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Question: It has been two months since the submission of the Rockefeller report. What is being done?

Answer: -- I have decided that a majority of the recommendations (80% to be exact) can be implemented immediately, and have so directed.

-- Most of the remaining recommendations, although more far-reaching in scope, are capable of implementation in some form.

-- I have asked appropriate elements of the Executive Branch for recommendations as to how this may be done most effectively and expeditiously.

-- I have called for specific implementing options by the end of August.

-- At that time I will address further action by the Administration on the Rockefeller report.

Recommendations 6, 9-13, 14b, 15b-c, 16-18, 20, 21-23, and 27-30 (parts attached).



Twenty Reforms Recommended by the Rockefeller Commission

Recommendation (6)

The Department of Justice and the CIA should establish written guidelines for the handling of reports of criminal violations by employees of the Agency or relating to its affairs. These guidelines should require that the criminal investigation and the decision whether to prosecute be made by the Department of Justice, after consideration of Agency views regarding the impact of prosecution on the national security. The Agency should be permitted to conduct such investigations as it requires to determine whether its operations have been jeopardized. The Agency should scrupulously avoid exercise of the prosecutorial function.

Recommendation (9)

a. The Inspector General should be upgraded to a status equivalent to that of the deputy directors in charge of the four directorates within the CIA.

b. The Office of Inspector General should be staffed by outstanding, experienced officers from both inside and outside the CIA, with ability to understand the various branches of the Agency.

c. The Inspector General's duties with respect to domestic CIA activities should include periodic reviews of all offices within the United States. He should examine each office for compliance with CIA authority and regulations as well as for the effectiveness of their programs in implementing policy objectives.

d. The Inspector General should investigate all reports from employees concerning possible violations of the CIA statute.

e. The Inspector General should be given complete access to all information in the CIA relevant to his reviews.

f. An effective Inspector General's office will require a larger staff, more frequent reviews, and highly qualified personnel.

g. Inspector General reports should be provided to the National Security Council and the recommended executive oversight body. The Inspector General should have the authority, when he deems it appropriate, after notifying the Director of Central Intelligence, to consult with the executive oversight body on any CIA activity (see Recommendation 5).

Recommendation (10)

a. The Director should review the composition and operation of the Office of General Counsel and the degree to which this office is consulted to determine whether the Agency is receiving adequate legal assistance and representation in view of current requirements.

b. Consideration should be given to measures which would strengthen the office's professional capabilities and resources including, among other things, (1) occasionally departing from the existing practice of hiring lawyers from within the Agency to bring in seasoned lawyers from private practice as well as to hire law school graduates without prior CIA experience; (2) occasionally assigning Agency lawyers to serve a tour of duty elsewhere in the government to expand their experience; (3) encouraging lawyers to participate in outside professional activities.

Recommendation (11)

To a degree consistent with the need for security, the CIA should be encouraged to provide for increased lateral movement of personnel among the directorates and to bring persons with outside experience into the Agency at all levels.

Recommendation (12)

a. The Agency should issue detailed guidelines for its employees further specifying those activities within the United States which are permitted and those which are prohibited by statute, Executive Orders, and NSC and DCI directives.

b. These guidelines should also set forth the standards which govern CIA activities and the general types of activities which are permitted and prohibited. They should, among other things, specify that:

--Clandestine collection of intelligence directed against United States citizens is prohibited except as specifically permitted by law or published Executive Order.

--Unlawful methods or activities are prohibited.

--Prior approval of the DCI shall be required for any activities which may raise questions of compliance with the law or with Agency regulations.

c. The guidelines should also provide that employees with information on possibly improper activities are to bring it promptly to the attention of the Director of Central Intelligence or the Inspector General.



Recommendation (13)

a. The President should instruct the Director of Central Intelligence that the CIA is not to engage again in domestic mail openings except with express statutory authority in time of war. (See also Recommendation 23.)

b. The President should instruct the Director of Central Intelligence that mail cover examinations are to be in compliance with postal regulations; they are to be undertaken only in furtherance of the CIA's legitimate activities and then only on a limited and selected basis clearly involving matters of national security.

