

THE WHITE HOUSE  
WASHINGTON

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E.O. 12333, Sec. 3.4

MR 91-28, NY, NY Letter 4/6/93  
By KSH NARA, Date 1/28/93

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May 29, 1975

MEMORANDUM FOR: DON RUMSFELD  
FROM: DICK CHENEY  
SUBJECT: Status Report - New York Times  
Story of Sunday, May 25, 1975

Pursuant to your instructions, I have discussed above subject with Buchen, Hills, Attorney General Levi and DOD Counsel Hoffman.

At the end of this message is the complete text of the Attorney General's opinion. It raises a number of questions about the wisdom and/or feasibility of any legal action.

According to Hoffman, the Navy believes operations can continue, repeat can continue. SecDef is now personally reviewing the entire matter, and will be prepared to make a recommendation shortly as to the feasibility of continued operations. If the operation can, in fact, continue, then we may want to avoid taking any legal action.

McFarlane of NSC staff indicates that Scowcroft left with the impression that an investigation by the FBI would begin immediately. This has not been done. Such an investigation should probably not begin until a conscious decision has been made as to which course of action should be pursued.

Status - Summary

- (1) SecDef reviewing feasibility of continued operations.
- (2) No investigations have been started.
- (3) White House Counsel and staff refining legal opinions and options.

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The texts of Attorney General's opinion and of Washington Post article of January 4, 1974, are attached, as well as article from Christian Science Monitor of May 29.

Regards --

3 Attachments

