

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

Office of the Assistant
to the Director
(703) 351-7676
(703) 687-6931 (night)

29 September 1975

FOR IMMEDIATE RELEASE

Statement by William E. Colby

The action of the House Select Committee on Intelligence to recommend that the House of Representatives adopt the proposed resolution is indeed, in the words of the resolution, "a grave matter". It goes to the heart of the question of whether the United States can conduct intelligence operations essential to the safety and welfare of our country.

On many occasions I have stated that an investigation into our intelligence activities should benefit both the nation and the intelligence agencies by clarifying the nature of modern intelligence as against its old images. This must be done in a fashion, however, which protects the essential secrets of intelligence which have been recognized throughout the history of the Republic since President Washington. Its judgments must also be reached in a serious and sober fashion reflecting the gravity of the nation's needs for intelligence.

As indicated in the attached letter with respect to this particular subpoena, and as reflected in the large volume of other material already provided to the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, as well as the House Select Committee on Intelligence, I believe the Intelligence Community has been forthcoming in responding to the legitimate needs of the Congressional committees investigating this subject. I have frequently reiterated my belief that reasonable men of good will in the Congress and in the Executive can agree on those matters which need protection and those matters which need exposure. As a professional intelligence officer, and as charged directly by law with the protection of intelligence sources and methods against unauthorized disclosure, I cannot agree to the transfer of sensitive material in response to this subpoena in the absence of some agreed procedure as to its possible disclosure, which I am still hopeful we can achieve.

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

29 September 1975

The Honorable Otis G. Pike, Chairman
Select Committee on Intelligence
House of Representatives
Washington, D. C. 20515

Dear Chairman Pike:

I understand that the House Select Committee has concluded that the Director of Central Intelligence is in "defiance" of the subpoena issued by you on September 12, 1975. It may be helpful, if I reviewed with you the circumstances surrounding the response to the subpoena in question, since I believe he is in substantial compliance with the Committee's demands.

As you will recall, on September 12th, prior to the receipt of your subpoena, the President directed "all departments and agencies of the Executive Branch respectfully to decline to provide the Select Committee with classified material, including testimony and interviews which would disclose such materials, until the Committee satisfactorily alters its position." In an effort to supply your Committee with the sought after materials, we proffered on September 17, the due date of the subpoena, the materials dealing with the 1968 Tet Offensive. As you will recall, the delivery of these materials was conditioned on them not being made public until the underlying problem was mutually resolved. This proffer of the sought after materials was rejected by you.

Since then, the materials in question have been carefully examined to determine whether they could be declassified. On the basis of this examination of 711 pages, 686 pages have been declassified and delivered to the staff of your Committee. The additional 25 pages relating to the first item in the subpoena, "Intelligence Warning of the Tet Offensive in South Vietnam, 11 April 1968," remain classified. As the Director indicated in his covering letter transmitting these materials, he is

Photocopy from Gerald R. Ford Library



willing to further discuss the classification of the 25 pages. Finally, these materials will be made available to your staff as soon as we are advised that the Committee has concurred in the proposal you and President Ford discussed last week.

For your information, an analysis of the materials turned over to your staff is enclosed. In light of the above, I believe the Director of Central Intelligence is in substantial compliance with the materials sought by your Committee.

Sincerely,

Mitch Rogovin

Mitchell Rogovin

Special Counsel to the Director

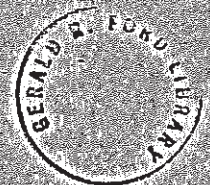
Enclosure



Subpoena ItemPages

1.	a.	Intelligence Warning of the Tet Offensive in South Vietnam, 11 April 1968	249 *
	b.	Warning of the Tet Offensive (a briefing text)	15
	c.	President's Daily Brief Items on Southeast Asia, 15-30 January 1968	4
2.	a.	CIA, DDI Memorandum, The Situation in Vietnam; Daily Report--23 January 1968 through 31 January 1968	120
	b.	CIA, DDI, Intelligence Report, The Situation in South Vietnam (Weekly), 22 and 29 January 1968	52
	c.	CIA Weekly Review, 19 and 26 January 1968	9
	d.	Central Intelligence Bulletin, 2 January 1968 - 8 February 1968	99
	e.	Watch Reports (Vietnam portions), 4-25 January 1968	9
3.	a.	Comments on Saigon 4956, 2 December 1967	6
	b.	Cable from Saigon (4956), 24 November 1967	14
4.		Memorandum for Walt W. Rostow, 15 December 1967	26
5.		Cable from General Abrams, relayed to Director Helms, 20 August 1967	3
6.		No such document could be located in CIA files	--
7.		Intelligence Memorandum: A Review of the Situation in Vietnam, 8 December 1967	80
Total			686

*An additional 25 pages of NSA material were withheld



CIA: Office of Public Affairs: DCI Wm E. Colby Statement
for immediate release

Sept. 29, 1975

attachment: Ltr, CIA Council Mitchell Rogovin - Rep Otis
Pike re response to HSC subpoena
- attachment: list of HSC subpoena items

Source: Armit



National Security Archive,
Suite 701, Gelman Library, The George Washington University,
2130 H Street, NW, Washington, D.C., 20037,
Phone: 202/994-7000, Fax: 202/994-7005, nsarchiv@gwu.edu