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OIT-0997-89  
21 August 1989

MEMORANDUM FOR: Executive Officer, Office of Security

VIA: Deputy Director of Information Technology

FROM:   
CIA Archivist

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SUBJECT: Classified Information in the Rockefeller Vault  
at Pocantico, New York

- REFERENCE:
- A. Memo to DDA from DCI dated 5 May 1989,  
(ER 89-1947)
  - B. Letter to Judge Tyler from DCI  
dated 15 May 1989 (DDA 89-0814)
  - C. Memo for the Record by  dated  
8 August 1989 (OS 89-3129)
  - D. Letter to Office of the Vice President from  
Director of Security, dated 9 December 1976

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1. Paragraph 8 contains a recommendation and action plan to resolve the problem of classified records being stored in the Rockefeller vault at Pocantico, New York.

2. Background:

a. At the request of the Staff Security Officer, Office of the Vice President (VP) in November 1976 the CIA Office of Security approved the Rockefeller vault at Pocantico New York for the storage of classified information up to and including SCI. It is assumed that some records were put there at this time (Reference D).

b. When Nelson A. Rockefeller (NAR) returned from Washington in 1977, he arranged through the Office of Military Affairs of the VP and the National Security Council to have classified papers accumulated during his two years as VP moved to the approved storage space in safes in the vault at Pocantico. There is no record of any further contact between NAR and CIA concerning records or the vault.

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SUBJECT: Classified Information in the Rockefeller Vault  
at Pocantico, New York

c. On 5 May 1989, Judge Harold Tyler of the law firm Patterson, Belknap, Webb, and Tyler at 30 Rockefeller Plaza, New York, New York, 10112, who represents the Rockefeller family interests, called the DCI. Judge Tyler's call was to notify the DCI that in a barn, inside a locked room, there is a vault containing four file cabinets of classified documents and to request guidance for handling the custody and/or disposal of the records. The DCI tasked the DDA to investigate, to provide guidance to the Rockefeller family, and to protect sources or methods. The Executive Secretariat assigned action to the DDA with info to DDCI, OGC, D/OS, C/IMS, and C/IMD/OIT (Reference A).

d. The DDA in turn assigned action to the Office of Security (OS) and the OS/EO, [redacted] was assigned point-of-contact. In a letter dated 15 May 1989, the DCI thanked Judge Tyler and told him that OS would assist in reviewing the documents and make appropriate disposition of them (Reference B).

e. [redacted] contacted the undersigned (CIA Archivist) and OGC [redacted] for assistance in determining a solution to the problems. IMS/DO also contacted the undersigned to find out what action IMD was taking. I assured the DO that I was acting in my capacity as Agency Archivist and would look after all Agency concerns. On 17 July 1989, a strategy meeting was held in [redacted] office where the decision was made to go to Pocantico for a preliminary review of the records. On 1 August 1989, [redacted] PTS/OS; [redacted] CIA Archivist, traveled to the Rockefeller Estate at Pocantico, New York (Reference C).

3. Facts Bearing on the Problem:

a. There are CIA-originated records bearing national security classification up to TOP SECRET and SCI in the vault at the Rockefeller Estate at Pocantico, New York.

b. The records created or received by NAR in his capacity as VP are the legal property of the Rockefeller Estate.

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c. The records concerning the Rockefeller Commission on CIA Activities in the United States, the Murphy Commission, the Intelligence Reorganization records created or received by NAR when he was Special Assistant to President Eisenhower in 1955, and all other records not created or received by NAR as VP are the property of the US Government.

d. There are security procedures for handling classified information within the Office of the VP in CFR 32, Chapter 2800. Unfortunately, this regulation does not cover procedures for handling these papers after the VP leaves office.

e. OS has procedures for closing out a vault arrangement and returning government records to the Agency. Unfortunately these procedures would not cover the VP records which are the personal property of the NAR estate.

4. Agency Concerns:

a. Proper physical protection of the National Security Information stored in the Rockefeller vault;

b. Current and future access to these records.

