

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

*AKes 205
file*

Executive Registry

75-881/A

OLC 75-0370/a

28 FEB 1975

Honorable Melvin Price, Chairman
House Armed Services Committee
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your request for my comments on matters raised in House Resolution 205 with regard to the Central Intelligence Agency.

H. Res. 205 would direct the Secretary of Defense to furnish to the House of Representatives within 10 days certain information relating to developments in Chile in 1972 and 1973. This subject was addressed by the President during a news conference on September 16, 1974 (copy enclosed). Further, information on Agency activities with respect to Chile has been provided to committees in the Congress.

It is believed that regardless of the country involved, information on activities undertaken by this Agency abroad to help implement foreign policy and protect national security should be dealt with by committees of the Congress with due consideration for protecting against the disclosure of information which could be harmful to the Nation's interests. This approach is consistent with the committee structure established for the oversight of this Agency, the enactment of Section 32 of Public Law 93-559 (copy enclosed) and the establishment of the Select Committee on Intelligence pursuant to House Resolution 138.

In view of the above considerations, it is my hope that H. Res. 205 will not be approved.

Sincerely,

/s/ W. E. Colby

W. E. Colby
Director

Enclosures

CRC, 10/22/2003

Distribution:

Original - Addressee w/encl

1 - DCI wo/encl

1 - DDCI wo/encl

1 - ER wo/encl

1 - DDO wo/encl

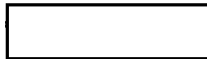
1 - OGC wo/encl

1 - C/LA wo/encl

1 - OLC Chrono wo/encl

✓ 1 - OLC Subj w/encl

OLC/LLM:ba0 (28 Feb 75)



STAT

EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	S/MC				
4	DDS&T				
5	DDI				
6	DDM&S				
7	DDO				
8	D/DCI/IC				
9	D/DCI/NIO				
10	OGC				
11	OLC	✓			
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
19					
20					
21					
22					
SUSPENSE		_____			
		Date			

Remarks:
(Noted at Morning Meeting 25 Feb 75)

020 75-8370

F. EDWARD HEBERT, LA.
CHARLES E. BENNETT, FLA.
SAMUEL S. STRATTON, N.Y.
RICHARD H. ICHORD, MO.
LUCIEN N. NEDZI, MICH.
WILLIAM J. RANDALL, MO.
CHARLES H. WILSON, CALIF.
ROBERT L. LEGGETT, CALIF.
FLOYD V. HICKS, WASH.
RICHARD C. WHITE, TEX.
BILL NICHOLS, ALA.
JACK BRINKLEY, GA.
ROBERT H. (BOB) MOLLOHAN, W. VA.
DAN DANIEL, VA.
G. V. (SONNY) MONTGOMERY, MISS.
HAROLD RUNNELS, N. MEX.
LES ASPIN, WIS.
RONALD V. DELLUMS, CALIF.
MENDEL J. DAVIS, S.C.
PATRICIA SCHROEDER, COLO.
ABRAHAM KAZEN, JR., TEX.
ANTONIO B. WON PAT, GUAM
BOB CARR, MICH.
JIM LLOYD, CALIF.
LARRY MC DONALD, GA.
THOMAS J. DOWNEY, N.Y.

Approved For Release 2004/01/14 : CIA-RDP77M00144R000800100005-1

BOB WILSON, CALIF.
JIM KINSON, ALA.
G. WILLIAM WHITEHURST, VA.
FLOYD D. SPENCE, S.C.
DAVID C. TREEN, LA.
GEORGE M. O'BRIEN, ILL.
ROBIN L. BEARD, TENN.
DONALD J. MITCHELL, N.Y.
MARJORIE S. HOLT, MD.
ROBERT W. DANIEL, JR., VA.
ELWOOD H. (BUD) HILLIS, IND.
ANDREW J. HINSHAW, CALIF.
RICHARD T. SCHULZE, PA.
FRANK M. SLATINSHEK, CHIEF COUNSEL

U.S. House of Representatives
COMMITTEE ON ARMED SERVICES
Washington, D.C. 20515
NINETY-FOURTH CONGRESS
MELVIN PRICE, CHAIRMAN

February 24, 1975

Executive Registry
75-881

The Honorable William E. Colby
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C.

