

## MEMORANDUM

## NATIONAL SECURITY COUNCIL

September 24, 1975

## MEMORANDUM OF CONVERSATION

**PARTICIPANTS:** President Ford  
Vice President Rockefeller  
Mr. Rogers Morton, Secretary of Commerce  
Republican Congressional Leaders (List Attached)

**DATE AND TIME:** Wednesday, September 24, 1975  
8:05 - 9:50 a.m.

**PLACE:** The Cabinet Room

**SUBJECT:** Energy, Arms Embargo on Turkey,  
Sinai Agreement, and Handling of  
Intelligence Material in Congress



The President opened the meeting by saying that the first item on the agenda was energy, a topic which appears to be a never ending struggle and one which is always on the agenda for the GOP leadership meeting. He asked Frank Zarb to outline the status of various pieces of legislation and the Administration's reaction to them.

Turning to the issue of the Turkish arms embargo, the President asked John Rhodes to describe the situation in the House.

Congressman Rhodes said that the bill goes to the Rules Committee today and barring any difficulty there, which is not expected, the bill will be scheduled for a vote next Tuesday afternoon.

Congressman Michel gave the reports of a whip check taken yesterday which indicate 103 Republicans for the bill, 16 hard against, and 37 undecideds, of which 10 are leaning in the Administration's favor. Michel commented that this was a better count than the whip check taken before the July 24 vote.

DECLASSIFIED

E.O. 12958, SEC. 3.5

NSC MEMO, 11/24/98, STATE DEPT. GUIDELINES, state reviews 01/11/04  
BY lwh, NARA, DATE 6/13/04

~~TOP SECRET~~  
CLASSIFIED BY STATE DEPT. ON 11/24/98

The President said that Speaker Albert had told him that he would go all out for an affirmative vote. The President also noted that the Jewish community has promised him to help the Administration on this vote.

Congressman Cederberg noted that when he was in Israel recently, the Israeli leaders told him that they were opposed to what the Congress had done to Turkey, but they told him that they had been unsuccessful in changing the votes of any Jewish congressman.

The President observed that we have had some very dangerous indications of what might happen if the embargo is continued. The Turkish-Cypriot negotiator Denktash has said that the Turkish-Cypriot may declare an independent Turkish-Cypriot state. They now hold 40 percent of the Island's territory. We don't know the meaning of this threat, but it shows the dangers of what might happen if the embargo is not lifted. The President also mentioned talks the Administration has had with the Europeans. They see great dangers involved. The President also noted that we have made it very clear to the Turks that if they misuse any weapons supplied after the embargo is lifted, the embargo will be immediately reinstated. The President concluded his remarks on Turkey by saying that he is deeply worried about the trend of the efforts on this issue.

Turning to the Middle East, the President asked Senator Scott to describe the situation in the Senate.

Senator Scott responded that the Senate Foreign Relations Committee was holding an executive session today to consider the draft resolution approving the U. S. technicians in the Sinai.

Senator Case noted that the subject has not been discussed in the full Committee since the briefings provided by Secretary Kissinger and Under Secretary Sisco two weeks ago. He noted that the Committee's problem is whether it can get some unclassified statement of U. S. undertakings and assurances on the public record so that the American people would know the whole story behind the recent Sinai Agreement. Senator Case observed that if this could be done, the Senate could pass the resolution quickly. If it is not done, there will be a great deal of trouble, and he would be reluctant to go to the floor for a vote if he could not lay out fully the record in some unclassified way. He noted that he was in contact with Secretary Kissinger on this problem.

The President asked Senator Scott when the full Senate would vote.

Senator Scott reported that a vote was unlikely before Tuesday or Wednesday of next week.

Senator Case said that he thought the HAWK problem was settled very nicely. There was a small problem with the King after the agreement was reached, but that appeared to be because the King had not read the standard contract language involved in the sale of the weapons. The King's outburst was somewhat surprising but equally surprising was his sudden retraction. Senator Case said there was no longer any problem in the Congress because it was relying on its confidence in the assurances the President had given in his letter to the Senate and the House.

The President said that in regard to the controversy over the Pershing missiles, one of the first things he was presented when he took office last fall was the Israelis' military shopping list called MATMON B. He noted that it was just a list of all the things the Israelis wanted but no U. S. commitments were involved. The Pershing missile was one of the items on that list. The Pershing request was resubmitted to the U. S. during the most recent round of peace negotiations. The President stressed that we made no commitment on the missile and promised only to study carefully the Israeli request for this missile, which was but one item on a very extensive shopping list.

The President asked John Rhodes where the Middle East Agreement stood in the House.

Congressman Rhodes responded that the House is waiting for the Senate to act.

