) We will have no comment on the CIA attempts to salvage the Russian submarine.

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Q. Is the President going to appoint a Special Assistant in the White House to oversee the Administration's response to the CIA investigation?

A. No, the job that we are trying to fill is that of Deputy Counsel to the President, which was formerly held by Phil Areeda. The main responsibility for advising the President on CIA matters will rest on the President's Council, Mr. Buchen. Under the organization of the Ford White House, deputies and principals are interchangeable, therefore, whoever is appointed to the deputy's position would have some involvement with the CIA investigation.

Q. Is Rod Hills going to get the job?

A. Mr. Hills is ~~under consideration, but we have nothing to announce~~ *here as a consultant. Not decided to leave*
pot business. If he does, would be Deputy
today. Council

Q. Are you also going to hire somebody to do the day-to-day liaison with the Church Subcommittee?

A. Mr. Buchen informs me that he expects to add some additional manpower, not so much to handle liaison with the Hill, but as someone to review the volumes and volumes of material that has been requested so we know what it is that we are turning over.



April 14, 1975

Q. Has the Colby report ever been turned over to the Church Committee?

A. It is my understanding that this report was made available to staff members of the Church committee this morning. In addition, we have made available to the committee a number of intelligence directives of a highly classified nature (secret and top secret.)

(FYI: These directives establish the general framework for U. S. intelligence operations.)

Q. Does this satisfy the committee's criticism of the White House for being too slow in providing information? Is there more they still want?

A. I believe there are other materials which the committee is seeking. However, members of the White House staff are continuing to meet with the committee staff in order to work out procedures which are satisfactory to all concerned. I can say that progress is being made in establishing these procedures.

(FYI: The Committee last Wednesday approved the "secrecy agreement" procedure. This means those who have access to classified materials agree to keep "forever secret" the contents of those documents.

(FYI ONLY: There is a new procedure called "paraphrasing" in which the complete Xerox copy of a document is given to the committee with certain sensitive paragraphs eliminated and, in its place, typed in are paraphrased substitutes. The material eliminated are those portions which deal with our ambassadors' relations and liaison with foreign intelligence services -- which, if made public, would cause "grave diplomatic risks."

CIA

Q. You said in Vale you would release the Colby report. Why haven't you?

A. As you recall, the Colby report was in the nature of a letter (6 or 7 pages) to the President. Traditionally, these are private communications, letters from a member of the Administration to the President, and we do not usually release these. Attached to this letter were several documents of a classified nature, which, as long as they are classified, cannot be made public.

CIA

Q. Senator Church was authorized by his Committee to send a letter to the White House urging quicker handling of the Committee's request for CIA material. Has that been received and will it be released as you did with the previous Church request?

A. The letter was received on Thursday. The receipt has been acknowledged in a letter to Senator Church (by a Congressional relations staffer.)

We have no present plans to release the letter. We released the previous letter because we had received numerous requests to do so; we received Senator Church's permission to release it, and it contained specific requests for certain materials.

(FYI: The new Church letter is a "mild" request to expedite delivery of requested materials. It has no request for new materials.)

Q. The New York Times (Horrock) says today, quoting a White House source, that there is concern about the Committee maintaining secrecy of materials turned over. Is this true?

A. Without commenting on a "source" story, I would say that we are continuing to talk regularly with the Committee's staff in an effort to establish procedures with respect to certain categories of the most sensitive information.

Q. When will the President turn over the Rockefeller Commission files and anything else collected by the Legal Counsel's office to the Justice Department?

A. The Legal Counsel's office is in the process today of arranging for taking custody of the background information and files collected by the Rockefeller Commission concerning allegations of assassinations. We expect that to be accomplished within a day or so. At the same time, the Legal Counsel's office is preparing a transmittal letter to go to the Attorney General and the background material will be made available to the Justice Department at once.