Dear Mr. Colby:

Reference is made to H. Res. 205 introduced in the House of Representatives on February 19, 1975 which would direct the Secretary of Defense to furnish to the House of Representatives within 10 days certain information with regard to the Department of Defense and the Central Intelligence Agency.

I would appreciate it if you would review H. Res. 205 and provide me with your comments at an early date on matters raised in that resolution with regard to the Central Intelligence Agency.

Sincerely,

Melvin Price
Chairman

MP:wha

Approved For Release 2004/01/14 : CIA-RDP77M00144R000800100005-1

It is now law. Approximately \$16 billion of Federal money has gone back to States and local units of government so that they can establish at the local or State level that priorities that vary from New York to California, or Michigan to Florida, or communities in one State or another, have totally different problems.

And this vast amount of Federal money going without restriction for decisionmaking at the local and State level, I think, is a great achievement for a Republican Administration. And this Administration is going to continue it.

We want the legislation extended so that this effort will get even stronger in the months ahead.

So, I think we can take credit as Republicans for a program that is very meaningful and very substantial. But there are other things that have to be done, and they involve the area of foreign policy.

I always said and I believed then that America and the world was fortunate to have a great statesman in Henry Kissinger as our Secretary of State. And I have learned to an even greater degree how effective, how able, what a great teammate he is as he and I work on the problems involving peace throughout the world.

We have peace at the present time. We have peace for several reasons. One, we have peace because the United States is strong militarily. And we are not going to weaken our national security, despite the pressure from some sources.

Peace is related to strength. Weakness inevitably brings on war. History tells us that story.

In the interim while we are keeping strong, we are going to make conscientious efforts to negotiate with the Soviet Union, broadening our détente, seeking to make our total effort one of negotiation, not necessarily confrontation.

We are going to be working intimately with the problems of the Middle East, trying to move forward the successful efforts of disengagement which took place last fall.

We will concentrate in seeking to obtain a just and durable peace in that very difficult area of the world, but that is not the only area where we must concentrate. The Pacific, where over a period of about 10 years almost 60,000 Americans lost their lives—that was a great sacrifice, a sacrifice for an objective that many Administrations, not just one, felt was in the best interests of the United States and the world at large.

We cannot afford to throw away the sacrifices of those people. So, we must maintain our own strength and help our allies who are trying to retain the gains that were made in Vietnam and elsewhere in the Pacific.

We have the problem of Western Europe. The key to peace in the minds of many is the strengthening of NATO. We are working to keep better cooperation, stronger military and economic policies moving ahead.

I am encouraged, and we are going to be meeting from time to time, Secretary Kissinger and others, with those who can have a meaningful impact on the NATO or-

...militarily, economically, diplomatically, and otherwise.

When you look at the other areas—Latin America, we are not going to neglect Latin America. We are going to work for greater cooperation there, and the activities of Dr. Kissinger in this area in the last 5 or 6 months have been significant.

We are not going to neglect Africa. We have and we will continue to work with those nations in that area of the world.

So anyplace you go, our broad policy of global peace will get our first and top attention because if we are going to keep peace, we can solve more easily our problems at home.

As I close, let me just thank all of you for the wonderful job you did in endorsing Mary Louise and Dick. Let me thank George for his tireless efforts, effective ones, and let me thank the Republican leadership in the House, Hugh Scott, John Rhodes, and their associates, and let me express to my staff that have been so helpful to me that I am grateful, and we are moving, and we are going to move with the Republican workers throughout the country. It is vital for us to carry our banner high, because I think we can do a great job for the country as a whole.

Thank you very kindly.

NOTE: The President spoke at 12:13 p.m. at the Mayflower Hotel. Earlier in the day, the President had held a breakfast meeting with members of the nominating committee of the Republican National Committee at the White House.