Recommendation (14)

a. A capability should be developed within the FBI, or elsewhere in the Department of Justice, to evaluate, analyze and coordinate intelligence and counterintelligence collected by the FBI concerning espionage, terrorism, and other related matters of internal security.

b. The CIA should restrict its participation in any joint intelligence committees to foreign intelligence matters.

c. The FBI should be encouraged to continue to look to the CIA for such foreign intelligence and counter-intelligence as is relevant to FBI needs.

Recommendation (15)

a. Presidents should refrain from directing the CIA to perform what are essentially internal security tasks.

b. The CIA should resist any efforts, whatever their origin, to involve it again in such improper activities.

c. The Agency should guard against allowing any component (like the Special Operations Group) to become so self-contained and isolated from top leadership that regular supervision and review are lost.

d. The files of the CHAOS project which have no foreign intelligence value should be destroyed by the Agency at the conclusion of the current congressional investigations, or as soon thereafter as permitted by law.



Recommendation (16)

The CIA should not infiltrate dissident groups or other organizations of Americans in the absence of a written determination by the Director of Central Intelligence that such action is necessary to meet a clear danger to Agency facilities, operations, or personnel and that adequate coverage by law enforcement agencies is unavailable.

Recommendation (17)

All files on individuals accumulated by the Office of Security in the program relating to dissidents should be identified, and, except where necessary for a legitimate foreign intelligence activity, be destroyed at the conclusion of the current congressional investigations, or as soon thereafter as permitted by law.

Recommendation (18)

- a. The Director of Central Intelligence should issue clear guidelines setting forth the situations in which the CIA is justified in conducting its own investigation of individuals presently or formerly affiliated with it.
- b. The guidelines should permit the CIA to conduct investigations of such persons only when the Director of Central Intelligence first determines that the investigation is necessary to protect intelligence sources and methods the disclosure of which might endanger the national security.
- c. Such investigations must be coordinated with the FBI whenever substantial evidence suggesting espionage or violation of a federal criminal statute is discovered.

Recommendation (19)

The CIA and other components and agencies of the intelligence community should conduct periodic reviews of all classified material originating within those departments or agencies, with a view to declassifying as much of that material as possible. The purpose of such review would be to assure the public that it has access to all information that should properly be disclosed.

Recommendation (22)

The CIA should not undertake physical surveillance (defined as systematic observation) of Agency employees, contractors or related personnel within the United States without first obtaining written approval of the Director of Central Intelligence.

Recommendation (23)

In the United States and its possessions, the CIA should not intercept wire or oral communications, or otherwise engage in activities that would require a warrant if conducted by a law enforcement agency. Responsibility for such activities belongs with the FBI.

Recommendation (24)

The CIA should strictly adhere to established legal procedures governing access to federal income tax information.

Recommendation (25)

CIA investigation records should show that each investigation was duly authorized, and by whom, and should clearly set forth the factual basis for undertaking the investigation and the results of the investigation.

Recommendation (27)

In accordance with its present guidelines, the CIA should not again engage in the testing of bugs on unsuspecting persons.

Recommendation (28)

Testing of equipment for monitoring conversations should not involve unsuspecting persons living within the United States.

Recommendation (29)

A civilian agency committee should be reestablished to oversee the civilian uses of aerial intelligence photography in order to avoid any concerns over the improper domestic use of a CIA-developed system.



Recommendation (30)

The Director of Central Intelligence and the Director of the FBI should prepare and submit for approval by the National Security Council a detailed agreement setting forth the jurisdiction of each agency and providing for effective liaison with respect to all matters of mutual concern. This agreement should be consistent with the provisions of law and with other applicable recommendations of this Report.



