Washington, D.C., June 2, 2017 – The Ford administration came close to igniting a constitutional showdown with Congress more than 40 years ago over demands by a House panel known as the Pike Committee for evidence of possible abuses by the Central Intelligence Agency (CIA). At the height of congressional pushback against the “imperial presidency” in the mid-1970s, Representative Otis G. Pike’s investigation, which paralleled Senator Frank Church’s simultaneous inquiry, raised fears at the CIA and the White House about secret activities coming to light but also about setting precedents for Congress’s right of access to Executive Branch information.

The Ford administration initially stopped supplying Pike with documentation, and Secretary of State Henry Kissinger, among others, lobbied for a strong stand on unconditional secrecy, which would have escalated the confrontation dramatically. Pike eventually defused the crisis by establishing a procedure for congressional declassification of information – one that may have applications for future legislative probes of the Executive Branch.
The Pike Committee

The year 1975 saw the first set of major public investigations into U.S. intelligence agencies, with one in the Senate, another in the House of Representatives, and a blue-ribbon commission empaneled by the president of the United States. The congressional probes, especially, made for a dramatic “season of inquiry,” and 1975 has become known as the “Year of Intelligence.” The House Select Committee on Intelligence (HSC) was created on February 19, 1975 by a vote of 286 to 120. (The Senate established a parallel committee a few weeks earlier, chaired by Frank Church [D-ID].) The HSC’s charter was to examine all aspects of U.S. intelligence performance. Its inquiry got off to a slow start amid disputes among some members, including Michael J. Harrington (D-MA), a notorious CIA critic, and Chairman Lucien N. Nedzi (D-MI), who turned out to have received private information from the agency. On July 10, the House agreed to re-align the HSC, and Otis G. Pike (D-NY) was named chairman a week later.

The CIA’s Constitutional Crisis: The Pike Committee’s Challenge to Intelligence Business as Usual

By John Prados and Arturo Jimenez-Bacardi

This electronic briefing book focuses on the experience of the Pike Committee in 1975. Formally known as the House Select Committee, and the forerunner of the House Permanent Select Committee on Intelligence—the current oversight mechanism—the Pike Committee encountered the same CIA reluctance to endure investigation as the Senate Select Committee on Intelligence (SSCI) did during the more recent torture inquiry from 2009-2012. Indeed, at the time, Donald Gregg, a senior CIA officer who served as the agency’s top liaison person with Pike’s committee, recalled the experience as more difficult than some of his most hair-raising covert operations.[i] The Pike Committee’s investigation brought the Ford administration to the brink of a constitutional crisis over the principle that Congress had a right to investigate any aspect of Executive Branch activity. Pike also established a procedure—which congressional overseers typically neglect to make use of—for Congress to declassify information. Such procedures may prove crucial in the future.

The administration of Gerald R. Ford was far different from that of Donald J. Trump. So was the Congress in the two eras. Today’s Congress, although controlled by one party, is hampered by bitter political infighting. In 1975, Capitol Hill, though it was in the hands of the Democratic Party and coming off the Watergate affair, had a tradition of bipartisanship. President Ford faced congressional efforts to build mechanisms for dismantling what had come to be regarded as the “imperial presidency.”[ii] But Ford could enlist allies in Congress and reasonably hope to build consensus toward measures he considered desirable. Aspects of the intelligence crises of 1975, 2012-2014, and 2017-on, evolved with eerie similarity.

The Central Intelligence Agency’s problem at that time was, if anything, worse than in the Obama–Trump era, because there were parallel investigations of the agency by a presidential commission, the Senate, and Pike’s House of Representatives panel. Also, Otis Pike, the New York congressman chairing the HSC, moved fast to make up for lost time,
because his HSC had been reconstituted after a previous inquiry had failed to get off the ground. The CIA had tried to impose controls on all the investigations in the form of exacting agreements on the handling of classified information. To a large extent it had succeeded with the presidential commission (the Rockefeller Commission) and the Senate inquiry (the Church Committee), but the previous HSC had been derailed precisely because of the impression of collusion between the CIA and the committee. Pike was not about to fall into that trap.

Equally troubling, there were suspicions on both sides from the start. Director William E. Colby of the CIA thought Pike’s investigators a pick-up team who knew nothing, and the HSC principals a troop of publicity hounds. CIA officials were already on the defensive based on a number of damaging stories about them in the press in the course of 1975. Chairman Pike compounded CIA hostility by refusing to obligate his staff to sign CIA-like secrecy agreements, while opening a second front by declining to implement CIA-style compartmentation for storage of agency documents. Chairman Pike also rejected the formula later adopted under Ronald Reagan and used by subsequent administrations—including during George W. Bush’s presidency to shield CIA torture—of briefing only the committee chairman and vice-chair (which at higher levels translated into the “Gang of Four” or “Gang of Eight” groups). Robustly, Pike ruled that if the House of Representatives had wanted to create a two-person investigative committee it would have done so. Gaming the system was not permitted on his watch.
Responding to the House committee, Director Colby made CIA lawyer Mitchell Rogovin the point of contact for HSC requests to interview CIA officers, laid down access conditions to Pike, and informed CIA employees of both actions. When Pike rejected a letter from Rogovin, Colby and the lawyer then met with Pike, but that encounter turned into a confrontation. Rogovin believed Pike sought to avoid charges of having been coopted by the agency. Pike all but said as much when he responded to Colby’s follow up letter: “It’s a delight to receive two letters from you not stamped ‘Secret’ on every page .... You are concerned with the concept of ‘need to know’ and I am concerned with the concept of ‘right to know.”’[iii]

Pike held his first public hearing on August 4, 1975. He used the occasion to contrast the Ford administration’s public posture that it was cooperating fully with the CIA and White House’s actual practice of obfuscation and delay. The impasse escalated tensions, leading to destructive clashes between the sides. One prime example was the “briefcase episode.” Ford’s Office of Management and Budget had been refusing to hand over data regarding CIA’s budget, which Pike had requested from Colby on July 28. When White House lawyers Philip Buchen and Roderick Hills visited HSC offices to discuss the matter, Hills inadvertently left his briefcase behind with a secret document in it. Weeks later, Pike cited the incident as an example of how the Committee safeguarded classified information more carefully than the Ford administration. On September 3, White House staff secretary James E. Connor drew the battle lines within the administration over the Pike committee’s access to information by arguing that if President Ford failed to act a series of terrible consequences would follow (Document 3).