Prior to the luncheon, members of the Republican National Committee had elected Mary Louise Smith of Iowa as Republican National Chairman and Mrs. Smith had appointed Richard D. Obenshain of Virginia as Cochairman.

THE PRESIDENT'S NEWS CONFERENCE OF SEPTEMBER 16, 1974

THE PRESIDENT. Ladies and gentlemen, this press conference is being held at a time when many Americans are observing the Jewish religious New Year. It begins a period of self-examination and reconciliation. In opening this press conference, I am mindful that the spirit of this holy day has a meaning for all Americans.

In examining one's deeds of the last year and in assuming responsibility for past actions and personal decisions, one can reach a point of growth and change. The purpose of looking back is to go forward with a new and enlightened dedication to our highest values.

The record of the past year does not have to be endlessly relived, but can be transformed by commitment to new insights and new actions in the year to come.

Ladies and gentlemen, I am ready for your questions. Mr. Cormier [Frank Cormier, Associated Press].

the Special Prosecutor's office for further investigation, I am wondering why the negotiations with Mr. Nixon's representatives were conducted strictly between the counsel in your office without bringing in discussions with either Mr. Jaworski's representatives or those from the Justice Department.

THE PRESIDENT. In the first place, I did receive a memorandum, or legal opinion, from the Department of Justice which indicated that in the opinion of the Department of Justice, the documents, tapes—the ownership of them—were in the hands of the former President. And historically, that has been the case for all Presidents.

Now, the negotiations for the handling of the tapes and documents were undertaken and consummated by my staff and the staff of the former President. I believe that they have been properly preserved, and they will be available under subpoena for any criminal proceeding. Now, the Special Prosecutor's staff has indicated some concern. I am saying tonight that my staff is working with the Special Prosecutor's staff to try and alleviate any concerns that they have. I hope a satisfactory arrangement can be worked out.

PREVIOUS STATEMENTS ON PARDON

Q. Mr. President, during your confirmation hearings as Vice President, you said that you did not think that the country would stand for a President to pardon his predecessor. Has your mind changed about such public opinion?

THE PRESIDENT. In those hearings before the Senate Committee on Rules and Administration, I was asked a hypothetical question. And in answer to that hypothetical question I responded by saying that I did not think the American people would stand for such an action.

Now that I am in the White House and don't have to answer hypothetical questions but have to deal with reality, it was my judgment, after analyzing all of the facts, that it was in the best interest of the United States for me to take the action that I did.

I think if you will reread what I said in answer to that hypothetical question, I did not say I wouldn't. I simply said that under the way the question was phrased, the American people would object.

But I am absolutely convinced when dealing with reality in this very, very difficult situation, that I made the right decision in an effort—an honest, conscientious effort—to end the divisions and the turmoil in the United States.

Mr. Lisagor [Peter Lisagor, Chicago Daily News].

SAFEGUARDING OF TAPES AND DOCUMENTS

Q. Mr. President, is there any safeguard in the tapes agreement that was made with Mr. Nixon, first, with their destruction in the event anything happens to him, because

destroyed, and secondly, should not the tapes be kept in the White House until the Special Prosecutor has finished dealing with them?

THE PRESIDENT. The tapes and the documents are still in our possession, and we are, as I said a moment ago, working with the Special Prosecutor's office to alleviate any concerns they have as to their disposition and their availability.

The agreement as to destruction is quite clear-cut. As long as Mr. Nixon is alive and during the period of time that is set forth, they are available for subpoena by a court involving any criminal proceedings. I think this is a necessary requirement for the protection of evidence for any such action.

THE CIA AND CHILE

Q. Mr. President, recent Congressional testimony has indicated that the CIA, under the direction of a committee headed by Dr. Kissinger, attempted to destabilize the Government of Chile under former President Allende.

Is it the policy of your Administration to attempt to destabilize the governments of other democracies?

THE PRESIDENT. Let me answer in general. I think this is a very important question.