Q. When will the material pertaining to assassinations be given to the Church Committee?

A. As I said, we are in the process of getting custody of this material and the Legal Counsel's office will go through the backup material and will begin sending the information to the Select Subcommittee shortly. I would look for an early turnover, for instance, of transcripts of interviews of those persons who appeared before the Rockefeller Commission in connection with the assassination investigation. (FYI: Copies of the transcripts also will be given to those who were interviewed).

Q. Do you know how much material you will be getting from the Rockefeller Commission regarding assassinations?

A. No, right now we really have no idea how much backup material the Commission compiled in this area.

17 Jan 1975

Ron:

Rod Hills just hung up from talking to Nick Horrock and says that Nick acknowledges that his lead creates an erroneous impression that he did not intend to convey, ie, that there actually was data on assassinations in the minutues. What he was trying to say, according to Rod, was ~~that~~ we were looking at the NSC minutes as part of our investigation into assassination plots. Rod says Nick says the Times will ~~x~~ correct the error in its CIA story for tomowow's paper.

JWH

CIA FOLLOWUP QUESTIONS

Revised

Q: Has any progress been made in turning any of the Rockefeller Commission material over to the Church Committee or the Justice Department?

A: About 6:30 p.m. last night, the Counsel's office turned over to the Church Committee a total of 2,923 pages of testimony plus exhibits. This is about one/tenth of the total Rockefeller Commission file, but it is all of the transcripts of those individuals who testified before the Commission. The material is classified TOP SECRET. The xeroxing of the remainder of the Commission file is continuing and will be made available to the Church Committee as it is completed.

Q: How about the Justice Department?

A: The Counsel's office will meet with Department of Justice lawyers from the [REDACTED] Criminal Division today to work out the arrangements by which the complete file will be turned over.

3 XEROX MACHINES - FOUR XEROXERS, NEED TO INVENTORY, CATALOG

[REDACTED] SO WE KNOW WHAT WE HAVE TURNED OVER. THEN WE WILL [REDACTED] ASK JUSTICE TO HELP XEROX WHEN THIS PROCESS IS COMPLETED.

Q: Are there any plans to make a copy for the House committee which is looking into the CIA?

A: To my knowledge, we have had no request. I think we will abide the event. I might just remind you of what the President said at his press conference last week about the sensitive nature of the material and the need to handle it with the utmost prudence.

DID CIA WITHHOLD EVIDENCE FROM THE
ROCKEFELLER COMMISSION?

Q: Does the White House have any comment on the Daily News story that CIA officials withheld keys pages from an internal report to keep the Rockefeller Commission from finding out about assassination plots?

A: As best as I am able to determine after talking to our Legal Counsel's Office, that story doesn't quite square with the facts. In order to put it in the proper perspective, it is necessary to go back to last December when the President asked the Director of the CIA for a report concerning the allegations that the CIA had engaged in illegal domestic spying. The President did not ask for a report about possible assassinations or assassination plots, although Director Colby did brief the President orally in addition to giving him the report. A CIA Inspector General's internal report did include material pertaining to assassinations, but that was not included in the material given to the Rockefeller Commission, because, at that time, the Commission was investigating domestic surveillance. It was obvious from reading the Inspector General's report that pages were missing and when the Commission asked for the material, it was turned over.

(MORE)

When the President created the Rockefeller Commission, he turned over the Colby Report as the basic document for the Commission to use in its study. The President is satisfied that the report met his request for details concerning domestic surveillance.

Some weeks or months later, when allegations of assassination plots concerning the CIA began to surface, the Commission recommended to the President that it be allowed to look into these allegations. The President agreed. When the Commission's charter was reinterpreted to include domestic aspects of assassinations, a request was made to the CIA to supply whatever material existed pertaining to assassinations, and the ~~other~~^{OTHER} pages from the IG's report, along with additional material, were sent to the Commission.

Meanwhile, the Church Committee was gearing up its investigation of all intelligence activities and was asking the Counsel's Office for assassination material, as well as for the Colby Report. The Commission had said to the Counsel's Office that the assassination report would be ready by May 1, a month ahead of the full Commission Report. It was never considered that the assassination material would be made part of the public report.