On September 10, with the administration pulling back on access, the Pike Committee subpoenaed documents for its next case study – of U.S. officials being caught by surprise by the 1968 Tet Offensive in Vietnam. The CIA was reluctant to comply. This is where our documentary exhibits pick up. It was at this point that the Ford White House escalated the dispute over access to information. On September 12, Assistant Attorney General Rex E. Lee, alleging Pike Committee leaks, terminated the Ford administration’s supply of information to the House committee (Document 4). The HSC threatened to go to court. Agency lawyer Rogovin failed to get Pike to modify his committee’s requests. Rogovin was then told the CIA had no authority to alter the deadline for it to respond to the subpoena.

Pike responded by returning just one item, using the opportunity to point out – in elaborate detail in a cover letter – that the “secret” classification had been unjustifiably imposed on inconsequential information (Document 10).
Seymour Hersh’s explosive revelations in The New York Times on December 22, 1974, led to White House and congressional investigations into the intelligence community, including establishment of the Pike Committee.

The demands for information, on the one side, and foot-dragging on the other, built to a crescendo that September. The HSC moved to hold a hearing to examine intelligence performance during the October War of 1973, and wanted to quote a paragraph from a CIA postmortem of this action. CIA tried once again to keep the material secret leading Pike to demand the material be released. Colby tried to shield a particular passage concerning intercepts of Egyptian radio communications, but Pike refused. When the HSC voted to release the material over CIA objections, that furnished Assistant Attorney General Rex Lee with his rationale for terminating cooperation (Document 4). The White House’s turn to the Department of Justice to enunciate its official position signaled the Pike Committee that President Ford’s patience had worn thin.

The CIA’s “Family Jewels” document collection triggered fresh hostility between the agency and the committee throughout this period. Colby showed Pike the full collection, but when HSC investigators wanted to see it, Langley supplied only a sanitized version. Upon renewed demand, Donald Gregg informed the HSC that top staff could review a different—also sanitized—version, but only at CIA headquarters. In November, fifteen minutes ahead of a press conference Pike had called to lambast CIA on this and other matters, the agency suddenly furnished a full copy.

Meanwhile, HSC investigators had discovered that, in a 1974 internal political crisis in Cyprus, U.S. diplomats had complained in State Department dissent channels that the Department’s favoritism toward Greece had worsened the situation. Pike’s staff wanted to look into this, too. Henry Kissinger, who simultaneously held the positions of national security adviser and secretary of state, not only demanded that nothing be given to Pike but insisted upon the return of all classified materials from the HSC. It is a measure of the falsity of many claims of national security damage caused by the release of classified
information that *Kissinger himself had already leaked* the October war communications intelligence data that the Pike Committee was now to be punished for releasing. The leak had been to the writers Marvin and Bernard Kalb, who had written a biography of Kissinger.[iv] The “revelation” had already been public for a year. Scholar Frank J. Smist argues that the Pike declassification was a “phony issue” because the HSC’s wording was ambiguous and would have required the CIA to identify the offending text and explain how it was so damaging.[v]

By September 16, the CIA’s effort to control congressional access to records had had to be modified. Director Colby’s attempt to completely deny access to decision-making material collapsed amid the white heat of public controversy. Now the CIA and White House tried to apply different restrictions to HSC review of 40 Committee records (Document 8). The 40 Committee was the administration’s interagency unit that approved covert operations. Ford officials wanted to allow only cursory information to be reviewed, and to require that all examination of documentation take place at the White House, in NSC offices, with any notes retained at the NSC. (The Intelligence Community demanded similar restrictions during the 1987 Iran-Contra congressional hearings and the 2009 SSCI investigation of CIA torture programs.)

The White House scheme for a revised system to provide materials did not pass muster with the House Select Committee. Ford administration officials inexplicably resisted taking Pike Committee objections seriously until a White House liaison, meeting with ally Robert McCrory, senior Republican member of the HSC, noted that the committee fully intended to proceed in its own way – in other words, that GOP members would support the Democratic majority (Document 11). A letter from another Republican member to President Ford, affirming that committee members from both parties were united (Document 13), made it plain the White House had little alternative.

In fact, neither Colby nor Ford had any running room. On September 20 it became clear the Pike Committee was preparing to sue the president (Document 14). Officials sought expert opinion. In a legal brief on September 22, the CIA’s own lawyers concluded that the HSC subpoena had been legally issued by an authorized body. The courts would accept that, the lawyers believed, and an “excellent chance” existed the judiciary would uphold the subpoena. Conversely, there was little probability a court would order a congressman or committee *not* to report on what he/they had investigated, or to avoid discussion of matters under their jurisdiction. Consequently, “there does not appear to be any realistic way in which the Agency can come out the winner” (Document 16). Colby and his lawyer, Rogovin, had sat through many meetings in the White House Situation Room at which officials had railed at congressional demands for information, only to have to yield the documents days or weeks later. Congress had a constitutional right to investigate, so the Ford administration was obliged to reply.