5. Rockefeller Family Concerns:

a. Disclosure of information that would embarrass NAR or the Rockefeller family;

b. Maintaining the integrity of the records for future historical research;

c. That if in government custody, the records would be subject to Freedom of Information Act (FOIA).

d. Controlling future access to the records.

6. Discussion:

a. There were several alternatives discussed with the Rockefeller representatives that included: sending all of the records to the CIA Archives, where they could be kept together and be available to authorized researchers;

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SUBJECT: Classified Information in the Rockefeller Vault  
at Pocantico, New York

sending all records to the National Archives; building a vault and retaining all of the records as part of the private Rockefeller Archives; separating the collection into classified, unclassified, and personal; and sending the entire collection to the Ford Presidential Library.

b. After considering all of the alternatives, I have concluded that the only one that meets all of the concerns of the government and the Rockefeller family is for Mrs. Rockefeller to deposit the entire collection in tact with the Ford Presidential Library in Ann Arbor, Michigan. The Ford Library has been approved by CIA for the storage of National Security Information up to and including TOP SECRET and SCI. Mrs. Rockefeller would control access and no classified information would be released without the originating agency's approval. (This is the procedure already in effect for all CIA information in all presidential libraries.) Additionally, once deposited with the Ford library, the records would not be subject to FOIA. They would, however, be subject to subpoena as in fact they are now. Under this plan, the Rockefeller family could retain any personal correspondence in the Rockefeller Archives.

7. Coordination:

I have verbally coordinated the above with [redacted] OGC; [redacted] DO/IMS; John T. Fawcett, Assistant Archivist for the Office of Presidential Libraries, NARA; and Edwin A. Thompson, Director, Records Declassification Division, Office of National Archives, NARA and all agree the Ford Library is the best solution.

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8. Recommendations:

a. That CIA recommend to the Rockefeller Estate representatives that the Papers in the three safes in the vault be deposited with the Gerald R. Ford Library at Ann Arbor, Michigan;

b. That CIA representatives return to New York to personally present the recommendations;

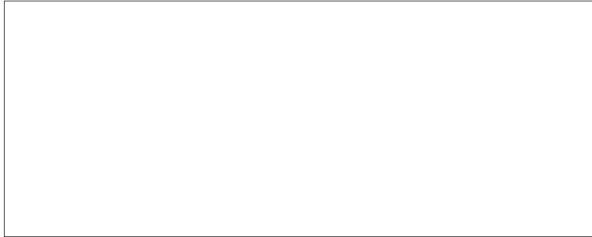
c. That the CIA Archivist put the Rockefeller Estate representative in touch with the Archivist in charge at the Ford Library to negotiate the Deposit Agreement;

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SUBJECT: Classified Information in the Rockefeller Vault  
at Pocantico, New York

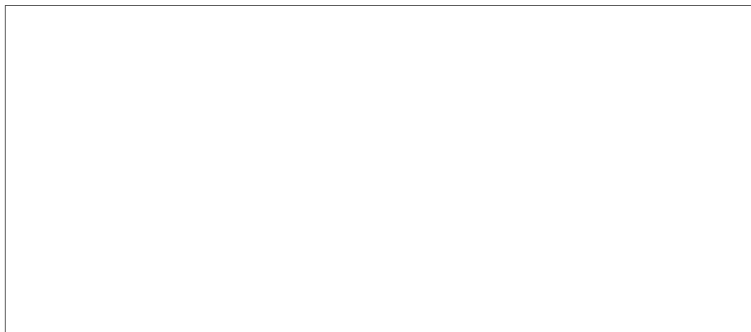
d. That CIA maintain control over access until the records are located in the Ford Library vault;

e. That CIA assist with the physical transfer of the three safes to the Ford Library at Ann Arbor, Michigan.



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CONCUR:



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Technology

8/22/89  
Date

24 AUG 1989

\_\_\_\_\_  
Date

Executive Officer, Office of Security

\_\_\_\_\_  
General Counsel

\_\_\_\_\_  
Date

ER 89-1947

5 May 1989

MEMORANDUM FOR: Deputy Director for Administration  
FROM: Director of Central Intelligence  
SUBJECT: Telephone Call from Judge Harold Tyler

1. I received a call today from Judge Harold Tyler, formerly Deputy Attorney General. He represents the Rockefeller family interests.

