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THE WHITE HOUSE  
WASHINGTON

January 13, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: BOB LIPSHUTZ 

SUBJECT: Guyana

Supplementing my memorandum of December 13, please note:

1. The Justice Department has delivered to me a legal memorandum which comes to the definite conclusion that your actions in this matter, through the State Department and the Defense Department, clearly were within your constitutional authority.

2. The State Department and Defense Department agreed that the cost of this operation, which still is estimated to be in the neighborhood of \$4 million, is allocated to AID. Consistent with this consensus, OMB has proceeded accordingly in making this allocation.

Regarding the final major question relative to efforts by the Federal Government to recover the money expended in this operation from the "People's Temple", I am attaching a current status report given to me by the Department of Justice. I will continue to monitor this situation and to urge that all reasonable efforts be made to recover these funds. I, of course, will keep you advised.



# Office of the Attorney General

Washington, D. C. 20530

January 11, 1979

## MEMORANDUM

TO: MR. ROBERT J. LIPSHUTZ  
Counsel to the President

FROM: J. Michael Kelly *J. Michael Kelly*  
Counselor to the Attorney General

SUBJECT: Guyana Matter

You have asked for a status report on our efforts to locate assets of the Peoples Temple and seek recovery of funds expended by the United States.

Our Civil Division has been working closely with the Department of State, our Criminal Division, and the FBI. Civil Division attorneys have traveled to Switzerland, Panama, and California for the purpose of locating assets to satisfy our potential claims and to confer with local authorities. At our instance, Peoples Temple bank accounts have been frozen in Switzerland and in Panama. Additionally, at the direction of the Civil Division and the State Department, our Embassy in Guyana has formally notified the Government of Guyana of our potential claim against the assets of the Peoples Temple in Guyana and has requested that all assets in Guyana be safeguarded. Although we have not been officially notified of the amounts involved, it appears that more than enough assets have been frozen to satisfy our potential claims, and that the funds in Panama, alone, may exceed \$10 million. We have not yet filed civil actions in any foreign country, although we have retained local counsel in Panama.

The Peoples Temple has filed in the California state courts a petition seeking a judicially-supervised dissolution and winding up of its affairs (People's Temple of Disciples of Christ v. The Attorney General of the State of California (No. 746571, Superior Court)). An initial hearing on the petition has been set for January 23, 1979, at the Superior Court in San Francisco. We presently are analyzing whether the Department of Justice can file an independent action on our claims in Federal District Court in San Francisco prior

to January 23, 1979. As we have previously indicated, our right to recover the sums expended by the Federal Government under the unique circumstances of this case is not at all free from doubt.