White House lawyers, reviewing these issues themselves, were only a little more optimistic, but they feared the courts would rely on the doctrine of “political issues” to avoid ruling on the very narrow grounds the lawyers saw open (Document 22). They, too, advised
accommodation. Political adviser Max Friedersdorf predicted that “a serious confrontation is coming” (Document 20). Republican members of the Pike Committee warned the White House that both parties would unite to demand access, and that Pike was inclined to litigate, and to go as far as the Supreme Court to seek a judgment. The Ford White House and the CIA were on track for a white-hot constitutional crisis with the House Select Committee.

For his part, Henry Kissinger continued to advise President Ford to stand fast. The secretary of state held out for defying the congressional requests for documentation, and denying Congress had any role to play in releasing information (Document 21). Kissinger, in effect, was inviting the president to ignite a constitutional crisis, bringing the behind-the-scenes dispute over access into the open. The main impact of Kissinger’s stand, had he succeeded, would have been to widen the constitutional breach by suppressing the release of information on the Cyprus crisis and October War. This was information Congress had a right to ask for, and it amounted to substituting the secretary’s personal objectives for the U.S. government’s overall interests.

On September 24, a decision document went to President Ford, who approved a compromise that effectively overrode Kissinger’s objections. The compromise provided that, if the Pike Committee agreed to White House conditions, it would immediately receive the information it sought, excepting categories such as intelligence sources and methods. The documents would be considered to be on loan to the HSC. If Congress wished to release (declassify) information and an agency objected, the administration would have a chance to make its case for secrecy and, if that were rejected, the president would make the final decision. White House and CIA officials deliberated over new rules for documents to be provided to the Pike Committee. If Pike rejected the compromise offer, Ford agreed to adopt a “maximum control” standfast position (Document 25).

The HSC, facing an approaching deadline to complete its inquiry, could hardly afford a lengthy controversy. Pike agreed to Ford’s formula. On September 29, the two met in the Oval Office along with the senior House leadership to consecrate the new arrangement. Secretary Kissinger opted out (the documents do not explain why Ford permitted him to do so), and sought to keep State Department materials from HSC hands. The committee later issued a separate subpoena against him, resulting in an eventual agreement to allow State Department officials to create a substitute document containing the gist of the documents the HSC had requested.

Meanwhile, following the September compromise, the CIA had gained confidence in its ability to preserve secrecy. Director Colby’s agency adopted the device of “lending” its documents to the House Select Committee as a means of asserting that only the agency could “declassify,” or release the information. By October 3, the CIA had provided 80 documents requested. One remained pending. Some 188 lines had been blanked out. Another 100 items had come from the Defense Intelligence Agency. In the end, CIA secret documents, alone some 90,000 pages, filled 32 file cabinets in the HSC offices (Document 34).
The last act revolved around the Pike Committee’s actual report. It remains unclear when, exactly, President Ford got the idea of quashing the document by inducing the full House of Representatives to refuse to release it, but it was very possibly linked with the September compromise. Or it could have happened in connection with a very embarrassing development for Ford on November 20, when the HSC’s Senate counterpart, the Church Committee, refused to suppress its investigation of CIA assassination plotting, and released its conclusions to the public. That provided a discomfiting precedent for the Pike report, which the White House certainly wished to avoid. On the other hand, the HSC was continuing its foraging among secret records with fresh subpoenas issued in November, looking toward a January 31, 1976, deadline.

On January 15, Ford wrote Pike that he had determined that publication of the HSC Report would be detrimental to national security. When Pike persisted, Ford insisted on January 29 that outstanding disputes over classified information had to be submitted to the Executive for its determination. That forced Pike to seek an extension for printing the report, which the House Rules Committee granted only on the condition that the White House approve release of the report. Ford relied upon Pike’s September compromise to claim the committee’s report itself was a classified document and thus subject to White House approval. Pike failed to convince the House to overrule that condition and the president duly rejected release of the report. Suddenly, on February 16, 1976, large excerpts of the Pike Report appeared in the newspaper The Village Voice, to which it had leaked. Journalist Daniel Schorr was the acknowledged recipient of the leak. The text that appeared, in discussing the Ford administration’s practices in furnishing classified material, included the passage, “when legal proceedings were not in the offing, the access experience was frequently one of foot-dragging, stone-walling, and careful deception.”

When the House of Representatives created its Permanent Select Committee on Intelligence (HPSCI) on July 14, 1977, the struggle over the congressional power to declassify information was reflected in House Rule XLVIII, Section 7, which acknowledges the HPSCI’s power to “disclose publicly any information in [its] possession.” Specifically, the rule provided that the Select Committee may vote to release classified information. It would notify the president in cases where secrets had been furnished by the Executive. If there were no objections, after five days the information could be declassified. If there were, the president would be required to submit them “personally, in writing.” In that case the HPSCI could either take no action, leaving the information classified; or it could vote to send the dispute to the House floor with a recommendation for consideration. The full House of Representatives would then determine the outcome. The procedure specified an ability to consider such matters in secret session, set a maximum time for debate, and made an explicit promise that HPSCI would not reveal properly classified information except under this procedure.

The legacy of Otis Pike and his committee was thus not only to promote intelligence oversight in general, but also to establish an explicit mechanism for the House of Representatives to declassify secret documents. The Senate Select Committee on Intelligence has available to it a similar provision under Section 8 of Senate Resolution 400,
which brought the committee itself into existence.\[viii\] These congressional rules were careful to delineate that the Executive’s ability to prevent congressional declassification of information was limited to documents which Executive agencies, such as the CIA, had provided to Congress. The White House has no power to limit the release of classified information originated in Congress itself. Except for the courtesy which Congress has chosen from time to time to extend the Executive in these matters, several presidents would have sustained deeper political wounds from congressional investigations.\[ix\]

READ THE DOCUMENTS

Document 01

1975-09-03

CIA Director William E. Colby, Letter to Otis Pike, Chairman of the Select Committee on Intelligence, House of Representatives," September 3, 1975.