2. At the Rockefeller family estate in Pocantico, New York, there is a "barn." Inside a locked room in the barn is a vault area containing four file drawers of "classified documents."

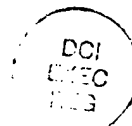
3. Judge Tyler is under the impression that this location was previously approved by the CIA. The family does not know what is in the file drawers, but I think it is reasonable to assume that they contain documents from the Rockefeller Commission inquiry into CIA activities.

4. Apparently the barn is being given away and the question arises--what to do about the "classified documents." I would appreciate it if you could track back our relationship to these documents, if any, and provide some guidance for handling their custody and/or disposal. I'm sure the family would be agreeable to our having a representative present when the doors are opened, at least to establish whether we have a custodial interest. My own responsibility for protection of sources and methods should provide an additional basis for our participation.

5. Please advise so that I may get back to Judge Tyler.

*WAW*

William H. Webster



L-202-IR



Washington D.C. 20505

May 15, 1989

The Honorable Harold R. Tyler, Jr.  
Patterson, Belknap, Webb and Tyler  
30 Rockefeller Plaza  
New York, New York 10020

Dear ~~Judge~~ Tyler:

Thank you for your call regarding the documentation contained within the vaulted area at the Rockefeller family estate in Pocantico, New York.

The Agency's Office of Security did indeed survey and approve the vaulted area for storage of classified material in 1975, with the understanding that documentation relevant to the Rockefeller Commission would be stored there. Representatives from the Office of Security are available at your convenience and should now assist in the opening of the vault and review of material. Government documentation will be returned to the Agency for appropriate disposition. The point of contact within the Office of Security is [redacted] who can be contacted directly on [redacted] if you wish.

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I appreciate very much your bringing this matter to my attention. Please don't hesitate to call if there are other ways in which I can assist.

Sincerely,

A handwritten signature in cursive script that reads "Bill Webster".

William H. Webster  
Director of Central Intelligence



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OS 89-3129

8 AUG 1989

MEMORANDUM FOR THE RECORD

SUBJECT: Rockefeller Vault at Pocantico

1. On 1 August 1989 myself [redacted] C/Information Management Division/OIT; [redacted] Physical Security Equipment Division/PTS; and [redacted] OGC, traveled to the Rockefeller Estate at Pocantico, New York, to conduct an initial survey of the classified holdings there. This survey resulted from a request by Judge Harold Tyler, representing the Rockefeller family, to the DCI to assist in the disposition of these classified holdings.

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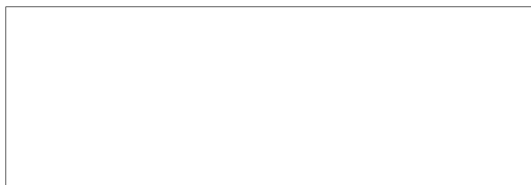
2. We were met by Richard Savage and Mary Kresky of the legal firm of Paterson, Belknap, Webb and Tyler, as well as Mr. David Wycrop, C/Security at the estate. The facility was originally surveyed by the Office of Security in 1975 at which time it was certified to store Top Secret/SCI material. There now is a plan for the future to open the current facility to the Rockefeller Foundation and other outside personnel. This was the reason for Judge Tyler's current request.

3. During our survey, the following points were determined:

- A large vault is located in the basement of the carriage house. It contains, along with personal items and papers belonging to the family, four four-drawer safes. One is inoperable/empty; the other three are functioning and all 12 drawers are full.

- The material is unclassified and classified. The classified material consists of both personal memoranda generic reports, briefings and documents. The classified material runs the gamut from Limited Official Use Only through Top Secret/Codeword. Multiple agencies are the originators of the classified material.

- The classified materials are interspersed with the unclassified so as to prevent a convenient separation. Sorting the material will require a page-by-page review.



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CONFIDENTIAL

SUBJECT: Rockefeller Vault at Pocantico

◦ While the facility technically meets TS/SCI certification, this is negatively impacted by the fact that the Rockefeller staff had the combinations to the safes. Numerous staff (who do not have the combination to the safes) have access to the vault. The Rockefeller security force responds to the alarms, and there is no S.O.P. to interface with USG security in the event of an alarm or incident.

