MEMORANDUM

NATIONAL SECURITY COUNCIL

NODIS ATTACHMENT

MEMORANDUM FOR:

DAVID AAR

FROM:

4355 - x

SUBJECT:

Request from Don Fraser for MemCon on President Ford Meeting with President Suharto

ZB

with the cri We have had a formal request for a document which, if turned over to Congressman Fraser could have a mischievous effect on our relations with Indonesia. Attached is the memorandum of conversation in which Ford and Kissinger -- for reasons which I do not understand -- went out of their way on the eve of the GOI move on Timor to assure Suharto of an understanding attitude by the U.S. I have clipped the relevant portions of the cable. They indicate that Ford and Kissinger were given some advance notice of Indonesian plans to incorporate Timor; that they flagged potential problems that could attend the use of US-made arms; that they gently urge Suharto to hold off any action until they got home; and that they did not make any significant effort to dissuade the Indonesian Government from doing what it thought necessary in dealing with the problem.

State evidently has told Fraser in very general terms of the contents of this conversation. He now wants the document as part of his continuing inquiry into the Timor situation. There is little doubt that if he gets hold of it, this will become a public issue, which in turn could precipitate the following adverse consequences:

- -- It would create a very damaging precedent in terms of preserving the confidentiality surrounding Presidential meetings with foreign leaders that is essential to any orderly process of foreign policy-making.
- -- Kissinger may regard it as part of a deliberate effort to embarrass him, and take the gloves off against the Administration on foreign policy

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-- Indonesian authorities would view this with perplexity and incomprehension -- a gratuitous move which can only fuel Congressional preoccupation with what they consider (with justice) as unwarranted interference in their affairs.

State is currently attempting to formulate a response to Fraser's request. They are contemplating a letter which would paraphrase the substantive exchange on Timor in hopes of deflecting Fraser's request for the document.

This strikes me as a feckless and silly response. The document is privileged. Its release would harm our foreign relations. I see no reason why Executive Privilege could not be invoked in such a case. If Fraser's request can be turned off through persuasion, so much the better. But I see no reason to compromise a confidential exchange to achieve that. It probably won't work, and I frankly see no reason to bend over backwards to accommodate Fraser, who has not been notably helpful to the Administration.

## RECOMMENDATION:

That you or David call Bob Lipshutz to inform him of this request, and to explore the possibilities and problems involved in invoking Executive Privilege to protect it. (I will endeavor to see that State does nothing about this request without our concurrence.)

Approve_		Disapprove	
	D84		

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