Our Government, like other governments, does take certain actions in the intelligence field to help implement foreign policy and protect national security. I am informed reliably that Communist nations spend vastly more money than we do for the same kind of purposes.

Now, in this particular case, as I understand it—and there is no doubt in my mind—our Government had no involvement whatsoever in the Allende coup. To my knowledge, nobody has charged that. The facts are we had no involvement in any way whatsoever in the coup itself.

In a period of time, 3 or 4 years ago, there was an effort being made by the Allende government to destroy opposition news media, both the writing press as well as the electronic press, and to destroy opposition political parties.

The effort that was made in this case was to help and assist the preservation of opposition newspapers and electronic media and to preserve opposition political parties.

I think this is in the best interest of the people in Chile and, certainly, in our best interest.

Now, may I add one further comment.

The 40 Committee was established in 1948. It has been in existence under Presidents since that time. That committee reviews every covert operation undertaken by our Government, and that information is relayed to the responsible Congressional committees where it is reviewed by House and Senate committees.

It seems to me that the 40 Committee should continue in existence, and I am going to meet with the responsible Congressional committees to see whether or not they want any changes in the review process so that the Congress, as

well as the President, are fully informed and are fully included in the process of release 2004/01/14 : CIA-RDP77M00144R000800100005-1
Mr. Sperling [Godfrey Sperling, Jr., Christian Science Monitor].

FURTHER QUESTIONS ON PARDON DECISION

Q. In view of public reaction, do you think that the Nixon pardon really served to bind up the Nation's wounds? I wonder if you would assess public reaction to that move.

THE PRESIDENT. I must say that the decision has created more antagonism than I anticipated. But as I look over the long haul with a trial, or several trials, of a former President, criminal trials, the possibility of a former President being in the dock, so to speak, and the divisions that would have existed not just for a limited period of time but for a long period of time, it seems to me that when I had the choice between that possibility and the possibility of taking direct action hoping to conclude it, I am still convinced, despite the public reaction so far, that the decision I made was the right one.

Q. Mr. President, in regard to the pardon, you talk about the realities of the situation. Now those realities, rightly or wrongly, include a good many people who speculate about whether or not there is some sort of arrangement—they even, some of them, call it a deal—between you and the former President, or between your staff and his staff—resignation in exchange for a full pardon.

The question is: Is there or was there, to your knowledge, any kind of understanding about this?

THE PRESIDENT. There was no understanding, no deal between me and the former President, nor between my staff and the staff of the former President, none whatsoever.

ACCESS TO INCOME TAX RETURNS

Q. Mr. President, sir, there is a bill that the Treasury Department has put forward, I think it is about 38 pages. Under this bill, which deals with getting hold of the returns, Internal Revenue returns, of citizens of the country, you could take action to get those returns whenever you wanted to.

I wonder if you are aware of this and if you feel that you need to get those returns of citizens?

THE PRESIDENT. It is my understanding that a President has, by tradition and practice and by law, the right to have access to income tax returns. I personally think that is something that should be kept very closely held. A person's income tax return is a very precious thing to that individual, and therefore, I am about to issue an Executive order that makes it even more restrictive as to how those returns can be handled.¹ And I do think that a proposed piece of legislation that is coming to me and subsequently will be submitted, as I recollect, to the Congress would also greatly tighten up the availability or accessi-

¹ See page 1176 of this issue.

bility of income tax returns. I think they should be closely handled as far as I am concerned.

OWNERSHIP OF PRESIDENTIAL PAPERS

Q. Mr. President, looking beyond the Nixon papers and in view of some criticism in Congress, do you believe we may have now reached the point where Presidential White House papers should remain in the Government's hands as the property of the Government?

THE PRESIDENT. As far as I am personally concerned, I can see a legitimate reason for Presidential papers remaining the property of the Government. In my own case, I made a decision some years ago to turn over all of my Congressional papers, all of my Vice Presidential papers, to the University of Michigan archives.

As far as I am concerned, whether they go to the archives for use or whether they stay the possession of the Government, I don't think it makes too much difference.

I have no desire, personally, to retain whatever papers come out of my Administration.