◦ The Rockefeller family wishes to maintain some control over documents which are of a personal nature, regardless of classification, and wishes to maintain the continuity of this collection for future historical purposes.

4. The principle action taken at this time was to change the combinations to the three safes holding the classified material and maintain them solely in Agency possession (these new combinations are attached for OS). The family also now has a point of contact in the Agency should there be an incident. Future actions are as follows:

◦ The Rockefeller family will identify someone to act on their behalf during the process of sorting the classified and unclassified material. OS will work to clear this person to the Secret level. The family has agreed that they will rely on the Agency to make determinations for material above the Secret Collateral level.

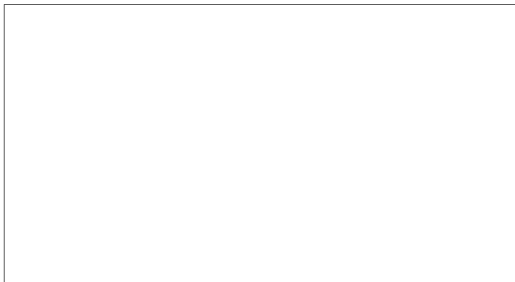
◦ OIT will investigate archiving possibilities which might satisfy the desires of the family and maintain the integrity of the Agency's responsibility for this material. OIT will provide a separate MFR describing this effort.

◦ OGC will investigate any legal issues involving the various options OIT develops, as well as FOIA and privacy matters. OGC will provide a separate MFR on their efforts.

SUBJECT: Rockefeller Vault at Pocantico

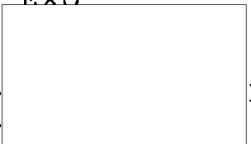
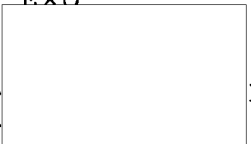
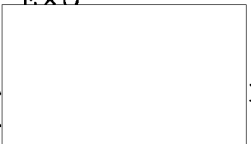
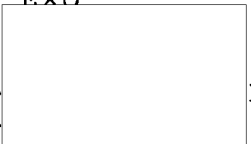
5. According to the family, there is no critical time factor. Any change in status of the facility is projected to take an additional six months. However, there is some urgency to assure the proper storage of this material. At this time, I did not feel any additional measures should be taken until a clearer plan could be developed. We advised the family's representative that we may not be able to completely satisfy their wishes, if at all, but that whatever the plan for final disposition, we would advise them of it up front. They were appreciative of this and this initial survey was amicably concluded.

6. Upon my return, I checked with our Special Security Center to see if they had any records for the Rockefeller SCIF. They did not but will now set one up. They are not aware of any other "unique" situations such as this. They also assured me that there are procedures for closing registered SCIFs and returning the material as appropriate. This would appear to be a "unique" situation which "fell through the cracks" and thanks to Judge Tyler can now be corrected.



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Distribution:

- Orig - EXO
- 1 -  OIT
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- 1 -  DC/OG w/att
- 1 -  , EXA/DDA
- 1 - D/OS
- 1 - C/SSS
- 1 - OS Registry

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CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

VMI

3 DEC 1976

MEMORANDUM FOR: Mr. Ralph E. Martin  
Staff Security Officer  
Office of the Vice President

FROM : Robert W. Gambino  
Director of Security

SUBJECT : Accreditation of Vault at Vice President's  
Residence, Pocantico Hills, New York

REFERENCE : Telephonic Request by Staff Security  
Officer, Office of the Vice President  
16 November 1976

Pursuant to the request of the Staff Security Officer, Office of the Vice President, the vault at the Pocantico Hills, New York, residence of the Vice President was surveyed by CIA security officers in December 1975 to determine its adequacy for storage of classified material. Following the survey certain recommended modifications were effected. The vault now meets the minimum physical security standards for the storage of classified material, including sensitive compartmented information. The vault is, therefore, now accredited for the storage of such material.

Robert W. Gambino

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