By May 1, the Commission had not finished its investigation of assassination plots, and so informed the Counsel's Office. The

(MORE)

Counsel's Office requested that the assassination file be completed. It still wasn't finished when the Rockefeller Report was made public so the incomplete file was turned over to the Counsel's Office, which in turn gave the information to the Church Committee.

In short, as far as the White House is concerned, nothing was withheld from the Rockefeller Commission by the CIA when the request was made to the CIA.

As far as what David Belin is quoted as saying, you'll have to talk to him.

THE WHITE HOUSE

WASHINGTON

July 1, 1975

PROPOSED STATEMENT FOR RON NESSEN TO ISSUE

The President was asked yesterday about the Attorney General's point of view on one of the Rockefeller Commission's recommendations. This recommendation was that criminal investigations of conduct by CIA employees and the decision whether to prosecute should be made by the DOJ, after consideration of Agency views regarding the impact of prosecution on the national security. The Attorney General in his press conference of June 25 said he did not think he would ask the CIA for its views as to the effect on national security of cases where the Justice Department had decided there was a prosecutable offense and not a good defense. The Attorney General also said in regard to discussing beforehand with the President a decision on whether or not to proceed with a prosecution as follows:

"I would feel obligated to tell the President that -- that is, to communicate the position of the Department; but I would not expect the President to tell the Department what to do."

Against this background/^{the President} was asked the following questions and gave the following answers yesterday:

"Q: Mr. President, the Attorney General said that his view is that if his investigation which you put him in charge of determines that there was violation of law by anyone in the CIA or in the Government and that there is a reasonable prospect that a prosecution could be successful, that the Department of Justice should proceed and should not give particular weight to the question of any damage that a prosecution would do to the CIA as an organization or to what he called policy considerations about past officials. Do you have any problem with that point of view?

A: The President: I think the Attorney General has to take that position and if that situation develops I would certainly want to discuss the pros and cons. I would hesitate to make an abstract judgment at this point.

Q: But you would expect to be consulted on that?

A: The President: I should think that the President ought to not be -- I think I should be informed. On how you describe the discussion, I certainly ought to be informed if a prosecution is going to potentially harm the national interest. Whether I have the authority or should exercise it is another question, but I would expect to be informed."

The President believes his answers to these questions are consistent with the views of the Attorney General. Both the President and the Attorney General are in accord that the Department of Justice has the full responsibility for investigation of possible criminal conduct and for exercising the President's Constitutional responsibility to take care that the laws are faithfully executed.

CIA PENETRATION OF WHITE HOUSE

Q: Is the President concerned about the possibility of CIA agents working undercover in the White House or other areas of the Executive Branch?

A: He is not concerned about it because it is not going on. There are no CIA agents working in undercover positions in the White House or elsewhere (in the government.) That's not to say that former CIA employees are not employed elsewhere in the Administration, because they are. And wherever they are working, the Department or Agency is aware of their employment record.

As for the White House, I would just remind you that the FBI does a complete background check on every employee who comes to work here. ~~_____~~

~~_____~~ In addition, with all the scrutiny that the CIA is now under, not one iota of information has surfaced which would indicate that such activity was, in fact, going on.

July 11, 1975

DRAFT OF ANSWER TO PRESS QUERIES CONCERNING
ALLEGATIONS THAT ALEXANDER BUTTERFIELD
WAS A SECRET CIA AGENT IN THE WHITE HOUSE
WITHOUT PRESIDENT NIXON'S KNOWLEDGE

We have no information to substantiate the allegations, nor have we heard of any such information. The questions apply to previous administrations. Those questions could best be addressed to those who were involved in the administrations.

* * * * *

To the best of our knowledge, and we have no reason to believe otherwise, there is no employee working at the White House today who has, or has had, a CIA connection of which we are unaware. We have no reason to believe that anyone currently working at the White House, either as an employee of the White House or on detail from another agency, is surreptitiously reporting information on White House activities to any other government agency.