Source: Gerald R. Ford Library, White House Operations: Richard Cheney Files, Intelligence Series, Box 6, Folder, "Congressional Investigations (3)."

This letter from CIA Director William Colby to the Chairman of the Select Committee on Intelligence, Otis Pike, outlines procedures the CIA will employ to provide materials to the Committee. The letter notes some materials will be redacted to protect identities, sources or methods. Then Colby warns, "some proposed testimony and requests for documents may enter the area of the executive decision-making process in which the need to protect the confidentiality of advice or recommendations to policy-making bodies has long been recognized. This would apply, for example, to Presidential or 40 Committee deliberations relating to approval of CIA actions." The Committee will be advised when material falls under that criterion. It is not clear from the document if the material will then be provided. Similarly, the letter notes that the DCI needs to give prior authorization to CIA employees-current and former-to speak to the Committee. The DCI reassures the Committee that in "most instances" CIA personnel will be authorized to appear, although it is not clear this includes individuals involved in very sensitive cases or in decision-making (i.e. advice to policy-making bodies).

Document 02

1975-09-11

Here John Warner, the CIA General Counsel, advises Director Colby "with respect to giving classified testimony to a congressional committee in executive session when there are indications that such testimony would be publicly released." Warner cautions against such testimony, given that "The Director is charged by law with the protection of intelligence sources and methods from unauthorized disclosure. It would appear that the Director would be derelict in his responsibilities under that law if he were to proceed to give the classified testimony containing sensitive intelligence sources and methods if he were on notice that it would be publicly disclosed either by the committee or by any individual member of the committee." Warner then assures Colby that, "in my opinion, the Director would not be subject to legal action even if he were under subpoena in such a situation. The matter clearly becomes a political question."

In this memo, staff secretary James Connor complains that both the Church and Pike Committees are "demanding classified material from the Executive Branch and promptly leaking them [sic] to the press." Connor then stresses that, "unless steps are taken soon to deal effectively with the situation, the outlook will worsen. Church and Pike have latched on to the issue and are using it as a platform for furthering their political ambitions. There is no evidence that they intend to act responsibly or that they will restrain their efforts in order to preserve a functioning intelligence community." Specifically focusing on Pike, Connor argues that, "Otis Pike is attacking Secretary Kissinger in order to advance his own New York Senate candidacy. Yesterday, for example, he attempted to unilaterally declassify information which was especially given to him on the agreement that it would not be declassified without our consent." If Ford takes no action, Connor warns, the intelligence community will be increasingly demoralized, all of Secretary Kissinger's actions will be called into question, and "the Administration will be characterized in the press as faceless bureaucrats resisting the honest attempts of Congressional committees to get at the truth." Therefore, the president must decide how to wage this "political battle." He could enter the fray himself, or, "he can choose someone to wage that battle for him, thus preserving his own flexibility." Connor recommends the latter action.
Assistant Attorney General Rex E. Lee castigates the Pike Committee for voting "to declassify and release to the public... materials properly classified under law." Lee notes that such actions are "unconstitutional" and stresses that, "The Congress is vested with the powers to legislate and to oversee the administration of the laws passed by it, but action of this Committee is not a legislative act nor is it oversight. It is a vote by a single Committee to review and overturn an Executive act and, therefore, beyond any power vested in it."

Consequently, the President requests, "the immediate return of all classified information previously provided to this Committee and, in addition, to direct all departments and agencies of the Executive Branch respectfully to decline to provide the Select Committee with classified materials, including testimony and interviews which disclose such materials, until the Committee satisfactorily alters its position."

The Justice Department statement slides by the question of the powers Congress might have to release information by its own accord, particularly under the "Speech and Debate" clause of the Constitution, and Lee oversteps in terming the declassification unconstitutional. The Lee statement also makes no mention-and the assistant attorney general had probably not been told-that Secretary Kissinger had already given the same information to reporters.

In this note Deputy Assistant to the President, Dick Cheney updates President Ford on the Executive Branch's response to Pike's "unilateral" declassification of a document that contained "four words referring to communications security." Cheney explains that the Executive Branch will decline to provide further classified documents until the Pike Committee "satisfactorily altered its position concerning declassification."
Counselor to the President Jack Marsh argues in a strategy memo for the administration to continue to "press very firmly" its opposition to unilateral declassification of any Executive materials by any congressional committee. He suggests that many members of Congress and the public will eventually support the White House position, but he cautions that, "we must not permit ourselves to be dragged into, if at all possible ... the argument under the Speech and Debate Clause of the Constitution" as "a good deal" of Congressional support would be lost.

Congressman Robert McClory (R-IL), a Ford ally, recommends to Pike that while the committee should seek full cooperation from the Executive Branch, "it is my opinion that specific notice should be given in advance of a Session at which declassification may be voted and that an opportunity should be presented to Counsel for the President and such representatives of the intelligence community might be knowledgeable of the material to comment before the Committee with respect to the effect of any such declassification." McClory concludes by noting that he hopes such steps will lead to full White House cooperation with the investigation.
1975-09-16
Source: Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Handling and Release of Documents."

