

74-1932

24 June 1974



(b)(3)

Honorable Sam J. Ervin, Jr., Chairman
Select Committee on Presidential Campaign Activities
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This Agency is in receipt of a letter from Mr. Fred Thompson, Minority Counsel of the Select Committee, (copy enclosed) indicating it is the desire of the full Committee that this Agency submit to the Committee, no later than 27 June 1974, our recommendations with respect to the sanitization/declassification procedures which we have been conducting on various materials for the inclusion of part or all of these materials in the Committee's final report.

In his letter, Mr. Thompson says he assumed we were aware of the fact that all CIA-related transcripts, in the possession of Mr. George Murphy, of the Joint Committee on Atomic Energy staff, were available for inspection by Agency representatives. I regret to say that we were not aware of such availability in view of earlier instructions from Mr. Thompson's staff that the Agency was not to have access to certain CIA-related transcripts. Mr. Thompson, on 21 June 1974, transmitted to us two such transcripts.

On 3 April 1974, I wrote Senator Baker (copy also enclosed) that I was, on that date, forwarding to Senator John Stennis and Senator John McClellan, the Chairmen of the Senate Armed Services and Senate Appropriations Committees, which have oversight responsibility for this Agency, my preliminary comments and suggested security deletions in

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the CIA investigation report as requested by Senator Baker, for such disposition as they felt appropriate. I pointed out that this procedure was in keeping with existing policy guidance and consistent with Senator Baker's action in forwarding his report to the Chairmen of those Committees.

I am forwarding herewith a copy of our preliminary comments on the report along with requested security deletions which I submitted to Senator Stennis and to Senator McClellan on 3 April 1974. I understand that Senator Baker has discussed his report on his CIA investigation with them and my transmittal of the sanitized report, with Agency comments thereon, is, of course, subject to such limitations and/or agreements as are worked out between your Committee, Senator Baker and the Chairmen of our oversight Committees. I respectfully request that if Senator Baker's report is published, this Agency's comments thereon be included even though they were preliminary in nature and all material upon which the report was based has not been available for our review. In a number of cases our comments are felt to be essential to clarify or correct certain misinterpretations appearing in the report.

I should like to point out that this Agency has tried to cooperate fully with the Select Committee and with Senator Baker in the investigation which he and his staff have conducted. Following the full Committee's investigation I met with Senator Baker to respond to his questions and members of my staff met with Senator Baker and the Minority Staff of the Select Committee on numerous occasions to respond to additional questions. Eventually 24 Agency witnesses, current or former employees, testified before Senator Baker and his staff in testimony covering some 2,000 pages. These witnesses included the former Director of Central Intelligence, Richard Helms, who returned from his ambassadorial post in Teheran, and various Agency officials and technicians now in the United States or abroad. Ten volumes of material consisting of over 700 documents were also provided. In many cases, sensitive material was exposed to the staff or to Senator Baker to demonstrate its lack of relevance to the investigation, although security considerations did impose some limits to the extent this could be done.

The prospect of the publication of the ten volumes of CIA documents and the individual testimony of the Agency witnesses interviewed by Senator Baker and his staff poses a serious problem. In the interest of assuring that the testimony of Agency witnesses and any other witnesses having knowledge of Agency activities was completely candid and not subject to anyone's determinations as to security considerations, these individuals were advised they were released from any security or other obligations normally imposed upon them with respect to testimony relevant to the inquiry.

We have reviewed the documents and the testimony of the Agency witnesses and made recommended deletions to sanitize such material if the Committee determines publication to be necessary. I would submit, however, that despite the minimal security deletions which we have recommended, publication of CIA documents and the testimony of CIA witnesses (which in many respects has no direct relation to the Committee's investigation) would do a great disservice to this Agency, to the Congress and to our national interest. If persons dealing with CIA on a confidential basis, both in this country and abroad, must assume that information they provide will be subject to later publication, valuable sources and methods of intelligence will be terminated or seriously impaired. I urgently request that the Committee give serious consideration to the need for the publication of those documents and the individual transcripts of those witnesses. If any part of this material is to be published I believe it should be strictly limited to that which is absolutely essential to support the findings in the Committee's report, and we offer to be of assistance to you in this regard.

I assure you of this Agency's continued cooperation with the Committee but I do point out that neither the Committee's investigation, nor the investigations of the Agency's four oversight Committees, the Federal Grand Jury, the Special Prosecutor, and currently the House Judiciary Committee, have developed the existence of any prior knowledge on the part of this Agency or its officials of the Watergate breakin or the breakin of Dr. Fielding's office. More importantly, however, I wish to personally assure you that my own intensive internal investigation has developed no relevant material beyond that provided to the above investigative bodies.

Sincerely,



W. E. Colby
Director

Enclosures

cc:

Senator Howard Baker
Senator John Stennis
Senator John McClellan

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United States Senate

SELECT COMMITTEE ON
PRESIDENTIAL CAMPAIGN ACTIVITIES
(PURSUANT TO S. RES. 19, 93D CONGRESS)

WASHINGTON, D.C. 20510

June 19, 1974

[Redacted]
Deputy Legislative Counsel
Central Intelligence Agency
Washington, D. C. 20505

Dear [Redacted]

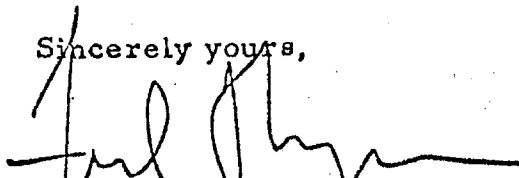
As we discussed on the telephone, the Senate Select Committee has today authorized the Chairman to request the CIA to complete the declassification procedures, which we have been discussing for several weeks now, in time for the inclusion of part or all of these materials in the Committee final report. In order to comply with this request, the procedure will have to be completed by Thursday, June 27th.

With regard to Mr. Cary's comment at this late date in his letter to Sam Dash and me of June 17 that the CIA is not in possession of certain transcripts which conceivably could contain classified material, we assume that you are aware of the fact that those transcripts, along with all the other CIA-related transcripts, have been in the possession of George Murphy for several months and available for your inspection.

There seems to be some intimation that Senator Baker was sent CIA comments with regard to the Baker Report. This, of course, is not true. The only information we have had is that the matter has been left up to the determination of the oversight committees, although the staffs of those committees have told us that this is not at all their understanding.

In light of the Committee's unanimous action today, I am sure the Agency does not want to leave the record as it now stands.

Sincerely yours,


Fred D. Thompson
Minority Counsel

11/11/74

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

OLC 74-0589

3 April 1974

Honorable Howard H. Baker, Vice Chairman
Select Committee on Presidential Campaign Activities
United States Senate
Washington, D. C. 20510

Dear Senator Baker:

I have your letter of 1 April 1974 concerning the steps you propose be taken in connection with your report.

You suggested Agency action in two areas--a declassification/sanitization review, and submission of comments on the report. Unfortunately, neither can be completed by your deadline since, as you know, all of the relevant transcripts are not yet available. I have, however, prepared some preliminary comments which we may wish to expand upon when the additional material has been made available and we have had an opportunity to review it. As requested, I have also recommended certain security deletions from the report.

I am forwarding today to Senator John Stennis and Senator John McClellan, the Chairmen of the Senate Armed Services and Appropriations Committees, my preliminary comments and suggested security deletions in the report for such disposition as they feel appropriate. This procedure is in keeping with existing policy guidance and is consistent with your forwarding your report to them.

Sincerely,


W. E. Colby
Director



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