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Q Ron, you may have answered this previously when I was out, but has President Ford ever said how he operated when he was on the House watchdog Appropriations Subcommittee to overlook the CIA? Did he believe in regular meetings and full investigations then, or did they just superficially

~~_____~~ I have not asked him that question, Sarah.

Q Would you check with him on that and give me the answer, please, in the next few days?

MR. NESSEN: I will.

~~_____~~ you, Ron.

END (AT 12:55 P.M. EST)#129

Question: In view of the many attacks on the credibility of the Warren Commission finding as to the sole guilt of Lee Harvey Oswald for the assassination of President Kennedy, do you plan to institute a further review of the subject?

Answer: No, because I still have confidence in the findings of the Warren Commission that Oswald was the assassin and that there was no evidence of a conspiracy. Of course, if there should appear new and significant evidence of a conspiracy, foreign or domestic, then I would have to reconsider the question.

(Note: At San Diego you said the Rockefeller Commission or the Committees of Congress investigating the CIA would look into the problem if the facts seem to justify it, but presumably they would do so only if the CIA was involved in the plot or had suppressed evidence of a plot and you may want now to avoid implying that this could be the case.)

CIA

15. The President said that it has been traditional for the Executive to consult with the Congress through specially-protected procedures that safeguard essential secrets but that recently those procedures have been altered in a way that makes the protection of vital information next to impossible. In what way have those procedures been altered? Who is responsible for such alteration? As a result of this action has any vital information become public? How will the President work with the leaders of the House and Senate to devise new procedures? Will he include in his recommendation safeguards to make certain that our intelligence services can no longer be used for unconstitutional domestic spy operations.

CIA - Recent legislation has broadened the exposure of CIA information within the Congress, thereby increasing the risk of disclosure of sensitive information. We are hopeful that we will be able to work out satisfactory procedures that will assure an acceptable means of Congressional oversight while maintaining the necessary degree of confidentiality as appropriate. This should be a major concern of the Senate Select Committee as well and we look forward to working with the Committee in the months ahead. The President has made clear the prohibition of domestic intelligence that are not within the CIA's charter and has received the assurance of the DCI.

CIA

Q. The Church committee charges the White House is excessively delaying turning over material to them in its investigation of intelligence activities. Is this true?

A. I read this morning's New York Times story. Quite frankly, the White House does not agree. We feel that we are moving ahead as quickly as we can and still act in a responsible manner.

These requests, as you know, call for a tremendous volume of material. We are continuing to meet with representatives of the Church committee and are discussing almost daily plans and procedures for turning over the material they are seeking. In addition, staff members from the committee are at the CIA almost daily and documents are being made available to them on that basis.

We feel that we are cooperating with the Church committee. But since this involves the most sensitive type of material, we will continue to act in a responsible way.

Q. Is the White House reviewing all the material that the Church committee is seeking -- even when these requests are made directly to an agency?

A. The answer to that is yes -- at least for the initial part of the investigation. As Rod Hills is quoted... "we could not responsibly turn over this material without reading it."

~~But we emphasize, however, that the White House is doing this only until procedures are established.~~

CIA (continued)

Q. Chairman Church says he wants to meet with senior White House officials to discuss the problem. Has that meeting been arranged?

A. The White House has always been willing to meet with Senator Church and his committee members and the committee staff. We have done so on several occasions. I am told that Phil Buchen and Rod Hills will meet with Senators Church and Tower on Friday. However, no time or specific arrangements have been made for the ~~meeting~~ meeting.

Q. When will the President announce what steps he is taking administratively to make changes in the CIA and when will he send his recommendations for legislative changes to the Hill?

A. No date has been set for either, but because of the importance of the subject matter, I would look for fairly quick action.

Q. Has any material been turned over to the Church Committee yet?

A. We have been in contact with the Church Committee to work out procedures under which this information would be made available to them. As I said yesterday, the Counsel's Office does plan to make available to the Church Committee as quickly as possible, transcripts of the interviews of those who appeared before the Rockefeller Commission in connection with the assassination investigation. In one instance, that has already taken place and the Church Committee is reviewing the testimony of one individual.