This document illustrates a number of the limits that the White House is planning to place on congressional committee staff members regarding access to NSC materials concerning the 40 Committee that approved CIA covert actions. In addition, HSC staff members are also given limits as to how they can present the material. For example, committee investigators are told that several categories they have proposed to collect statistics on covert projects are "unacceptable," including those dealing with "elections" and "Operations in Major Allied Countries." Finally, once the statistics are collected for each agreed-upon category, committee staff will only be allowed to choose "one illustrative program in each category," to be explored in-depth, but "that selection [is] to be approved by the NSC."

Document 09

1975-09-16
Source: Gerald R. Ford Presidential Library: White House Operations, Robert K. Wolthuis Files, Subject Series, Box 2, Folder, "Intelligence Investigations: Pike Committee."

In this memo, the White House congressional liaison notes limits on what documents will be provided to the Pike Committee. The paper outlines a process under which the committee can seek to publish a document, giving the president veto power over publication when an Executive agency opposes public release. The White House notes it will not share documents that contain the identities of agents, or sources and methods; and will also deny materials where "the complete confidentiality ... which the President certifies is essential to the effective discharge of Presidential powers, may be withheld." Concerning the publication of certain documents by the committee, the memo makes clear that appropriate Executive agencies will be notified and given an opportunity to argue the case for or against release. If there is disagreement the dispute will be given to "a special review board, made up of Congressional leaders." However, if the review board disagrees with the Executive agency the matter will be decided by the president and, "The materials will not be published if publication would, in the opinion of the President, be prejudicial to the national security of the United States." Further cementing the power of the executive over the documents, the memo explains that, "Classified documents provided to the Pike
Committee will, in fact, be loaned," and if a dispute is unresolved over the publication of any given document the committee will return the material to the agency of origin.

**Document 10**

1975-09-17

House Select Committee, letter from Congressman Otis G. Pike to President Gerald R. Ford, re Disclosure of Classified Information, September 17, 1975.

*Source:* Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Handling and Release of Documents."

In this letter, Pike agrees to return a folder containing three letters stamped "Secret Sensitive" to the White House after an "alleged breach of security" is discovered after a staff member loses the folder by leaving it in a public place (a citizen would return the folder to the congressman). Pike recommends that the staff member be fired, but notes that he does not have the power to do so because, he informs, President Ford, the staffer is a member of the president's staff who also happens to be "the husband of a member of your Cabinet."

**Document 11**

1975-09-17


*Source:* Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Handling and Release of Documents."

In this memo, Charles Leppert, White House special assistant for congressional relations, summarizes his meeting with Congressman Bob McClory of the House Select Committee, in which the latter asserted that, "The Committee will not return the classified material received." However, McClory agreed that the Committee "will not release information to the public without 24 hours notice to the Executive Branch and the opportunity for the Executive to comment or the Committee to receive comments from the Executive."

**Document 12**
1975-09-18
Central Intelligence Agency, DCI William E. Colby Memo to Donald Rumsfeld, Assistant to the President, re Administration Draft Statement on Procedures for Disclosure of Classified Information as Discussed with President Ford, September 18, 1975.
Source: Gerald R. Ford Presidential Library, White House Operations, Richard Cheney Files, Intelligence Series, Box 6, Folder, "Congressional Investigations (3),"

In this draft statement, the White House attempts to frame the dispute with the House Select Committee as "not a dispute over Congress' right to receive information" but instead, "the issue is over the procedure for disclosing such material. The House Select Committee on Intelligence insisted on disclosing documents on short notice, over the protests of the Intelligence Community, and without consultation and discussion with the responsible leadership of the Intelligence Community." The draft then acknowledges the committee's "positive step toward resolution of this difficulty by proposing a 24-hour notice." However, such a short notice will "not allow for the depth of research necessary for the intelligence agencies to take anything more than a conservative approach to the issue, which would be apt to lead to future impasses, not resolve them."

Document 13

1975-09-19
White House, Memo, Charles Leppert, Special Assistant for Congressional Relations, to Jack Marsh, Counselor to the President, "Comments of Republican Members House Select Committee on Intelligence," September 19, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, General."

In this important memo, Charles Leppert, the White House special assistant for congressional relations warns that after consulting with several Republican members of the House intelligence committee, "Pike's Committee staff is doing the legal research on the Committee's position for the purposes of proceeding to litigation on the issues of whether the Committee has the right to receive classified documents with no strings attached and the right to declassify and release such information to the public." Representative Bob McClory (R-IL) stressed that, "the right to declassify and release such information to the public is not exclusively in the Executive Branch," and that no member of Congress would take the position that Congress has no powers over classification. Consequently, the Republican congressman recommends that the Ford administration should "do everything it can to avoid litigation and bend over backwards to resolve the issues other than going to court."
Document 14

1975-09-20
White House, Memo, Charles Leppert, Special Assistant for Congressional Relations, to Jack Marsh, Counselor to the President, "Comments of Republican Members House Select Committee on Intelligence," September 20, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, General."

After consulting with Republican Representative Bob Kasten (WI), Charles Leppert explains that the congressman thinks that, "the Republican members of the Committee, generally speaking, are in close agreement on most issues before the Committee." Furthermore, Kasten believes that the administration made a "serious mistake in selecting the 'four words' which has precipitated the present controversy because these four words do not, in the judgment of most members of the Committee, reveal the source or method of intelligence gathering." Kasten also warns that committee members disagree with a memo suggesting that Congress does not have the authority to declassify documents unilaterally.

Document 15

1975-09-20
White House, Office of Congressional Liaison, "Fact Sheet on Sequence of Events Leading to the President's Decision on 12 September 1975 to Suspend Provision of Classified Materials to the House Select Committee on Intelligence," c. September 20, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, Robert K. Wolthuis Files, Subject Series, Box 2, Folder, "Intelligence Investigations: Pike Committee."