* * * * *

I may have gone a bit too far yesterday when I failed to make clear, in responding to questions in this area, that I was speaking specifically of the present White House.

I can only speak for this Administration. I don't want you to think that this qualification I am mentioning today means that we have discovered that any CIA agent infiltrated the White House in the past. We have no reason to believe there ever has been such an agent.

But I want to make it clear that I speak only for this Administration and this President.

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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505
OFFICE OF THE DIRECTOR

11 July 1975

Office of the Assistant to the Director
(703) 351-7676
(703) 687-6931 (night)

STATEMENT

In connection with press service reports of a Penthouse magazine story, the Central Intelligence Agency flatly denies that it or Mr. Angleton had anything whatsoever to do with any possible development of Israeli nuclear weapons.

2:02 - 2:19

FOR IMMEDIATE RELEASE

JULY 21, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESS SECRETARY

The President met with the family of Dr. Frank Olson (Mrs. Frank Olson and her three children -- Mrs. Lisa Hayward, Nils Olson, and Eric Olson) at 2:00 p.m. this afternoon. He expressed the sympathy of the American people and apologized on behalf of the U. S. Government for the circumstances of Dr. Frank Olson's death in November 1953. The Olson family asked that they be told of all the facts about Dr. Olson's death. The President told the family that he had instructed his Counsel's Office to make information available to them at the earliest possible date. He has also informed the Olson family that the Attorney General has been asked to meet with their legal representatives to discuss the claims they wish to assert against the Central Intelligence Agency by reason of Dr. Olson's death. The Olson family asked that the following statement be released on their behalf:

"We deeply appreciate President Ford's expression of sympathy and apology to our family. His concern and his invitation to meet with him are of great value to us.

Frank Olson's death was a tragic loss to his family, his friends, and his scientific colleagues. As previously unknown circumstances of his death have been revealed, the American people have been deeply moved. We are heartened by this response and encouraged that this experience has provided an impetus in our country for reflection on fundamental issues important to us all as a free people.

We are grateful that President Ford has given us his support for our effort to be fully informed about Frank Olson's death and to obtain a just resolution of this entire matter. We hope that this will be part of a continuing effort to insure that the CIA is accountable for its actions and that people in all parts of the world are safe from abuses of power by American intelligence agencies."

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Q. When did the President first learn of the circumstances surrounding Frank Olson's death?

A. When he read the Rockefeller report. However, the newspaper articles based on interviews with the family brought the situation much more sharply into focus. About two weeks ago, (prior to leaving on the Traverse City trip), the President asked for a report on Olson's death. I think he was rather outraged by what he had read and heard and believed the family deserved the sympathy of the American people and that the Government owed the family an apology. He also felt that the family ought to know all the circumstances surrounding the death of Dr. Olson. And finally, as you ^{may} know, the Olson family has asserted a claim against the government. The President wants the Attorney General to look into their claim and to determine what is the fair and equitable thing to do. As you know, the Department of Justice has ^{the} responsibility to settle all claims against the Federal Government and it is in that capacity that he has directed the Attorney General or his representatives to meet with the Olson family lawyer.

Q. When will the family be given the information about Dr. Olson's death?

A. Arrangements have been made for the family and their lawyer to go to the Central Intelligence Agency on Thursday to receive that information.

Q. Why didn't the President supply the family with the information?

A. The President wants the Olson family to be satisfied that they have received all the information they are seeking. The Counsel's Office contacted the CIA and set up the appointment.

Q. Isn't it a fact that the President wants this matter settled out of court so that the details surrounding Dr. Olson's death will never be made public?

A. No, that is not true. The fact is that he wants the family to know all of the details. However, when a claim is made against the Federal Government, it is the role of the Department of Justice to resolve that claim either through litigation or through negotiation. Both courses of action lead to a resolution of the issues. The President believes the Olson family should be fairly compensated for what has happened.

Q. Does the President support the Olson family claim against the Government?

A. I think I have already expressed the President's feelings about what happened to Frank Olson. He is looking to his Attorney General to resolve their claim in a fair and just way.