(FYI ONLY: This is the testimony of Richard Bissell, former head of the CIA dirty tricks division which the Church Committee needed on a crash basis. You should not disclose publicly whose testimony it is.)

Q. Has the President set any deadline regarding suggestions for changes in the operation of the CIA or the intelligence community in general?

A. Yes, a memo is going out today to the Secretaries of Defense, State and Treasury, the Attorney General and the Director of the CIA asking for their recommendations ~~as soon as possible~~ and also any ^{as soon as possible} suggestions they have regarding the 30 recommendations made by the Rockefeller Commission.

C I A

QUESTION: Mr. President, Clark Clifford said today that he has already been questioned by the Rockefeller Commission about a possible CIA assassination plot. Since you created the Commission, I wonder if you think this is a proper area for the Commission to get into?

THE PRESIDENT: Mr. Cormier, let me say at the outset that this Administration does not condone, under any circumstances, any assassination attempts. We, in this Administration, will not participate under any circumstances in activities of that sort. Now, I have watched with interest and personal attention the stories and some allegations to the effect that assassinations were discussed and potentially undertaken.

I have asked members of my staff to analyze the best way in which this serious problem can be handled. I did discuss it with the Vice President last week and I expect within the next several days that I will decide the best course of action for the Rockefeller Commission, or any Executive Branch investigation of such allegations.

QUESTION: Then, you think it should be gone into at least semi-publicly?

THE PRESIDENT: It is a serious matter and I will decide within the next few days the best course of action for the Executive Branch to take on these allegations.

MORE

STATEMENT BY THE PRESIDENT

At the request of Vice President Rockefeller, I have today extended the reporting date for the report of the Commission on CIA Activities within the United States to June 6, 1975. ~~The Commission voted to request this extension because of the time consumed in assembling its staff and completing the required clearances before it was able to start to work.~~ No change was requested or made in the mandate of the Commission.

Steps On Intelligence

Steps taken by the President to curtail activities of federal agencies which may be inconsistent with laws relating to the privacy of citizens:

- . When issues have arisen in this area, the President has had discussions with the heads of agencies involved. In these talks, he has made clear his concern for complete compliance with all law relating to the gathering of intelligence. He has expressed his fundamental concern for the privacy of all citizens.
- . He has appointed a Commission to investigate ~~the~~ allegations concerning the CIA. He placed the Vice President at the head of this Commission. He gave a clear mandate to this group to take whatever steps are necessary to determine the truth of these allegations.
- . The new Attorney General, when he is ~~is~~ confirmed, will, on instructions of the President, review all policies concerning the gathering of domestic intelligence and make any ~~necessary~~ necessary recommendations to the President in this area.
- . The Justice Department prosecutes any violations of the law concerning domestic intelligence.
- . The President has repeatedly and publically discussed his views regarding the privacy of citizens. He is clearly on record in this regard.

o Pres. ~~signed~~ signed IRS bill protecting tax returns.



Fairways and Political Passengers

Q: On July 8, 1975, the New York Times published an article alleging that a CIA proprietary air charter service, called Fairways Corporation, had flown a number of political officials who were unaware of the organization's ownership and raising the question of whether political conversations held aboard the aircraft were reported to or monitored by the CIA. Did the CIA monitor or receive reports on the conversations of the political passengers using Fairways including two former Vice Presidents and several members of Congress?

A: I understand that there was a relationship between CIA and Fairways. The airline periodically provided secure transportation for agency employees. There was nothing illegal in the operation which was conducted under the closest supervision. Quite apart from its services to the CIA, Fairways conducted a charter business in full conformity with the law. The officials you refer to were carried under a normal charter arrangement. I have been assured that no eavesdropping or other improper activity took place against the passengers.



Q. Is today's New York Times story wrong then when it says the President is going to name a special assistant to coordinate these activities?

