

N.D 6.
THE PRESIDENT HAS SEEN...*dyf*

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THE WHITE HOUSE

WASHINGTON

May 13, 1975

MEETING WITH SECRETARIES KISSINGER,
SCHLESINGER AND DIRECTOR COLBY

Wednesday, May 14, 1975

3:00 p.m. (30 minutes)

The Cabinet Room

From: Philip W. Buchen

P.W.B.

I. PURPOSE

To resolve issues raised by the Senate Select Committee investigation of the intelligence community.

II. BACKGROUND, PARTICIPANTS & PRESS PLAN

A. Background: As the Select Committee pushes for access to particularly sensitive information, it is desirable to resolve differences within the Administration over the degree and manner of disclosures and to emphasize the need for giving discretion within broad guidelines to your Counsel's office of responses to the Committee.

B. Participants: Secretaries Kissinger and Schlesinger, CIA Director Colby, Don Rumsfeld, John Marsh, Philip Buchen, Rod Hills and General Scowcroft.

C. Press Plan: No announcement or photos.

III. TALKING POINTS

1. General Comment

A. I am told that in 1960 Scoop Jackson in a report for the Subcommittee on National Policy Machinery wrote:

"The golden word of intelligence is silence. More can be lost by saying too much, too soon, than by saying too little, too slowly."

That is still the principle to be followed.



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Ford Papers: Prez Handwriting File: Natl Security Series, b. 30, f: "Intell (2)."

B. However, I have assured Senators Church and Tower that this Administration will cooperate with the investigation of the Senate Select Committee in order that the Committee may complete its work as quickly as possible.

C. The purpose of this meeting is to set out how we can best cooperate without undue delays and avoid damage to the activities and capabilities of the intelligence community. We now have some specific issues to be resolved promptly that I am bringing up at this meeting.

2. Disclosure of covert action

A. By "covert action" I mean secret attempts to influence or control the internal affairs of other nations, as distinguished from the mere secret gathering of information.

B. I think we can all agree that the Committee should be given complete information on the following:

- Fundamental rationale of the Executive Branch in justification of covert actions to include specific and thorough treatment of the relationship of these actions to the national security.
- The objectives to be met through covert actions.
- Authorities which historically have formed the basis -- in the U. S. and other countries -- for the conduct of covert actions.
- The conceptual approach that has been pursued since 1947 in the planning and conduct of political, economic and paramilitary actions.
- A historical summary of the organization of the U. S. Government for providing policy guidance, considering, approving and evaluating covert actions.

C. In addition, the Committee will want the following:



- The same information on current covert actions as has been reported verbally to other committees of the Congress under Sec. 663 of the Foreign Assistance Act of 1974.
- Details of past covert actions covering those specific operations which CIA Director Colby may select for disclosure to the Committee.
- Details of plots to assassinate foreign leaders.
- Matters brought out in the Colby report to me and in the Inspector General's report on which it is based and those matters questioned in employee responses which led to the IG report but which are not treated as questionable in the report.

D. It is proposed that initially Director Colby should provide this information verbally to Senators Church and Tower only, in order to get them to appreciate the extreme sensitivity of much of this information and the need to protect it from disclosure in order to avoid damage to our foreign relations with the foreign countries affected, death or harm to foreign officials or politicians involved, and impairment of our covert-actions capabilities.

The purpose of this initial limited briefing will be to induce the Chairman and Ranking Minority Member to impose limitations on the further investigation of the subjects covered. However, we must be prepared to allow some in-depth investigation by one or two acceptable staff members. This further investigation should be subject to the limitation that only certain covert actions must be explored, and that documentation in the form of written histories or records of operation can be read but cannot be removed to the Committee files except in paraphrased form. If any of you see any difficulties with this course of action, let us get them resolved here. Insofar as the specific implementation of this plan is concerned, I will ask that the participants rely on my Counsel's office to negotiate with the Committee and its staff in order to minimize the risks involved.



3. Agency Relationships to Persons Interrogated by the Committee or its Staff

Although the Committee has rejected the principle of having agency counsel present at all interviews, each agency should seek to have this practice followed in as many cases as possible. However, where it is not possible, the agency representative should seek to obtain the following:

- Advance notification with respect to any witness to be called and the specific areas or items of inquiry.
- An opportunity to acquaint the witness in advance with the rules and guidelines on disclosure of sources, methods and other sensitive information.
- A right to receive and review any transcripts or other memoranda of the interview.
- A right for the employee to consult with an agency representative during the course of the interview on any matters as to which he has a question.
- "Secret" witnesses should be held to an absolute minimum. In these cases, the Select Committee should notify us of the area or item of inquiry. It is in neither the Select Committee's interest nor our interest not to tell us the areas of inquiry. Indeed, if we know the areas of inquiry, we may well be able to propose alternative witnesses or lines of investigation in a way to avoid the Committee's being misinformed or misled.

4. Central Coordination of Responses to Committee

The Director of Central Intelligence is prepared to maintain a central registry of all responses made by any intelligence agency to the Committee. This registry is important and I want all of the community to cooperate in seeing that it is complete and accurate so that we have one place of reference for all the kinds of information that goes to the Committee.



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This does not mean that copies of all documents must be filed in one place but abstracts of documents and summaries of information should be supplied for inclusion in the central registry. Before any information is supplied to the Committee, it should still be cleared through the Counsel's Office in the White House. In this way we will be aware here of what information the Committee is seeking from the different agencies and can avoid responses by one agency that could cause problems for the Administration as a whole or for another agency.

Also, when an agency desires to refuse a request for information by the Committee, the matter should be taken up with the Counsel's Office at the White House. The ultimate responsibility for refusing information to the Committee will fall upon me, as President, and if there is to be a claim of privilege on particular matters, it is up to me to assert it and to take the responsibility for having done so.

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