

FORD IS REBUFFED BY A HOUSE PANEL ON OFFER OF DATA

Pike Refuses to Accept the Intelligence File Because Condition Is Attached

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Committee Seeks to Avoid Delay in Inquiry—Adopts New 'Conciliatory' Step

By JOHN M. CREWDSON
Special to The New York Times

WASHINGTON, Sept. 17—Representative Otis G. Pike, chairman of the House Select Committee on Intelligence, refused today to accept a last-minute offer of classified intelligence materials from the White House on the ground that they were incomplete, had been screened in advance and delivered on the condition that they not be made public.

Mr. Pike said later, after a meeting of the intelligence panel, that his colleagues had supported his action and agreed that the White House was technically "not in compliance" with subpoenas, voted by the committee last week, that called for the provision of such materials by 10 o'clock this morning.

The chairman added that the committee had decided not to go to court to seek enforcement of its subpoenas "at this particular time," since to do so "would constitute some delay" in the committee's investigation of the dozen agencies that make up the Federal intelligence community.

A New Procedure

But he added that "if we find it necessary to institute legal proceedings at a later date, I think we would not shrink from doing so."

At its closed-door meeting, the Pike committee adopted a new procedure that some members later said they hoped the

White House would accept as a conciliatory move. The procedure would give the White House a day's notice before making public any sensitive classified information handed over by the White House in response to the subpoenas.

The White House, Mr. Pike said, could then approach the committee "and make their

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points" in favor of keeping the information secret. But he described the proposal as no more than an "act of comity" and said that his committee would continue to insist on its "right to receive classified information without strings attached" and to make it public if it wished.

Speaking to reporters after the committee's hour-long meeting, Mr. Pike, a silver-haired, eight-term Democrat from Suffolk County, L. I., said that he would not characterize the proposed procedure as "a compromise."

"I hope this will satisfy them," he added, "but I'm not at all sure."

Although Representative Robert McClory of Illinois, the committee's ranking Republican, expressed the hope that the new procedure would "give adequate assurance to the President and to the intelligence agencies that we are going to act responsibly," reaction from the White House was less encouraging.

One well-placed official, when told of the Pike committee's announcement, said, "It seems to me we've lost ground."

The White House's efforts, the official said, have been directed since last week at finding a way to provide the subpoenaed material to the committee "in a way that will break the impasse."

But he said that, at a minimum, President Ford insists on his Administration's retaining sufficient control over secret intelligence summaries and other documents to prevent their being unilaterally declassified and made public by the committee over the objections of the White House.

Mr. Ford reiterated at a news conference yesterday his disappointment with the way the House committee had handled some of the classified material provided it in response to the subpoenas, and he indicated that unless the panel withdrew

its assertion that it would publicize secret information of national interest, no more would be forthcoming.

Last Friday, after the House committee voted to make public part of one document over the objections of Administration intelligence specialists, Mr.

Ford sent Rex Lee, an Assistant Attorney General, to advise Mr. Pike and the others that the flow of materials had been halted and to ask for the return of documents already handed over.

Mr. Pike said today, however, that the committee was in agreement that none of the materials already received from the White House or the intelligence agencies would be returned.

The present dispute between the Pike committee and the White House was occasioned last week by the committee's decision to make public a phrase from an intelligence

summary of activity inside several Arab states just before the October, 1973, Middle East war.

The House intelligence committee, which has been attempting to pursue avenues of community that do not duplicate the work of a similar panel in the Senate, is focusing on the accuracy with which the Central Intelligence Agency and other agencies have predicted the outbreak of recent international crises.

The Senate intelligence committee, headed by Senator Frank Church, Democrat of Idaho, began holding public hearings yesterday on the reported attempts by the Central

Intelligence Agency to assassinate foreign political leaders.

The intelligence summary failed to predict the outbreak of hostilities in 1973, but noted that the Egyptians had undertaken several moves that were open to interpretation, including the effecting of "greater communications security."

The White House protested that to make that phrase public would give the Egyptians a clue to American penetration of their communications system. The committee disagreed, and Mr. Ford ordered that its access to such materials be cut off.

One White House official involved in the negotiations with

the committee said yesterday that the President's position was not "that this committee can't have information."

"The issue is what process will be used before that information will be made public," he said.

The White House was particularly distressed, he said, by the "capricious and frenetic" way in which the Pike panel decided to "declassify" the materials dealing with the Middle East war, summoning Administration representatives to a meeting with less than two hours' notice.

It was not the Ford Administration's intention to tell the committee, the official continu-

ed, that "you don't have any authority to make anything public." He added that, ideally, no such information would be released until the committee produced its final report after the end of the year.

Shortly after the 10 A.M. deadline for the committee's subpoenas fell due today, Mr. Pike was visited in his office by a five-man White House delegation, headed by Roderick G. Hills, a Presidential counsel, with classified materials relating to the Government's foreknowledge of the 1968 Tet offensive in Vietnam.

The Tet offensive will be the subject of a public hearing by the panel tomorrow.