A. As I said, the position we are seeking to fill is that of the Deputy Counsel. I know of no plans to name a special assistant to deal with the investigation.

Q. What agencies might be called on to supply information in addition to the CIA?

A. Almost any federal agency with intelligence gathering functions could conceivably be asked to supply such information such as the NSA, Department of Defense, FBI, Treasury Department (Secret Service).

Q. Did you ever consider appointing a "czar" who would be over all of the intelligence community?

A. Various approaches were considered on how best to handle the Administration's response to the Senate's investigation, but I am not going to go into all of the various proposals that were considered. *Colby, NSC, have similar methods.*

Q. Was Larry Silberman ever considered to be that "czar"?

A. The President has a great deal of respect for Mr. Silberman's ability, but our policy is not to confirm who may or may not be under consideration for a Presidential appointment.

Q. Have you turned over any information to the Church Subcommittee?

A. No, that matter is still under study in the Counsel's office.

Q. Is the President going to replace Bill Colby?

A. There are no plans to replace Bill Colby.

Question:

Has the President responded to Senator Church's March 12 request for White House documents relating to intelligence activities?

Answer:

The President's Counsel has met regularly with the Select Committee's Staff Director and Legal Counsel. Yesterday, the Committee was provided with copies of all executive orders relating to the structure of the intelligence community and the legal foundation for particular intelligence activities. The Committee was also provided with copies of organizational materials relating to the National Security Council. The Committee was also provided access to a number of highly classified NSC intelligence directives and related materials. The White House Counsel's office and the Select Committee are still discussing appropriate procedures with respect to certain categories of very sensitive information.

Question: What process is the White House following in responding to Senator Church's request?

Answer: The Counsel's office -- in coordination with the National Security Council and others as appropriate -- has been reviewing the documents requested on an item-by-item basis. We have also had meetings with the Senate Committee representatives to explore appropriate mechanisms with respect to the production and protection of materials requested. The discussions with the Committee's staff have been very candid and constructive. Obviously, we want the Select Committee to have those materials which are relevant and necessary to its work. (At the same time, the President has certain Constitutional responsibilities to protect the national security and foreign relations, as well as such other matters as the privacy rights of Americans. The Select Committee appears to be sensitive to the President's responsibilities, and we are certainly trying to be sensitive to their needs.)

Question: Has the President decided yet where to draw the line? Which materials will he not provide to the Select Committee?

Answer: At this point, we are still working to decide which materials we can provide, and what procedures and protections are necessary and appropriate with respect to those materials. I don't believe it is useful at this point to speculate on other areas which present special problems.

Question: Will the President give the Select Committee the Colby Report?

Answer: As you know, on January 4, the President established a Commission on CIA Activities Within the United States. That Commission, which has been chaired by the Vice President, has had the Colby Report and has already done a considerable amount of work on the various matters raised in the Colby Report. The Commission's final report is due to the President by June 6. We hope that the Select Committee will have the benefit of the Commission's report in connection with its own work. Obviously, it would be unfortunate if the Select Committee duplicated the important work already done by the Rockefeller Commission.

With respect to providing the Colby Report to the Select Committee, we are moving in that direction. If the Select Committee has the report, they will be apprised of the matters already under review by the Rockefeller Commission, and won't have to "re-invent the wheel."

Question: Today's New York Times says that the House Committee's inquiry is "lagging." Is this so?

Answer: I think you should direct that question to Chairman Nedzi.

CIA

Q. Senate investigators say they are not getting the CIA material from the White House and have a letter from the White House saying they (the Senate Committee) will have to come down if they want to see the material. Is that true?

A. All of the material requested by the Church Committee is available at the White House to the Committee on a 24-hour, 7-day-a-week, basis. In fact, on Friday, seven or eight committee staffers were down to look at it -- along with Senators Mondale and Baker. On Saturday, Senator Morgan is scheduled to come down and others have indicated they will over the weekend.