Q. You were asked yesterday -- does the President have information that the public does not have in this case?

A. When the President determined that the Olson family should have an apology and should know the circumstances surrounding Dr. Olson's death, and their claim ought to be settled equitably, he was acting on information ^(that) had been made public through the Rockefeller report or interviews with family members.

Q. That doesn't answer the question.

A. Some additional information which will be given to the Olson family was included in a report prepared for the President by his Counsel.

Q. Can we see that report?

A. No, internal memorandums in the White House are not made public.

Q. Do you know what kind of a claim the family has made against the government?

A. No, you will have to contact the family for that.

Q. Have they filed a suit yet?

A. No, not to our knowledge.

Q. Is the President opposed to the experimentation of drugs or any other substance on any citizens, either by military or civilian agencies, without the persons knowledge?

A. Absolutely, and I think he even questions such experimentation with the knowledge of the individual.

August 7, 1975

PROPOSED ANSWER TO QUESTIONS ON COLBY TESTIMONY

The intelligence agencies, including the NSA, have a vital national security responsibility. The President in no way will preclude these intelligence agencies from carrying out their legitimate foreign intelligence responsibilities.

The President has stated that all intelligence agencies will operate within the constitution and the applicable laws.

The Administration is reviewing recommendations for possible administrative or legislative adjustments growing out of the Rockefeller and Murphy panel reports on U.S. intelligence activities.

- Q. William Colby testified yesterday that the National Security Agency has eavesdropped on telephone calls made by Americans in this country. Does the President endorse this activity and does he plan to let it continue?
- Q. Congressman Les Aspen claims this is a violation of the Constitution, as well as violating the 1968 Omnibus Crime bill which authorized wiretapping, but only when approved by a Federal judge. Does the President believe the NSA is operating within the Constitution by listening in on these phone calls?
- Q. Has the President asked his Attorney General or his Counsel's office to look into this practice to determine the legality of it? If not, will he direct that a report be given to him on this matter?
- Q. All national security eavesdropping must be approved by the Attorney General. Has the Attorney General authorized the National Security Agency to conduct this kind of electronic surveillance?
- Q. Was the White House alerted in advance that Mr. Colby was going to disclose the heretofore secret fact that NSA was monitoring phone calls of American citizens.

CIA-POISON GAS

Re the stories in the Post and ~~the~~ Times that a quantity of poison belonging to the CIA, which was supposed to have been destroyed in 1969, has been found at Ft. Detrick, Rod Hills recommends that we say the following:

Information concerning this matter has been turned over to the Church Committee. About four months ago, the Defense Department and the CIA started an investigation to determine the facts. All the material from that investigation, which was very thorough, has been given to the committee in keeping with our policy of cooperation.

The committee now has a complete report and we see no reason why a public hearing should be held on one particular issue, considering all the ~~the~~ different issues the committee has looked at.

We have no objection, in fact we ~~we~~ recommended, that this matter be made part of ~~of~~ the committee's ~~the~~ public report.

(Rod says we should not ~~we~~ confirm the substance of the stories. Phil Buchen has blessed the above guidance.)

JWH

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

30 September 1975

The Honorable Otis G. Pike, Chairman
Select Committee on Intelligence
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

With the approval of the President, I am forwarding herewith the classified material, additional to the unclassified material forwarded with my letter of 29 September 1975, which is responsive to your subpoena of September 12, 1975. This is forwarded on loan with the understanding that there will be no public disclosure of this classified material (nor of testimony, depositions or interviews concerning it) without a reasonable opportunity for us to consult with respect to it. In the event of disagreement, the matter will be referred to the President. If the President then certifies in writing that the disclosure of the material would be detrimental to the national security of the United States, the matter will not be disclosed by the Committee, except that the Committee would reserve its right to submit the matter to judicial determination.

