

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

25 February 1976

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

Dear Chairman Pike:

I hereby acknowledge and accept the terms set forth in your letter of February 20 for safekeeping of the three categories of sensitive classified documents furnished to or generated by the House Select Committee on Intelligence.

As to the first category, pursuant to your letter, the "on loan" material which was loaned to the Select Committee by the Executive branch has been received by the CIA and such material has been returned to the originating departments and agencies.

With regard to the second category of materials, the transcripts of testimony taken from current and former Federal officials in executive sessions of the Select Committee, it is my understanding that these documents will be placed in the National Archives building for safekeeping in the custody of the Archivist of the United States, and that no one is to be given access to these materials pending further instructions from the House of Representatives or Speaker of the House. As you indicated in your letter of February 20 to the Archivist, highly sensitive classified information is contained in these transcripts, and they should be treated accordingly by the Archivist. I am also concerned about any future plans for the disposition of these transcripts. This material includes information involving sensitive sources and methods which I am charged by law to protect from unauthorized disclosure. I would, therefore, appreciate it if you would bring this concern to the attention of the Speaker of the House and request that I be involved in any decision regarding the future disposition of this material.

Finally, with respect to the third category of materials received by the CIA from the Select Committee for storage at CIA Headquarters, we have attempted to reconcile our records of documents

delivered to the Select Committee with the inventory received for storage at CIA Headquarters, and a number of CIA documents are missing. The materials transferred to CIA Headquarters for storage were initially inventoried in cartons by Executive branch representatives on the premises of the Select Committee in the presence of Committee staff members during the period of February 18-20. Because a number of documents were unaccounted for, it was agreed with your staff representative that certain cartons should be inventoried again to determine whether the missing documents might be in those cartons. A second inventory of certain sealed cartons was conducted on February 21 with your concurrence and in the presence of Ms. Jacqueline Hess of the Select Committee staff. While a number of documents were found in the second inventory, a number of documents are still missing.

As soon as a complete list of the missing materials is prepared, my representatives will seek an early meeting with you to determine what measures can be taken to account for or locate the missing documents. Other Federal agencies are also checking their records and inventories to determine whether a number of their documents are missing.

The foregoing pertains only to the missing materials as we have no way of accounting for the multiple copies of classified documents reproduced by the Select Committee staff from originals made available by the CIA and other Executive departments and agencies. To the extent that the multiple copies have not been included in the materials to be stored at CIA Headquarters, the National Archives, I trust that those documents have been destroyed in accordance with procedures appropriate for classified materials.

The following is a summary of the third category of material now held in sealed cartons at CIA Headquarters pending further instructions from the House of Representatives and the Speaker of the House:

| | | |
|--|---|------------|
| Rockefeller Commission Files | : | 13 Cartons |
| CIA Files | : | 11 Cartons |
| Dept. of Defense Files | : | 7 Cartons |
| (1 carton of DoD files labeled "pending resolution of on loan material") | : | |

copy of documents find that a number of documents were transferred to CIA Headquarters and sealed in cartons on the premises of the Select Committee in the presence of Committee staff members during the period of February 18-20. Because a number of documents were unaccounted for, it was agreed with your staff representative that certain cartons should be inventoried again to determine whether the missing documents might be in those cartons. A second inventory of certain sealed cartons was conducted on February 21 with your concurrence and in the presence of Ms. Jacqueline Hess of the Select Committee staff. While a number of documents were found in the second inventory, a number of documents are still missing.

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| | | |
|--|---|-----------------|
| IC Files (Carton 2 has partial materials from: Treasury, Civil Service, OMB, and Post Office) | : | 3 Cartons |
| DEA Files | : | 2 Cartons |
| Dept. of State Files | : | 1 Carton |
| Dept. of Justice/Atty. General: | : | 1 Carton |
| FBI Files (Carton 7 has partial files from State, DEA, Civil Service, OMB, Treasury/IRS and IC) | : | 7 Cartons |
| HSC Transmittal Books | : | <u>1 Carton</u> |
| TOTAL: | | 46 Cartons |

Unless advised by you to the contrary, we will assume that this breakdown of cartons accords with your records and that the Speaker of the House has been so advised. The contents of each carton have been individually inventoried and Ms. Hess has receipted for the contents of each carton. Copies of these inventories have been supplied to Ms. Hess for transmittal to the office of the Speaker of the House.

I wish to express my personal appreciation for your cooperation in making possible, in the short time available, the transfer of the materials to be held for safekeeping at the CIA Headquarters.

Sincerely,



George Bush
Director

cc: Honorable Carl Albert,
Speaker of the House
of Representatives