Following Friday's visit to the White House, we heard the Committee members and staff were pleased with the arrangement. We have heard of no complaints.

Also, on Monday, we have made arrangements to transport the documents to the Hill. They will be used there by the Committee to interview witnesses. They will be under guard for the entire time, going up in the morning and returning to the White House in the evening. This procedure was suggested by the Committee.

Q. Are any original documents being turned over?

A. No. They are looking over Xerox copies. Also, other than the material that we previously said had been turned over, no documents are being given to the Committee for them to keep. They are just available for them.

CIA FOLLOWUP QUESTIONS

Q: Why is Senator Church charging that the Counsel's office is failing to turn over CIA-related documents?

A: The Counsel's Office is perplexed by the Senator's statement. I discussed this matter with Rod Hills and he said that we have turned over to the Church Committee or made available to the Committee all of the information, files, documents, etc., within the time that we mutually agreed to supply it.

We have either met or beaten all of the deadlines we imposed on ourselves. One of the documents cited in the wire story yesterday as being withheld actually was made available last Friday. (Files of the Special Review Group). The NSC files - - -

had we volunteers were not scheduled to be ready for ^{Committee} reading until later this week, and the Committee was aware of that schedule. However, by working through the weekend and all day yesterday, we have finished our review ^{--- AGAIN, AHEAD OF SCHEDULE ---} and notified the Committee of the material's availability.

As far as the President is concerned, a good working relationship exists between the Administration (or White House) and the Church Committee. The President hopes that if there is a problem, Senator Church will communicate with us about it.

(My quote last night from Rod Hills was: "The Senator is complaining in public about something that he has not brought to ~~the~~ attention of the Counsel's Office" "His comments are quite unexpected and are unfortunate.")

HILL CIA INQUIRY

Q. Senator Church says he will seek a meeting with the President to ask for "full cooperation" in the Hill's CIA probe. What is the President's view on this?

A. Of course, the Administration will "cooperate fully" with the Senate and House Committees.

Q. What about a meeting with Church and Tower?

A. No meeting has been scheduled. But the President has a pretty good track record of meeting with Members of Congress and hearing their views.

Q. Does this "cooperation" mean the President will not invoke executive privilege in the CIA investigation? Will he instruct his agency heads to testify?

A. I have heard nothing to indicate that anyone in the Administration has any plans to invoke executive privilege on this matter.

Q. Does that mean the President will order the CIA to supply everything members of the Committees request?

A. That is hypothetical. We will wait and let the Senate and the House settle on what they are going to do and how they are going to do it.

Q. Does the President think the Congressional investigation is really necessary in view of the Rockefeller panel?

A. That, of course, is a Congressional matter and how they see their duty in this matter is for them to determine.

GUIDANCE FROM MIKE Duval

Q. Ron, the Washington Post today reports that the Commission which the President's Executive Order says is supposed to establish guidelines covering CIA drug-testing experiments, does not, in fact, exist. Can you explain this?

A. As you know, the President's executive order states clearly that the CIA cannot test drugs on human beings without the informed consent of the subject, which is certified by a third party and is conducted pursuant to guidelines issued by the National Commission for the Protection of Human Subjects for Biomedical and Behavioral Research. This Commission was created in 1974 by PL 93-348, which, I understand, was sponsored by Senator Kennedy.

*Chairman, Kenneth Ryan.
Under HEW Advisory Commission
Review HEW regs and procedures.*

Q. Has the Commission issued guidelines?

A. I will check on that for you. However, I'm advised by the White House officials who worked on the Executive Order, that CIA may not conduct drug testing until the guidelines are in fact issued. In addition, the Intelligence Oversight board, which the President's order creates, will oversee this activity.

Re: National Commission for Protection
of Human Subjects of Biomedical
+ Behavioral Research

- First Meeting - FALL 1974
- Kenneth Ryan, Jr, is chairman
(head of Boston Hospital
for Women)
- Issued Report on Fetal
Research