Congressman Anderson said that he wanted to echo the words of Senator Case. The Congress must put to rest the feeling that there are some secret agreements not yet revealed which commit the United States. Unless this issue can be cleared up for the public record, there will be trouble bringing the resolution to a vote. He noted that some Members of the House are very unhappy over reports that Secretary Kissinger had referred in testimony to the value of something called "constructive ambiguity."

Senator Case said to the President that it would be very helpful if he could act to send up the unclassified summary of the various commitments and assurances. Senator Case went on to say that with all due respect for Henry Kissinger, he does have a reputation on the Hill for "constructive ambiguity."

Senator Scott said the Secretary has a reputation for just plain ambiguity.

The President then turned to a discussion of the current controversy over the handling of intelligence materials in the Congress. The President said that he believes <sup>the</sup> there should be some uniformity on how to handle classified material between the two branches. There must be some responsible means for deciding on the public disclosure of this material. He said that he wanted to make one point very emphatically--the Administration will in no way fight to protect any error or any illegal act. However, we cannot publish intelligence sources, methods, agents or techniques and that was our only concern. "

Counselor Marsh noted that the Administration is in a difficult position because we are plowing very new ground in this sensitive area. There is a conflict of the Constitutional duties of each branch. Congress has traditionally recognized the right of the President to exercise secrecy. The issue today is not one of the delivery of classified materials to Congressional committees, rather it is the unilateral role the Committee claims in making public material which is protected under signal intelligence statutes.

Mr. Buchen noted that with Congressman McClory's help, we have gained some time to try to work out a satisfactory procedure for handling this material. There has long been an accommodation with the Congress on this matter, and despite the recent controversy the Administration would like to get back onto the traditional track again. While we are quite ready to resolve any differences with the Congress, we cannot tolerate the instant declassification on an individual committee basis. He stated that he could not believe either branch wants to go to the courts. What we really want is to work with the committees without haste and pressure and are quite willing to work out declassifying material to go into the committee's final report.

Congressman McClory presented the President with a statement of procedures recommended by the Republicans on the Select Committee. He noted that the procedures were drafted in consultation with Rod Hills and Phil Buchen. He noted, however, that the Democrats are strongly set on a confrontation and they are quite anxious to go to court and to have Secretary Kissinger, Director Colby, possibly even the President, dragged into the court room on this issue. (There ensued an extensive exchange back and forth over the issue of handling intelligence materials. The following points summarize the key statements of the discussion.)

Congressman Anderson noted that the Administration's position over the declassification of the four words released by the Select Committee was politically indefensible. The Kalb Brothers' book on Kissinger had the same words in far greater intelligence detail in their book.

Congressman McClory reiterated and emphasized how critical it was to reach some understanding since the Democrats are anxiously seeking a confrontation.

Congressman Cederberg noted that Congressman Giaimo is planning, within the Appropriations Committee, to make public the budget for the CIA. He viewed this development with great alarm.

Congressman Rhodes noted that he is confident that 99 percent of the differences between the Administration and the Committee could be negotiated. However, he is concerned about what would happen on the 1 percent which could not be agreed. He suggested that the White House consider some form of Presidential determination whereby the President could personally certify that the National Security required continued classification of the documents at issue. This would provide an escape hatch for both the Congress and the President to avoid confrontation.

The Vice President commented that the basis for our current problem is the very unfortunate misunderstanding that resulted when the Republicans on the Select Committee convinced Chairman Pike to go along with the procedures they proposed, and then the Executive Branch stated that that was not good enough. The Vice President said that he thought it would be wise to accept the procedures McClory had worked out and to cut our losses before we are faced with a major confrontation which we would lose in the eyes of the press and the people. The Administration should not let itself be put in a position where we look like the Nixon Administration.

The President responded that he was certain that a way could be found out of this problem, but the White House would need a couple more days to deliberate.

Jim Lynn noted that whenever we talk about exposing intelligence methods, we should also keep in mind that releasing small bits of sensitive information could have the unfortunate effect of destroying the effectiveness of intelligence equipment worth billions of dollars. The American people may be upset about the potential destruction of our intelligence capabilities, but there is no question they would be upset about such a destruction and waste of millions of dollars spent in intelligence collection equipment.

At the conclusion of the meeting, Congressman Rhodes asked his House colleagues to pay careful attention to recommitment efforts on the Conference Report for the State Department appropriation bill. He said that the President had just told him that he would veto any bill if it came to him with the language of the original Snyder Amendment on Panama.