This memo summarizes the events of the White House-Pike Committee controversy from the perspective of the Executive. The memo explains that the crisis arose over a single phrase on an intelligence postmortem of the Arab-Israeli 1973 war, (the phrase remains redacted in this document), that was considered so sensitive by representatives from the intelligence community that its release would, "indicate to other nations and American capability to monitor and analyze foreign communications and derive information from them. This specific knowledge of time and location would alert other nations to reexamine and tighten their communications security procedures and thereby impair the ability of the U.S. to obtain communications intelligence." Disagreeing with the Executive, the Pike Committee voted to have the phrase declassified and on Friday the 12 of September, the disputed phrase was read into the public record. The memo then explains that the White
House sees the current dispute as resulting from the "unilateral action of one committee to release such material over the objections of the Executive representatives present... " and that, "if the Committee's position were to remain unchanged, large amounts of sensitive intelligence and other types of material would be subject to release without notice, which would require a responsible Executive to restrict the provision of such information to the Committee."

**Document 16**

1975-09-22
Source: Gerald R. Ford Presidential Library: White House Operations, James E. Connor Files, Intelligence Series, Box 56, Folder, "House Select Committee, Legal Opinions on Subpoenas for CIA Documents (1)."

In this sober 31-page legal memo, Special Counsel to the Director of Central Intelligence, Mitchell Rogovin and Paul Reichler warn that if the Pike Committee goes to court, "there does not appear to be any realistic way in which the Agency can come out the winner." After a thorough legal analysis, Rogovin and Reichler conclude that, "If the House Select Committee on Intelligence goes to court to enforce its subpoena, it is a virtual certainty that the court will assume jurisdiction of the case." Worse still for the Executive, the memo stresses that, "If the Committee goes to court, there is an excellent chance that it will persuade the court to enforce its subpoena. The Committee would have no trouble demonstrating that the information it is seeking is relevant, and possibly even essential, to its performance of the duties assigned to it by the House of Representatives." Furthermore, Rogovin and Reichler explain that "Clearly there is no legal basis for the President to claim that he can withhold any such information on grounds of an absolute executive privilege. The courts have consistently rejected the notion that such a privilege exists."

**Document 17**

1975-09-22
White House, Office of the Counselor to the President, Jack Marsh, Memorandum for Coordinating Group, September 22, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, James E. Connor Files, Intelligence Series, Box 57, Folder, "Intelligence Coordinating Group, General."
In this memo, Jack Marsh, the counselor to the president, marks a number of hand-written annotations, including one short note where he asks "who watches Pike?" indicating a desire to keep a close eye on the chairman of the House Select Committee.

Document 18

1975-09-22
Source: Gerald R. Ford Presidential Library: White House Operations, James E. Connor Files, Intelligence Series, Box 57, Folder, "Intelligence Coordinating Group, General."

This draft paper with hand-written edits from the Office of the Counselor to the President sets an updated declassification procedure in order for the Executive to resume the supply of materials to the Pike Committee. The language in this memo closely resembles its predecessor document of September 16 (Document 9). For example, as with the previous memo, this draft memo also gives the president veto power when a disagreement occurs over the classification of a document between an Executive agency and the congressional special review board, "In order for the material to remain classified (thus overruling the Committee decision) the President must certify that disclosure outside of the Committee of such information would adversely affect the intelligence activity of the United States in foreign countries."

Document 19

1975-09-22
White House, Intelligence Coordinating Group, "Positions to be Taken on Handling of Classified Documents by House Select Committee," c. September 22, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, James E. Connor Files, Intelligence Series, Box 57, Folder, "Intelligence Coordinating Group, General."

This memo presents an alternative procedure for "unresolved classification issues by action of the Committee," where the President no longer appears to have veto power over the final decision to declassify a document. Instead, the memo proposes, "Deferral of unresolved declassification issues until Committee finds information in question is important to its final report to the House, when if the matter still cannot be resolved, it can be considered by the House as a whole in executive session after consultation between the President and the House leadership."
Document 20

1975-09-23
White House, Memo from Max Friedersdorf, White House Liaison with Congress, to Donald Rumsfeld, Assistant to the President, re Dispute with House Select Committee over Declassification of Documents, September 23, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, Max Friedersdorf Files, Subject Series, Box 10, Folder, "CIA Investigations (2)."

In this memo, Max Friedersdorf, the White House liaison with Congress warns that the situation with the Pike Committee "continues to deteriorate" and that "confrontation is coming unless lines of communication are kept open and accommodation reached soon." After consulting with several Republican members of the Pike Committee, Friedersdorf explains that the Select Committee is likely preparing for "action involving possible contempt and court initiatives on the classified documents controversy." Representative McClory once again warns the White House, "that the four Republican Members of the committee who all agree that the White House should agree to the procedure adopted by the committee for the handling of classified documents." Friedersdorf concludes by stressing that the White House has no basis of support in the Committee and that the "situation is grave and a confrontation seems imminent."

Document 21

1975-09-23
Source: Gerald R. Ford Presidential Library, President Handwriting File, National Security Series, Box 30, Folder, "Intelligence (3)."

In this important memo, Henry Kissinger takes a hard position against any accommodation with the Pike Committee over the classification crisis given that the committee's "action constitutes a challenge to the President's constitutional responsibility to conduct foreign affairs and protect the national security of the United States." Although Kissinger acknowledges that he "cannot comment on the legal merits of the case," he nonetheless argues that if a disagreement over declassification arises between the branches, "I believe that the final determination must reside in the Executive Branch... it is my firm belief that Executive authority in this area is accepted by Congress, as witnessed in statutes and the absence of challenge through the years." Kissinger recommends that if the House
leadership is unwilling to accept such a procedure then "I believe that the President's current proscription against providing classified information to the House Select Committee should be maintained and that the Committee should be left to consider an early court test of its position on this issue."

