

CIA Probers Bow to Ford

Washington

The House Select Committee on Intelligence agreed yesterday, after nearly three weeks of deliberation, to abide by President Ford's insistence that it not make public on its own initiative secret materials or testimony furnished to it by the executive branch.

The committee's decision came on a vote of 10 to 3 in favor of accepting 50 pages of classified documents proffered to the panel Tuesday night by Central Intelligence Agency Director William E. Colby. Colby was under a committee subpoena to produce the material.

Those documents, taken into custody by Chairman Otis G. Pike (Dem-N.Y.), were the first classified materials the panel has received in response to its subpoenas since September 12, when Mr. Ford acted to halt its further access to secret information of any sort.

The presidential order was prompted by the Pike committee's decision the previous day to make public, over the administration's objections, classified material concerning the failure of American intelligence to predict accurately the outbreak of the 1973 Middle East war.

Mr. Ford said then that his no-access directive, which until yesterday had considerably hampered the committee's investigation of U.S. preparedness in times of recent international crisis,

would remain in force until Pike and his colleagues relaxed their insistence that they retain the right to decide whether classified information would be made public.

The vote to accept the documents, which reflect the intelligence community's foreknowledge of the 1968 Tet offensive in Vietnam, amounted to a retreat both from that position and from

the committee's subsequent insistence that sensitive details, such as the identities of intelligence agents and sources, not be excised in advance from materials supplied to the panel.

The question of excision, which arose as a point of contention only after negotiations were undertaken by the committee and the White House to resolve the impasse over disclosure, was endorsed by a majority of the panel members as recently as Tuesday when they voted 10 to 3 to seek a resolution from the full House supporting the demand for unimpeded access to classified information.

Pike, who had been one of the staunchest public defenders of his committee's responsibility to obtain and dispose of classified intelligence information as it wished, had described such a resolution as a first step toward a request that the House find, Colby in contempt of Congress.

The chairman said yesterday however, that he now considers Colby to be in compliance with

the committee's subpoena, one of four that it voted September 10, the day before the unilateral disclosure was made.

The 50 or so words deleted from the documents accepted by the committee, most of which concerned the identities of sensitive sources or unflattering characterizations of individuals, were shown to Pike in advance, and he said later that he believed they had been "properly excised."

Under the terms of the agreement, Mr. Ford has the ultimate authority over whether a federal agency can make a particular excision from a classified document or whether the panel can release a given item of information to the public.

The committee retains in either case, however, the right to go to court to have a dispute between itself and the President adjudicated.

Materials subpoenaed by the committee from the National Security Agency, the National Security Council and the Defense Intelligence Agency have not yet been supplied in full, and Pike cautioned Wednesday that he has received no assurance that the acceptance of the documents from Colby would bring forth the others.

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