PARTICIPANTS

The President P  
The Vice President P

SENATE

Hugh Scott P  
Carl Curtis P  
Bob Stafford P  
John Tower P  
Ted Stevens P  
Milt Young P  
Paul Fannin P  
Cliff Case P

HOUSE

John Rhodes P  
Bob Michel P  
John Anderson P  
Sam Devine P  
Barber Conable P  
Lou Frey P  
Jimmy Quillen P  
Guy Vander Jagt P  
Bud Brown P  
Herm Schneebeli P  
Al Cederberg P  
Bob McClory P

STAFF

Secretary Kissinger *Absent*  
Secretary Morton P  
Don Rumsfeld P  
Bob Hartmann *Absent*  
Jack Marsh P  
Phil Buchen P  
Ron Nessen P  
Jim Cannon P  
Jim Lynn P  
Max Friedersdorf P  
Bill Seidman P  
Alan Greenspan P  
Bill Baroody P  
Brent Scowcroft P  
Dick Cheney P  
Frank Zarb P  
Doug Bennett P  
Vern Loen P  
Bill Kendall P  
Charles Leppert P

Pat O'Donnell P  
Tom Loeffler P  
Bob Wolthuis P

*Rod Hills P  
Mike Duval P  
Les Janka P  
Bill Greenor P  
Russ Rourke P  
Jack Caulkins*

REGRETS

Secretary Schlesinger  
Senator Griffin  
Rep. Edwards  
Rep. Broomfield

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NATIONAL SECURITY COUNCIL

September 25, 1975

TO: MIKE HORNBLOW

FROM: LES JANKA

Mike:

With regard to your questions on the attached Memcon. I did not send it to Scowcroft for three reasons: (1) He is swamped with paper now; (2) There is nothing new or controversial in here and I intend to send him the Memcon of today's bipartisan leadership meeting which covered the same ground; and (3) my notes from this meeting were not very good and I'm not particular proud of this Memcon.

I did not classify it because I take seriously our instructions on classification and can see no reason to classify in any way what was told to 25 members of Congress.

NSC CORRESPONDENCE PROFILE

DOC		RECD			LOW NBR		INITIAL ACTION O	
MO	DA	MO	DA	HR	7506417			
9	24	9	25	16				

SOURCE/CLASS/DESCRIPTION

*Hanklow*  
 TO: PRES \_\_\_\_\_ FROM: *KISSINGER, H* \_\_\_\_\_ S/S \_\_\_\_\_  
 KISSINGER \_\_\_\_\_ COLBY, W \_\_\_\_\_ OTHER \_\_\_\_\_  
 SCOWCROFT \_\_\_\_\_ SCHLESINGER, J \_\_\_\_\_  
 DAVIS \_\_\_\_\_ ST EX SEC \_\_\_\_\_

REFERENCE: CIRCLE AS APPROPRIATE  
 UNCLAS LOG IN/OUT  
 LOU NO FORN NODIS  
 C EYES ONLY EXDIS  
 S CODEWORD  
 TS SENSITIVE

SUBJECT: *Memorandum re meeting w/ VP, Morton & other Congressional Republican leaders Sept 24 1975*

DISTRIBUTION/INITIAL ACTION ASGMT

INTERNAL ROUTING AND DISTRIBUTION		REC CY FOR	ACTION REQUIRED
	ACTION		
ADVANCE CYS TO HAK/SCOWCROFT			MEMO FOR HAK ( )
STAFF SECRETARY			MEMO FOR PRES ( )
FAR EAST			REPLY FOR ( )
SUB-SAHARAN AFRICA			APPROPRIATE ACTION ( )
MID EAST / NO. AFRICA / SO. ASIA			MEMO TO ( )
EUROPE / CANADA			RECOMMENDATIONS ( )
LATIN AMERICA			JOINT MEMO ( )
UNITED NATIONS			REFER TO FOR: ( )
ECONOMIC			ANY ACTION NECESSARY? ( )
SCIENTIFIC			CONCURRENCE ( )
PROGRAM ANALYSIS			DUE DATE:
NSC PLANNING			COMMENTS: (INCLUDING SPECIAL INSTRUCTIONS) <i>Inlet; Rogan, Morton</i>
CONGRESSIONAL			
OCEANS POLICY			
INTELLIGENCE			

SUBSEQUENT ROUTING/ACTIONS

DATE	FROM	TO	S	SUBSEQUENT ACTION REQUIRED (OR TAKEN):	CY TO
<i>9/25</i>				<i>C De Keen purpose</i>	

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 SUSPENSE CY ATTACHED: *yes* FOLDER: \_\_\_\_\_

MICROFILM & FILE RQMTS:  
 SEP 27 1975 BY \_\_\_\_\_  
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 OPEN: *GAB* HP NS  
 CLOSE: *GAB* EP  
 PA DY