Document 22

1975-09-23

House Select Committee, Letter from Representative Robert McClory (Ill) to President Gerald Ford, Re Administration Cannot Escape Pike Committee Assertion of a Right to Declassify Documents, September 23, 1975.

Source: Gerald R. Ford Presidential Library, President Handwriting File, National Security Series, Box 30, Folder, "Intelligence (3)."

In this clear and pithy letter to the President, Representative Robert McClory explains that after a meeting between all four Republican members of the Pike Committee, there was agreement that "the procedures adopted by the Full Committee on September 17 should be accepted by the Executive Branch as a reasonable method for receiving classified materials necessary to our investigation." The Congressman also noted that there was "general agreement" among the Republican members of the committee that, "the subpoenas heretofore issued should be complied with in reliance upon the new procedures adopted by the Committee."

Document 23

1975-09-23

White House, Office of Counsel to the President, Memorandum Re Legal Advice on Dispute with Pike Committee Concerning Declassification of Documents, September 23, 1975.

Source: Gerald R. Ford Presidential Library: White House Operations: Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Subpoenas General."

In this legal memorandum, the Office of the Counsel to the President considers "some of the legal problems presented by the failure of compliance with the subpoena served upon the Director of Central Intelligence on the 'Tet' offensive." The memo argues that if the "subpoena is defied it raises the spectre of Frankenstein" since the CIA is a "creature of Congress." The memo outlines the possible methods of enforcement of the subpoena and then moves on to the question of whether Congress has the power to declassify documents and concludes that, "A Congressional Committee may have no right to declassify a
document, but it has the power to publish the document in its possession. The publication then places the document in the writing in the public domain and works the declassification-a tantamount declassification. There is no legal remedy through the courts for the Executive to punish or restrain the publication." The memo argues in favor of a compromise with the Pike Committee, "But that the right of the Committees (Select Committees) to have the documents (1) can be suspended if the Committee's conduct and lack of assurances threatens the security of the information, and (2) is not tantamount to a right in the Committee to release the information."

Document 24

1975-09-24
Source: Gerald R. Ford Presidential Library, White House Operations, Richard Cheney Files, Intelligence Series, Box 6, Folder, "Congressional Investigations (3),"

In this memo, the White House outlines and explains four different categories of documents with their respective release procedures. The first, "will not be delivered to the Committee" and include names and sources, intelligence exchanges with friendly governments, and "possibly sensitive" ongoing operations. The second category comprises sensitive and highly classified materials that the Committee can have access to, "but of which the Executive branch will not agree to unilaterally declassify and on which the final decision for publication is reserved to the Executive." The third type of documents are either unclassified or if unilaterally released by the committee will "not cause objection from the Executive branch although we did not agree to such unilateral publication." The final category are documents that fall within the area of executive privilege and the "precise scope of this area needs to be further defined." The memo concludes by stressing that this does not represent "a change in operating procedures involving jurisdiction committees, but by virtue of the special status of the intelligence committee."

Document 25

1975-09-24
White House, Office of the Counselor to the President, Decision Paper for President Gerald Ford, Re Concerning the Release of Classified Materials to the Senate and House Select Committees, September 24, 1975.
Source: Gerald R. Ford Presidential Library: Presidential Handwriting File, National Security Series, box 30, folder: "Intelligence (3)."
This important decision paper outlines two options for the President. Option one represents a "compromise," and option two retains the President's "maximum control." Regardless of which option the President chooses, his advisors recommend, "that you immediately make available to the Committees that information which can be declassified or that you are unwilling to submit to the Pike Committee under their adopted rules for unilateral classification." The President initials his approval for all the options, indicating that if attempts at compromise failed, his subordinates should hold out for maximum control.

**Document 26**

1975-09-25

**White House, Charles Leppert, Special Assistant to the President for Congressional Relations, Memo to Jack Marsh, Counselor to the President, "House Select Committee on Intelligence," September 25, 1975.**

**Source:** Gerald R. Ford Presidential Library: White House Operations: Max Friedersdorf Files, Subject Series, Box 10, Folder, "CIA Investigations (2)."

After a conversation with Representative Robert McClory, the Special Assistant to the President for Congressional Relations, Charles Leppert reports that House Select Committee Chairman Otis Pike wants to take the declassification dispute all the way to the Supreme Court because "he wants a definitive decision on the question."

**Document 27**

1975-09-25

**White House, Mike Duval, Office of Domestic Council, Note for President Gerald Ford, September 25, 1975.**

**Source:** Gerald R. Ford Presidential Library, James E. Connor Files, Intelligence Series, Box 56, Folder, "House Select Committee, General."

In this important note, Mike Duval from the White House Office of Domestic Council, writes to the President notifying him that Secretary Henry Kissinger has requested that an additional category of materials be created that will not be shared with Congress. The materials in the proposed category are, "Diplomatic exchanges or other material the disclosure of which would be embarrassing to foreign governments and damaging to the foreign relations of the United States."
**Document 28**

1975-09-25

White House, Office of the Counselor to the President, Memo from Jack Marsh, "Meeting with Congressional Leadership Concerning the Intelligence Community Investigation," September 25, 1975.

**Source:** Gerald R. Ford Presidential Library, James E. Connor Files, Intelligence Series, Box 56, Folder, "House Select Committee, General."

