

HOUSE PREVENTS RELEASING REPORT ON INTELLIGENCE

JAN 30 1976

Accedes to Wishes of Ford
and Agencies to Permit
Executive Censoring

KEY VOTE IS 246 TO 124

Pike Calls Action 'Complete
Travesty of Doctrine of
Separation of Powers'
NYTimes

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Special to The New York Times

WASHINGTON, Jan. 29—The House of Representatives acceded tonight to the wishes of President Ford and the intelligence agencies and voted to withhold the final report of its Select Committee on Intelligence until it had been censored by the executive branch.

The action, which was opposed by the House Democratic leadership, came on a vote of 246 to 124.

Representative Otis G. Pike, the chairman of the select committee, said that the vote had made "a complete travesty of the whole doctrine of separation of powers."

He said that the House "probably will not ever have a strong oversight committee now" and that his committee's work had been "entirely an exercise in futility."

'I'm Not as Proud'

After the vote, the Suffolk County Democrat told reporters, "I'm not quite as proud of being a member of the House of Representatives today as I was yesterday. I'm still proud, but not as proud."

A copy of the report was made available to The New York Times, which, earlier this week, published several articles based on it.

The President later issued a statement expressing pleasure over the vote.

"This action indicates that a large majority of House members shares my concern that our legitimate classified national security information be denied to our enemies and potential enemies," Mr. Ford said. "Today's vote shows the House members recognize that the American people want a strong and effective foreign intelligence capability."

Mr. Pike said that virtually all information that was of importance "interest-wise or titillation-wise" had already been published.

Major Implications

Nonetheless, in the view of representatives on both sides of the issue, the vote tonight had major implications.

Those who wanted the full document to be published officially said that the vote provided indications on whether the House seriously intended to oversee the activities of intelligence agencies in the future and of whether the House was willing to leave to the executive branch all decisions on what should properly be kept secret.

On the other hand, representatives who wanted to prevent immediate publication argued that there was a difference between an official document

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and one that had merely been reported on in newspapers. The House, they said, should not be party to the official publication of classified information and should not take steps that might endanger the national security.

Representatives Morgan F. Murphy of Illinois and Robert N. Giaimo of Connecticut, both Democratic members of the intelligence committee, gave impassioned speeches in favor of releasing the full document. Their speeches had all the more effect because both men are highly regarded by their colleagues and normally speak in an understated manner.

"If we are not a co-equal branch of this Government, if we are not equal to the President and the Supreme Court," Mr. Murphy asserted, "then let the President write this report, let the C.I.A. write this report, and we ought to fold our tents and go home."

Mr. Giaimo pointed his forefinger at Mr. Pike, who was sitting on the front row of the chamber, and declared, "If you think he is going to release anything that in his judgment would jeopardize the secrets of the United States, then you are wrong."

The White House and the intelligence agencies had "spread a smokescreen" about the secrets in the report, Mr. Giaimo said, and he asked his colleagues whether they placed their trust in Mr. Pike or the Central Intelligence Agency.

Pike Stand on Secrets

For his part, Mr. Pike conceded that the report contained classified information, but he said that there was "not the slightest question that we are giving away any dangerous secrets."

A secret, he said, was "some fact or opinion to which some bureaucrat has applied a stamp."

Mr. Pike's opponents were equally emotional in their speeches.

Representative James H. Quillen, a Tennessee Republican, declared, "My country comes first, and I will not take any action to release classified information to anyone domestically or abroad."

The ranking Republican on the intelligence panel, Representative Robert McClory of Illinois, said that the President and the intelligence agencies had provided the committee with information with the understanding of confidentiality.

"We don't have to spread out in the record all the secret information, including information that might jeopardize the lives of individuals and jeopardize our activities overseas," Mr. McClory argued. He continued:

"What agency will provide us with data and documents if we can't be trusted?"

It would be "unworthy of Congress," Mr. McClory said, to "translate leaks into official documents."

One hundred twenty-two Democrats and two Republicans voted to publish the document immediately. One hundred twenty-seven Democrats and 119 Republicans voted against doing so until the President had cleared the document.

William E. Colby, the outgoing Director of Central Intelligence, urged the House earlier in the week not to publish the report on the ground that to do so would damage the

nation's intelligence activities. Mr. Colby said that there was considerable potentially dangerous information in the report, although he never specified what it was.

Findings in Report

Among the findings in the report, according to accounts published in The Times, were the following:

¶The Navy conducted a program of intelligence gathering through submarines operating inside territorial waters of other nations and on at least nine occasions, these ships collided with other vessels.

¶The operations and funds of the intelligence agencies were virtually unchecked, and the agencies used deceptive accounting methods.

¶The extent of the United States involvement in the civil war in Angola had been understated by Mr. Colby.

¶Secretary of State Henry A. Kissinger and his wife had received personal gifts from the leader of Kurdish rebels, who had been supplied arms secretly by the C.I.A.

Normally, publication of a committee report, even a sensitive one, is a routine matter that is not voted on by the full House. The intelligence report came before the House because of an unusual set of circumstances.

Mr. Pike's committee is scheduled to go out of existence Saturday. 31 JAN

Because the House is not in session tomorrow, Mr. Pike asked Tuesday for unanimous consent to publish the report Friday and an extension until Feb. 11 for publication of the committee's recommendations.

After a junior House member objected to the extension, Mr. Pike was forced to take his request to the Rules Committee.

Yesterday, apparently without the knowledge of the Democratic leaders, who normally control the operations of the Rules Committee, that committee adopted a resolution prohibiting publication of the report until it had been cleared by the President.

The Rules Committee's action forced the House vote tonight.

One committee source said tonight that there was "a possibility" that some panel members would ask the House next week to reconstitute the select committee to rework the report.

The source said White House aides had indicated that they would excise "more than half" of the 338-page document before making it public.

In another development today, Senator Frank Church, chairman of the Senate Select Committee on Intelligence, introduced legislation that would create a permanent Senate committee to oversee the Government's intelligence activities.

The legislation would establish procedures to assure committee secrecy but specifies that the committee would be free to make public information if it found it was in the national interest to do so.