

THE WHITE HOUSE
WASHINGTON

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MEMORANDUM OF CONVERSATION

PARTICIPANTS: President Gerald R. Ford
Vice President Nelson Rockefeller
Dr. Henry A. Kissinger, Secretary of State
and Assistant to the President for
National Security Affairs
Donald Rumsfeld, Assistant to the President
Philip Buchen, Counsel to the President
John O. Marsh, Counsellor to the President
Lt. General Brent Scowcroft, Deputy Assistant
to the President for National Security Affairs

DATE AND TIME: Saturday, January 4, 1975
5:25 p.m. - 7:05 p.m.

PLACE: The Oval Office
The White House

SUBJECT: Allegations of CIA Domestic Activities

The President: We have been struggling for two weeks with the consequences of the Hersh article. We have come up with three things: I am writing to each intelligence officer to tell them: "Here is the law and you are expected to obey it." Second, we will establish a Blue Ribbon Committee to look into these allegations. Third, I will urge Congress to investigate this either by an existing committee or a joint committee.

We have looked at over one hundred names for the Blue Ribbon Committee. We asked seven -- John Connor, Douglas Dillon, Governor Reagan, Lyman Lemnitzer, Edgar Shannon, Erwin Griswold, and Judge Henry Friendly. Friendly declined on the grounds of separation of powers, and Griswold has a question in the ITT hearings. I haven't yet decided about Griswold.

NSS Review Completed.

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Colby has gone to [Acting Attorney General] Silberman not only with his report but with numerous other allegations.

The Vice President: At your request?

The President: Without my knowledge.

Mr. Buchen: I think he did not disclose all of it because the Attorney General is only concerned with domestic violations.

[Dr. Kissinger described the "horrors" book.]

The President: We are concerned that the CIA would be destroyed.

The Vice President: And we become the laughing stock around the world.

The President [to Rockefeller]: I would like you to be the Chairman of this Panel. You have the knowledge, the prestige, and the background to do the job which is needed.

The Vice President: Just what is the Commission to investigate?

Secretary Kissinger: If we can just confine the Panel to the domestic issue, we are okay, but if the Attorney General investigation starts a series of leaks, we may have to have the Panel expand its charter to deal with that too.

Mr. Marsh: Sparkman sent Colby a letter saying he wanted to investigate covert activities related to foreign issues.

The President: Colby has told Justice and several of us . . . And Nedzi and Symington. And Helms thinks Colby shafted him; Helms made it clear if there were any dead cats to be thrown out he would throw some of his own.

Secretary Kissinger: And Colby has taken to Justice the question of possible perjury by Helms.

The Vice President: This raises real questions on his judgment.

The President: We debated this and decided we could not move him now.

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Mr. Rumsfeld: Griswold will be responsible. The Commission is a little Republican and right. We thought of maybe naming someone from Labor, or Averell Harriman, or a black.

And I think no one should now approach the Attorney General, so it doesn't look like pressure.

The Vice President: I want you to be clear about my credentials. I was for Ike the chairman of the Covert Activities Advisory Committee and I'm now on the PFIAB. I am not trying to duck anything, just to point out the potential problems.

Mr. Rumsfeld: Did PFIAB ever propose CIA actions on the domestic side?

The Vice President: We were concerned that the FBI wouldn't do these things and CIA said they couldn't. I remember wondering why the President didn't order it.

Secretary Kissinger: I don't think there was a reason; PFIAB just felt that domestic intelligence was falling between the cracks and someone should do it.

The President: What Helms said was a strong justification of the domestic bit -- that it was ordered and it focused on the foreign connections.

Secretary Kissinger: And the names, he said it was routine bureaucratic activity. The mail check was ordered by Ike because Hoover wouldn't do it. My impression is that all the Presidents used their intelligence resources as they saw fit and could usefully employ them.

The President: What should the final report be?

Secretary Kissinger: It should look into the charges to lay out the facts in the case. I would see two reports: a highly classified one which is a careful analysis of the domestic activities, and a public one which is more general.

The President: There are 14 Congressmen on whom the CIA has files. They were either interviewed for employment, or turned up having some foreign connection.

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Secretary Kissinger: Helms swears that no Congressman was ever investigated while he was serving in the Congress.

The President: I think the Vice President is the one, and I think we should go to Meany and ask him to serve, or if he couldn't, to designate someone.

The Vice President: How about Counsel?

Mr. Rumsfeld: The names are circulating.

Mr. Marsh: We are facing eight separate Congressional hearings.

Secretary Kissinger: Colby must be brought under control. Any testimony to the Senate Foreign Relations Committee will leak. Can we work out anything with the leadership? If Colby continues this attitude, this stuff will be all over town soon.

The President: I would like laid out what I can legitimately tell Colby.

Secretary Kissinger: There are two ways to handle it. The easiest is to go to the leaders and have the covert hearings confined to the oversight committees.

General Scowcroft: But the Foreign Relations Committees are part of the oversight now.

The President: You can trust the Appropriations and Armed Services Committees and probably Morgan.

Mr. Marsh: But Government Operations also want hearings.

Secretary Kissinger: You also have the House rule on testimony.

The President: Also the House gimmick -- the rule of demanding material from the President and other Departments.

Start with Mansfield, Scott, the Speaker, Rhodes, and maybe others.

Secretary Kissinger: It would be overwhelmingly in the national interest to have it confined to one hearing or one in each House. You can't rely on Colby. He would say you refused to let him talk.

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The Vice President: You can say to them: "Could we have this discussion as a government in time of crisis? Not acting as the legislature, or the executive?"

The President: I think we should do it early next week.

Should I call Meany now?

The Vice President: I would like to bring my lawyer of 45 years -- John Lockwood -- into it.

[The President calls Meany.]

The President: He will let Phil know Monday. Phil, you could tell him it would take full time and steer it to Lane Kirkland.

The Vice President: His Executive Secretary is also reliable.

Mr. Rumsfeld: We should decide on Griswold tonight.

Secretary Kissinger: He is a man of great integrity.

Mr. Buchen: The papers may stir up things now forgotten.

The President: I think we should take him.

Thank you very much, Nelson. It is a tough job; it's important to us and to the country.

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