Mr. Mollenhoff [Clark R. Mollenhoff, Des Moines Register and Tribune].

THE PARDON DECISION

Q. Mr. President, at the last press conference you said, "The code of ethics that will be followed will be the example that I set." Do you find any conflicts of interest in the decision to grant a sweeping pardon to your life-long friend and your financial benefactor with no consultation for advice and judgment for the legal fallout?

THE PRESIDENT. The decision to grant a pardon to Mr. Nixon was made primarily, as I have expressed, for the purpose of trying to heal the wounds throughout the country between Americans on one side of the issue or the other. Mr. Nixon nominated me for the office of Vice President. I was confirmed overwhelmingly in the House as well as in the Senate. Every action I have taken, Mr. Mollenhoff, is predicated on my conscience without any concern or consideration as to favor as far as I am concerned.

CONDITIONAL AMNESTY AND THE PARDON DECISION

Q. If your intention was to heal the wounds of the Nation, sir, why did you grant only a conditional amnesty to the Vietnam war draft evaders while granting a full pardon to President Nixon?

THE PRESIDENT. The only connection between those two cases is the effort that I made in the one to heal the wounds involving the charges against Mr. Nixon and my honest and conscientious effort to heal the wounds for those who had deserted military service or dodged the draft. That is the only connection between the two.

80 STAT. 1004

Pub. Law 93-559

- 10 -

December 30, 1974

22 USC 2420.

"SEC. 660. Prohibiting Police Training.—(a) On and after July 1, 1975, none of the funds made available to carry out this Act, and none of the local currencies generated under this Act, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other law enforcement forces for any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government within the United States or abroad.

"(b) Subsection (a) of this section shall not apply—

42 USC 3763.

"(1) with respect to assistance rendered under section 515(c) of the Omnibus Crime Control and Safe Streets Act of 1968, with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which relates to crimes of the nature which are unlawful under the laws of the United States, or with respect to assistance authorized under section 482 of this Act; or

22 USC 2291a.

"(2) to any contract entered into prior to the date of enactment of this section with any person, organization, or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

Notwithstanding clause (2), subsection (a) shall apply to any renewal or extension of any contract referred to in such paragraph entered into on or after such date of enactment."

Repeal.

22 USC 2151j.

(b) Section 112 of the Foreign Assistance Act of 1961 is repealed.

REIMBURSABLE DEVELOPMENT PROGRAMS

22 USC 2421.

Sec. 31. The Foreign Assistance Act of 1961 is amended by adding at the end of part III the following new section:

"Sec. 661. Reimbursable Development Programs.—The President is authorized to use up to \$1,000,000 of the funds made available for the purposes of this Act in each of the fiscal years 1975 and 1976 to work with friendly countries, especially those in which United States development programs have been concluded or those not receiving assistance under part I of this Act, in (1) facilitating open and fair access to natural resources of interest to the United States and (2) stimulation of reimbursable aid programs consistent with part I of this Act. Any funds used for purposes of this section may be used notwithstanding any other provision of this Act."

22 USC 2151.

INTELLIGENCE ACTIVITIES AND EXCHANGES OF MATERIALS

22 USC 2422.

Sec. 32. The Foreign Assistance Act of 1961 is amended by adding at the end of part III the following new sections:

"Sec. 662. Limitation on Intelligence Activities.—(a) No funds appropriated under the authority of this or any other Act may be expended by or on behalf of the Central Intelligence Agency for operations in foreign countries, other than activities intended solely for obtaining necessary intelligence, unless and until the President finds that each such operation is important to the national security of the United States and reports, in a timely fashion, a description and scope of such operation to the appropriate committees of the Congress, including the Committee on Foreign Relations of the United States Senate and the Committee on Foreign Affairs of the United States House of Representatives.

Presidential report to Congress.

"(b) The provisions of subsection (a) of this section shall not apply during military operations initiated by the United States under a declaration of war approved by the Congress or an exercise of powers by the President under the War Powers Resolution.

50 USC 1541 note.