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Jane doesn't think this needs to be in the safe because it is not classified. Where else can we put it?



CIA

NATIONAL SECURITY COUNCIL

ACTION

March 13, 1975

MEMORANDUM FOR: PHILIP BUCHEN

FROM: Richard Ober *RO*

SUBJECT: Clarification of President's Statement
on International Law and CIA Activities

Mr. Seymour J. Rubin, Executive Director of the American Society of International Law, sent a letter to the President on February 13, 1975 (Tab A), concerning the interpretation of the President's remarks at his press conference of September 16, 1974, on the legality under international law of CIA covert activities abroad.

Because the President's reply to this letter involves a statement on international law, I am submitting the draft at Tab B for your clearance. I would appreciate a response as soon as possible.

APPROVE

P.W.E.

DISAPPROVE

OTHER

For your information, I have included the State Department's suggested reply to Mr. Rubin's letter at Tab C.



Have Jay handle
and get back to
me or Rod



C1A

THE WHITE HOUSE
WASHINGTON

11/17

Phil -

Before the President replies
as suggested, we should
know how State would
answer the question whether
U.S. (CIA) covert activities are
consistent with international law.
That will surely be the next
question from other members of the
American Society of Int'l Law.

P.A.



THE AMERICAN SOCIETY OF INTERNATIONAL LAW

2223 MASSACHUSETTS AVENUE, N.W.

WASHINGTON, D. C. 20008

(202) 265-4313

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DAVID A. KAY

SENIOR RESEARCH MANAGER
ROBERT E. STEIN

February 13, 1975

The Honorable Gerald R. Ford
The White House
Washington, D.C.

Dear Mr. President,

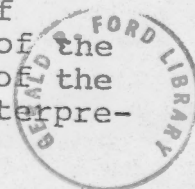
I presume upon our long acquaintance to write to you. As you know, I have long been interested and involved in international legal affairs, both on behalf of the United States and of private clients. I have a special interest at present, since I became, as of January 1, 1975, Executive Director of the American Society of International Law.

Against this background, may I call to your attention the following excerpt from your press conference of September 16, 1974:

Q. Back to the CIA, under what international law do we have a right to attempt to destabilize the constitutionally elected government of another country, and does the Soviet Union have a similar right to try to destabilize the Government of Canada, for example, or the United States?

The President. I am not going to pass judgment on whether it is permitted or authorized under international law. It is a recognized fact that historically, as well as presently, such actions are taken in the best interest of the countries involved.

This excerpt may be interpreted differently by different persons. I do not construe it as indicating that you feel that international law is irrelevant to the conduct of American foreign policy, even in the limited context of the question addressed to you. Others, and some members of the American Society of International Law, do put that interpretation on the quotation.

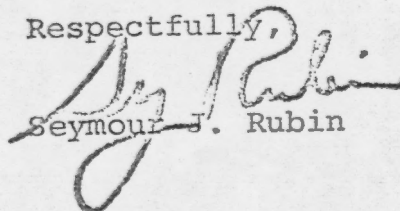


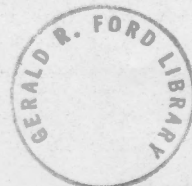
The Honorable Gerald R. Ford
February 13, 1975
Page Two

In these circumstances, it would be very helpful to those of us who believe that the United States has a deep commitment to international law if we could have clarification on this asserted ambiguity. I believe also that a statement would be useful to the foreign relations of the United States. Should you so desire, I could present such a statement to the Annual Meeting of the American Society of International Law, which meets here in Washington in late April.

With best personal regards,

Respectfully,


Seymour J. Rubin



Dear Sy:

Thank you for your letter of February 13, 1975, concerning an excerpt from my news conference of September 16, 1974. I assure you that you are right in your interpretation of my views about the relevance of international law. It is my intention that the Government of the United States shall observe international law and endeavor to promote its strengthening in all areas to which it applies.

If you believe it would be helpful in clarifying my news conference comment, please feel free to make my view known to your colleagues during your April meeting.

I recognize the value of the work of the American Society of International Law in encouraging a greater understanding of international law. I was pleased to learn of your new and important role in the Society and wish you success.

Sincerely,

(Gerald R. Ford)

Mr. Seymour J. Rubin
Executive Director
The American Society
of International Law
2223 Massachusetts Avenue, N.W.
Washington, D. C. 20008



UNCLASSIFIED
(CLASSIFICATION)

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
TRANSMITTAL FORM

S/S: 7503489

Date: FEB 26 1972

For: Lt. Gen. Brent Scowcroft
National Security Council
The White House

Pursuant to referral dated 2/18/75, NSC No. 7501024 (if any)
a copy of which is attached, we are enclosing the following:

Information copy
of direct reply Translation Other

X Draft reply for: X President's signature Other signature

We believe no response is necessary for the reason cited below

The attached item, which was sent directly to the Department
of State, is being forwarded for your attention.

We believe no response is necessary for the reason cited below

A draft reply is attached

A draft reply will be forwarded

A translation is attached

Other

REMARKS:

DOCUMENT DESCRIPTION:

To: Hon. Gerald R. Ford

From: Seymour J. Rubin, A.S.I.L.

Date: 2/13/75

Subject: Aspects of CIA Charter
in relation to Int'l. Law.

George S. Springsteen
George S. Springsteen
Executive Secretary



Suggested Response

Seymour J. Rubin, Esq.
Executive Director
The American Society
of International Law
2223 Massachusetts Avenue, N.W.
Washington, D.C. 20008

Dear Mr. Rubin:

Thank you for your letter of February 13th.

