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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

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PARTICIPANTS: President Ford
Dr. Henry A. Kissinger, Secretary of State and
Assistant to the President for National
Security Affairs
Senator Frank Church (D-Idaho)
Senator John Tower (R-Texas)
Philip W. Buchen, Counsel to President
Amb. Donald Rumsfeld, Asst. to President
John O. Marsh, Asst. to President
Lt. General Brent Scowcroft, Deputy Assistant
to the President for National Security Affairs

DATE & TIME: Wednesday - March 5, 1975
10:00 a.m.

PLACE: The Oval Office

SUBJECT: Congressional Investigation of CIA



Church: I consider that any investigation that Tower and I agree on should be a source of satisfaction all around.

President: It is an unusual team.

Church: We decided that because of the unusual nature and the sensitivity of the material, we would suppress partisanship, have a unified staff, and rules of confidentiality. We are getting a good staff. They all will have Q clearances. We have had good cooperation from CIA and FBI. We are following security arrangements made by the FBI. We will make sure that documents are properly handled and checked in and out.

As far as the direction of the investigation, Tower and I agree the purpose is not to undermine, harrass, or disable our intelligence organizations. The last thing we want to do is imperil the agents, or endanger the United States. But we have to have all the data about intelligence activities so we can discharge our responsibilities to

Presidential Library Review of NSC Equities is Required

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CLASSIFIED BY Henry A. Kissinger
EXEMPT FROM GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
EXEMPTION CATEGORY 5B(3)
AUTOMATICALLY DECLASSIFIED ON Imp-to def -

DECLASSIFIED, with portions exempt
AUTHORITY NSC Review 12/16/04; NSC/State guidelines
BY Jah NLF, DATE 4/18/07

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recommend changes and laws. On the domestic charges, we will look very thoroughly at the charges and may have some open hearings. If we can get your cooperation, we can get it done quietly but thoroughly.

President: Do you have any time frame in mind?

Church: The authorization goes to September.

Tower: Our charter is very broad, but we will not go into everything. We will focus the investigation.

Kissinger: You said you need all information about clandestine activities? Every detail on covert operations?

Church: We don't want to be buried under minutiae. We do need enough to make recommendations about clandestine and surveillance activities. Speed is best for all.

President: I agree. This whole process of leaks and allegations has put CIA into turmoil. It is not now the kind of Agency I knew when I was on the Mahon group. We need a very good intelligence community. Until this is over, they will be paralyzed.

Church: True -- but if the work is well done it will clear the air and restore the agencies to the good position they should enjoy.

Colby feels that an investigation could correct problems within the community and we should get on with it.

President: How will you work with the House?

Church: I talked to Nedzi. I hope we can cooperate and avoid duplication.

President: He has a problem with committee members. That worries me.

Church: Our Committee attitude seems good. What we need is a directive from you to the agencies which would direct full cooperation with the agencies. As we move along we will need first statutory and budgetary information for a good overview of the community. As we choose the cases which will be the focus of the inquiry. Tower and I agree there will be no partisanship.

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President: I agree. It is as much under one party as another.

Church: Probably. Anyway we will go where the evidence leads.

President: Let me respond to your directive request. I gather they have cooperated.

Church/Tower: Very well.

President: I want to think that over. If I send your committee a letter and you handle it responsibly, don't I have to do the same for Nedzi? Some of his people have mishandled classified data. So I want to think it over whether to do it separately or one omnibus letter.

Buchen: We will be keeping close tabs on what the intelligence community is doing. To give a directive on an abstract basis adds little. If problems arise, we can settle it on a case-by-case basis.

Church: Our purpose is just to expedite the flow of papers to the Committee.

President: Let's leave it for now. I will have an individual designated to coordinate and you can deal with him.

Tower: We can get material more quickly through the White House.

Kissinger: I am not aware of any reluctance. If it arises, Church and Tower can come to us.

Church: That's right, but we are not yet into substance.

President: I will put someone in charge and you can work with him. If then...

Church: We want to cooperate. We must decide what to publish, but we would want to coordinate to make sure what...

Here is what we want initially: the Executive Orders for intelligence activities, the NSCIDs, and all NSDMs.

Kissinger: That gives you the whole NSC system.

[He describes NSSMs and NSDMs.]

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Church: Only the ones relating to intelligence operation. But we want to start with an understanding of the statutory basis of what has gone on.

Kissinger: That means you want a list of all covert operations.

Church: Perhaps we will only want to go back to the last Republican and Democratic Administrations. I don't think we need to go back to the founding of the CIA.

President: Under the present procedure, if the 40 Committee makes recommendations, I just certify that an operation is in the national interest.

Kissinger: And there are new reporting procedures for each House that are so dangerous that we have done nothing since they were instituted.

President: Let me give a hypothetical case. Suppose there is a recommendation to interfere in another country's political situation. For a President to have to certify in writing to such things is wrong.

25X1

Kissinger: [Speaks of U-2 incident] [REDACTED]

[REDACTED] It is one thing to do it; it is another for the President to certify it in a statement to the Congress. I hope you will look into this.

25X1

Church: That could result. What we need to know is all that has been going on in clandestine activities so we know what kind of rules and regulations to recommend.

Kissinger: What worries me is not the Committee staff. The 40 Committee approves reconnaissance activities and other things which, if compromised, are lost forever.

Church: I think there are ways the information could be provided which could protect it.

Kissinger: On some, if we could keep the most sensitive to 2 or 3 people.

Tower: Perhaps if Frank and I look at it first and then decide.

Church: Perhaps we could do it that way to decide what to put before the Committee.

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Kissinger: Q clearances aren't enough.

Church: We are not at cross purposes on this.

President: We will look at your memos. We can then have another preliminary meeting and point out the pitfalls if all of this were to be given. Maybe there are 10-20 areas which ought to be given only to you and John.

Church: That is fine. I will leave it with you.

President: This will give us a guideline. We will tell you where there is no problem, when we have difficulty.

Church: We don't want a problem. We want to stay out of conflict. But the Committee has to have all the essential information. The press always asks the question about the Colby report. This is not a formal request. Colby said it was your property. But somewhere down the line you will have to make a recommendation. We would like to have your view.

Scowcroft: You gave it to the Rockefeller Commission. They will make recommendations.

Church: That raises another point. The Commission has asked for data from Congress. We have provided it and in return we would like all the material from the Rockefeller Commission to speed up the process.

President: I need to consult with my advisors to insure this doesn't leak.

We had a thorough discussion. We will have to make decisions on the special requests of the committees. We will deal with them as they arise.

Church: You may want to invoke Executive Privilege. I hope to the extent possible you wouldn't do that.

President: We will deal with this on a case-by-case basis.

Church: One other thing with Colby. We suggested getting directly into the files of CIA and FBI rather than them having to slip material down to us. That would greatly expedite the investigation.

President: I would want to consult on this. In theory it is better than trucking material down...

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Kissinger: That is not the same as letting them go with free access to the files.

President: I presume you are not contemplating free roaming through the files.

Church: No. It would be for specific material.

President: In theory, it seems okay.

Church: The purpose of the meeting was just to say how we intend to proceed. We will come to you and give you specific details later on.

President: It was a constructive meeting. I hope it will achieve the purpose of making any changes in the law to strengthen the agencies and correct any abuses which may have been made in the past.

Church: Who will be the White House contact?

Rumsfeld: We have someone who will be working on it for a few days or so and someone else is tentatively selected.

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