In some 12 instances in the enclosed classified material, excisions have been made of particularly sensitive matters. In 10 of these instances, they would pinpoint the identity of individuals who would be subject to exposure. In two cases, this would violate an understanding with a foreign government that its cooperation will not be disclosed. In each such case, Mr. Chairman, I am prepared to discuss with you, and the Committee if necessary, the specific basis for this exclusion due to the exceptionally high risk involved, and I am sure that we can come to a mutual understanding with respect to its continued secrecy or a form in which its substance could be made available to the Committee and still give it the high degree of protection it deserves. In case of disagreement, the



matter will be submitted to the President under the procedure outlined above, and the Committee would of course reserve its right to undertake judicial action.

Sincerely,

W. E. Colby
Director

Enclosures

January 14, 1976

HELMS INVESTIGATION

The President is aware of the Justice Department's investigation and if the Justice Department finds any reason for a personnel action, the President will be notified.

Of course, the President will take whatever action is appropriate.

A man is presumed innocent until proven guilty.



JGC

Q. Did you, as President, have anything to do with the decision by the Attorney General that there would be no prosecution of former CIA Director Richard Helms and others in connection with the 1971 Fairfax City break-in?

A. No. That decision was left entirely to the Attorney General to act in his discretion.

Q. Have you taken any steps to prevent such occurrences in the future?

A. Yes. My executive order regarding the intelligence community absolutely prohibits the CIA from engaging in such activities.

P. W. Buchen 2/19/76

PIKE COMMITTEE: NEWSMEN AS CIA PLANTS

Q. What can you tell us about the Post's story that the CIA had eleven full-time agents posing as journalists, according to the draft report of the House Intelligence Committee?

A. This story is ~~yet another in a continuing series based on leaks from a draft report that has yet to be published. I don't think I am going to stand up here each day and comment on these leaks. As you know,~~ we do not comment on what may or may not be intelligence operations or ~~or~~ alleged intelligence operations, ~~so I am certainly not going to comment on leaks of what may or may not be said in a report I haven't seen.~~

FYI: Your Pike Committee statement of January 21 is attached.

January 16, 1976

SUBJECT:

CIA DATA BLOCKED BY PRESIDENT

Did the President move to block publication of House Intelligence Committee reports on U.S. covert operations in Angola and Italy?

GUIDANCE: In accordance with the procedures previously established between the President and the Pike Committee, the Pike Committee did submit certain documents to the President for declassification.

After reviewing these documents, the President made a determination that it would be detrimental to national security to declassify these documents and he so advised the Committee by letter, addressed to the Chairman and delivered this afternoon.

JGC

CIA DOMESTIC SURVEILLANCE

26
7/24

Q: Does the White House have any comment about documents released by the CIA to the Socialist Workers Party in its suit against the CIA which shows that the agency was conducting domestic surveillance for a longer period of time than the Rockefeller Commission said in its report?

A: That is a matter that is involved in litigation and the White House will have no comment at this time.

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CIA-SOCIALIST WORKERS 490; 2 TAKES 740

BY MARGARET GENTRY

ASSOCIATED PRESS WRITER

WASHINGTON (AP) - CENTRAL INTELLIGENCE AGENCY SPIES PRACTICED FOR OVERSEAS ASSIGNMENTS BY INFILTRATING AND REPORTING ON THE DOMESTIC POLITICAL ACTIVITIES OF THE SOCIALIST WORKERS PARTY AND ITS YOUTH AFFILIATE; ACCORDING TO NEWLY DISCLOSED CIA DOCUMENTS.

THE DOCUMENTS; A FOUR-INCH-THICK STACK OBTAINED BY THE PARTY IN ITS LAW SUIT AGAINST THE AGENCY; ALSO SHOW THAT THE CIA WAS MONITORING THE PARTY'S POLITICAL CAMPAIGNING AS EARLY AS 1950.