The intent of my reply to a question put to me in a press conference was that I did not wish to pass judgment on an important problem of rights under international law in the course of such an exchange. My reference to the practice of States, as I understand it, I believe to be accurate.

I wish to assure you that you are right in your construction of my views about the relevance of international law. It is my intention that the Government of the United States shall observe international law and endeavor to promote its strengthening in all areas to which it applies.

Sincerely,

Gerald R. Ford



Amer. Soc. of International Law
THE AMERICAN SOCIETY OF INTERNATIONAL LAW

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DAVID A. KAT
SENIOR RESEARCH MANAGER
ROBERT E. STEIN

March 21, 1975

The Honorable Philip W. Buchen
Counsel to the President
The White House
Washington, D.C.

Dear Mr. Buchen,

As I explained to your secretary yesterday afternoon, The American Society of International Law is having its Sixty-ninth Annual Meeting here in Washington at the Statler Hilton Hotel April 24-26, 1975. I am sure that you know of the Society and what I may immodestly suggest is its pre-eminent position in the field of international law. For purposes of the record, I enclose herewith a brochure describing the Society.

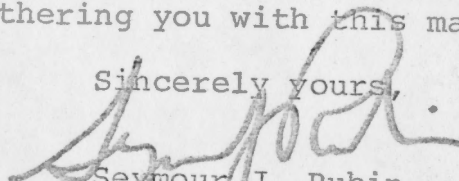
In past years, the Society has been favored with letters of greetings from the President of the United States. In my relatively new capacity (since January 1) at the Society, I would hope that President Ford might find it possible to send such a letter; my hopes are heightened by reason of the fact that the President and I are classmates (Michigan '35) and fellow M Club members, and that, in other days, I had considerable and friendly relations with him. On the merits, I would hope that such a letter would be considered appropriate.

It was suggested to me that a draft letter might be appropriate, as a suggestion. Rather than presuming to anticipate what the President might want to say, should he decide to send a message, I enclose herewith a Xerox of the message sent by President Nixon on April 22, 1972.

A message could be sent to the attention of either President R.R. Baxter of the Society or myself, at this address, at any time prior to April 24.

My apologies for bothering you with this matter.

Sincerely yours,


Seymour J. Rubin
Executive Director



Enclosures

ANNUAL DINNER

Saturday, April 29, 1972 at 7:30 p.m.

Chairman of the Committee on the Annual Meeting

BURNS H. WESTON

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

THE WHITE HOUSE


WASHINGTON

April 25, 1972

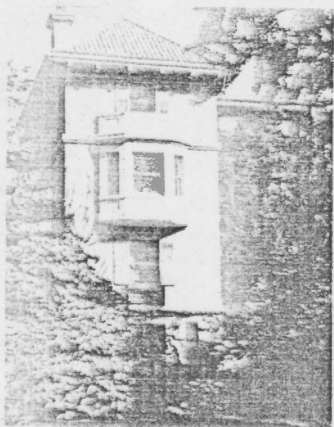
The Annual Dinner of the American Society of International Law provides a welcome forum for me to applaud your continuing contributions to international understanding and to lasting peace.

It has been said that law is a pledge that the citizens of a state will do justice to one another. By extension, international law then becomes a pledge between individual nations to do justice to one another. In order to render this pledge effective, it is imperative that a determined spirit of goodwill be the keystone of all intercourse between the nations of the world. You have helped to build a sturdy foundation for such a spirit of goodwill that will benefit not only your fellow citizens, but men and women everywhere.

I warmly commend your continuing efforts to promote the rule of law and to achieve its universal acceptance.



the American Society of International Law



Tillar House became the Society's headquarters in 1960. It was the gift of Mrs. Benjamin Johnston Tillar, in memory of her husband.

Located on Sheridan Circle in the heart of the embassy district in Washington, D.C., Tillar House was built by George Oakley Tohen around the turn of the century.

The American Society of International Law was founded in 1906 and incorporated by Act of Congress in 1950. The Society is a tax-exempt, nonprofit corporation. If membership is related to your work or profession your dues are tax deductible in the United States. Additional contributions to the Society are also tax deductible. The Society will be happy to assist interested individuals with gifts and bequests.

What is the American Society of International Law?

How can you benefit from membership in the American Society of International Law?

What does the American Society of International Law do?

Who supports the American Society of International Law?

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2223 Massachusetts Avenue, N. W.
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*Members of the Executive Committee



For File

April 23, 1975

I am very pleased for this opportunity to commend the American Society of International Law for the enormous contribution its members make in this vital area.

In recent years, we have witnessed an intensive process of codification and compilation in many spheres of international relations. International law can no longer be considered a narrow specialty or a topic for students alone.

The learned journals of your Society deal with diverse topics of critical universal interest such as man's use of the seas, transnational pollution and the pricing of commodities in world markets. Although the policy of your Society is to take no position in these matters, you make it possible for the rest of us to do so on a more informed and intelligent basis.

I warmly congratulate you on a public service that continues to have such monumental importance for our nation.

GERALD R. FORD

Sent to: Mr. Seymour J. Rubin
Executive Director
American Society for International Law
2223 Massachusetts Avenue, NW.
Washington, D.C. 20008

GRF:Hasek:ck

cc: D. E. Downton/R. Nessen/P. Buchen/P. Theis/E. Hasek/CF
EVENT: APRIL 24-26, 1975

Requested by Mr. Rubin.