THE MATERIAL SUGGESTS THAT THE CIA BEGAN TO KEEP FILES ON DOMESTIC POLITICAL ACTIVITY FAR EARLIER THAN THE ROCKEFELLER COMMISSION REPORTED. AND IT INDICATES THAT CIA INFILTRATION OF DISSIDENT POLITICAL GROUPS IN WASHINGTON MAY HAVE CONTINUED TWO YEARS LONGER THAN THE COMMISSION STATED.

THE DOCUMENTS WERE MADE PUBLIC BY THE POLITICAL RIGHTS DEFENSE FUND; A NEW YORK-BASED ORGANIZATION WHICH HAS PROVIDED LEGAL AID TO THE PARTY.

THIS BATCH OF DOCUMENTS; PROVIDED BY THE CIA IN COMPLIANCE WITH A COURT ORDER; CAME FROM THE AGENCY'S OFFICE OF SECURITY. THE COURT HAS ORDERED THE AGENCY TO TURN OVER ALL FILES DEALING WITH THE PARTY; AND OTHER MATERIAL REMAINS TO BE DISCLOSED.

MEANWHILE THE WASHINGTON POST REPORTED IN TODAY'S EDITIONS THAT THE FBI CONDUCTED DOZENS AND SOMETIMES MORE THAN 100 BURGLARIES EACH YEAR PRIOR TO 1966. QUOTING A SOURCE DESCRIBED AS HAVING APPROVED MANY OF THE BREAK-INS; THE POST ARTICLE SAID MOST OF THE BURGLARIES WERE DIRECTED AGAINST THE COMMUNIST PARTY; EXTREMIST GROUPS; EMBASSIES AND OTHER TARGETS THAT WOULD COME UNDER THE CATEGORY OF "SECURITY CASES."

HOWEVER; IT SAID THE SOURCE ALSO ASSERTED THAT A NUMBER OF BURGLARIES WERE CONDUCTED IN ORDINARY CRIMINAL CASES SUCH AS BANK ROBBERIES; KIDNAPINGS AND HIJACKINGS.

AN FBI SPOKESMAN DECLINED COMMENT ON THE REPORT. FBI DIRECTOR CLARENCE M. KELLEY SAID EARLIER THIS WEEK THAT FBI AGENTS CONDUCTED BREAK-INS TO "SECURE INFORMATION RELATIVE TO THE SECURITY OF THE NATION" BUT THAT MOST OF THESE WERE STOPPED IN 1966.

THE CIA DISCLOSURES PROVIDED THE FIRST PUBLIC LOOK AT THE AGENCY'S OWN FILES OF SPECIFIC DOMESTIC SURVEILLANCE OPERATIONS. TWENTY-FOUR DOCUMENTS DEALT WITH AN EFFORT TO ACQUAINT NEW INFORMERS WITH THE RADICAL LEFT PRIOR TO SENDING THEM ON SPY MISSIONS ABROAD. THE ROCKEFELLER COMMISSION REPORT SAID ONE CIA OFFICER DESCRIBED THE DOMESTIC PROCESS AS "SHEEPDIPPING" THE NEW AGENT.

CIA OFFICIALS; INCLUDING DIRECTOR WILLIAM E. COLBY; AUTHORIZED THE OPERATION BUT PROHIBITED THE TRAINEE FROM ACQUIRING DATA ON "DOMESTIC DISSIDENT ACTIVITIES;" THE ROCKEFELLER COMMISSION STATED. BUT THE OPERATION RESULTED IN THE COLLECTION "OF A LIMITED QUANTITY OF INTELLIGENCE ON" THOSE ACTIVITIES; THE COMMISSION CONTINUED.

THE NEWLY RELEASED CIA DOCUMENTS INCLUDE A REPORT FEB. 2, 1970; BASED ON AN INFORMER'S CONTACT WITH A YOUNG SOCIALIST ALLIANCE LEADER AT SAN FRANCISCO STATE COLLEGE. "ACCORDING TO HIM; ONE OF THE GROUP'S MAIN DRIVES THIS YEAR IS THE RUNNING OF CANDIDATES FOR CALIFORNIA STATE OFFICES;" THE SPY REPORT SAID.

MORE

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