This briefing memo by Jack Marsh explains the goal of an upcoming meeting between the President and the Congressional leadership as "an attempt to develop a compromise with the Congress concerning delivery and publication of classified material..." If Congress accepts the new procedures proposed by the White House, then the Pike Committee will be provided with the materials it requests with the exception of documents that include the identities of secret agents or sources and methods. However, mirroring the past procedures proposed by the White House, the president maintains the power regarding, "Other matters, the complete confidentiality of which the President personally certifies is essential to the effective discharge of presidential powers, may be withheld." Similarly, when a dispute arises over the declassification of a document between Congress and an Executive agency, the materials will once again not be published if "in the opinion of the President," they are "prejudicial to the national security of the United States."

**Document 29**

1975-09-29

Central Intelligence Agency, Statement by Director of Central Intelligence William E. Colby, September 29, 1975.

**Source:** Gerald R. Ford Presidential Library, Ron Nessen Papers, Subject File Accretion, Box 299, Folder, "Intelligence (2)."

This critical statement by Director of Central Intelligence William Colby, shows the Executive doubling down on the declassification controversy. Colby explains that, "I cannot agree to the transfer of sensitive material in response to this subpoena in the absence of some agreed procedure as to its possible disclosure which I am still hopeful we can achieve."

**Document 30**

1975-09-30
This memo shows that Republican representative and House Select Committee member, Robert McClory, sought assistance from the White House in order to challenge "the validity of the subpoenas issued by the Pike Committee." The proposed strategy is to criticize the subpoenas on the grounds that they, "were not issues in accordance with the Rules of the House of Representatives... that the subpoenas issued on motion are not valid, because the operative document, the subpoena, must be before the Members of the Committee and voted on by the Members of the Committee after the opportunity has been presented to the Members to amend the subpoena."

**Document 31**

1976-09-30

White House, Memo from Jack Marsh, Counselor to the President, to Donald Rumsfeld, Assistant to the President, re Compromise with Pike Committee (with attached CIA letter from DCI William E. Colby to Chairman Otis Pike), September 30, 1975.


This memo and the attached letter by Director of Central Intelligence William Colby to Congressman Otis Pike, shows that the compromise reached between the Executive branch and the House Select Committee heavily tilted towards the procedure desired by the White House. The letter shows that the President will maintain its veto power over classification decisions in the event of a disagreement between the Committee and the CIA. Jack Marsh explains that, "Pike and Staff would like to be able to say that the President's earlier order has been lifted." However, from henceforth all materials provided to the Select Committee will contain the provision that, "In the event of disagreement, the matter will be referred to the President."

**Document 32**

1975-10-01

White House, Memo, Charles Leppert, Special Assistant for Congressional Relations, to Richard Cheney, Deputy Assistant to the President, "House Select Committee on Intelligence," October 1, 1975.
In this memo, Charles Leppert explains that Representative Robert McClory has shared with the Pike Committee a compromise reached with the President where, "the President had assured him that junior and mid-level officers from the State Dept. could testify before the Committee and to refute any misrepresentation made to the Committee by senior officials."

**Document 33**

1975-10-01

White House, Memo, Charles Leppert, Special Assistant for Congressional Relations, to Donald Rumsfeld, Assistant to the President, "House Select Committee on Intelligence," October 1, 1975.


This memo notes that the Pike Committee by a vote of 10-3 (with Robert Giaimo, Ron Dellums, Les Aspin, all Democrats registering the nay votes), accepted the CIA materials under the terms set forth in the letter from DCI Colby to Chairman Pike (Document 30).

**Document 34**

1975-10-03


Source: Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Subpoenas General."

This document breaks down the number of subpoenas filed by the Pike Committee since the compromise and the degree to which several intelligence agencies (CIA, NSA, DIA) and the NSC have complied with those requests.

**Document 35**

1975-10-14
Department of State, Letter from Secretary of State, Henry Kissinger, to Congressman Otis Pike, Re Justifying State Department's Denial of Documents to House Select Committee, October 14 1975.

Source: Gerald R. Ford Presidential Library: White House Operations, Max Friedersdorf Files, Subject Series, Box 10, Folder, "CIA Investigations (2)."

In this letter Secretary Kissinger notifies the Pike Committee that he will not comply with their request for a "dissent memorandum" from August 1974 concerning the crisis in Cyprus. Secretary Kissinger argues that the survival of the country is at stake, "If we are to prosper - indeed, if we are to survive - it will require the confidence of the American people and of the nations of the world in the wisdom of our foreign policy and the effectiveness of our foreign policy establishment... It is my view that to turn over the dissent memorandum as requested would inevitably be destructive of the decision-making process of the Department, and hence do great damage to the conduct of our foreign relations and the national security of the United States." Kissinger notes that his decision is not based on a desire to keep anything from the committee and he is ready to testify on the dissenting views put to him. Instead, Kissinger is withholding the document in order to protect his workforce since "Once the confidentiality of internal communications had been breached, it would be but a short step to public exploitation of the subordinate's views. The result would be to place Department officers in an intolerable position - at times praised, at times criticized for their views; at times praised, at times criticized for dissenting; at times praised, at times criticized for not dissenting."

Document 36

1975-11-03

Department of State, Letter from Secretary of State, Henry Kissinger, to Congressman Otis Pike, Re Meeting with Pike Committee and Desire to Cooperate on Documents, November 3, 1975.

Source: Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Handling of Release of Classified Documents."

After meeting with the members of the Pike Committee, Secretary Kissinger reiterates that he is not withholding documents for the sake of secrecy or to "win a theoretical dispute," and that he is committed to reaching a compromise. Kissinger proposes a solution where, "I provide the Committee an amalgamation of State Department documents criticizing our Cyprus policy. This collection of material would include, interspersed among the other paragraphs and without any identification of authorship, the full contents of Mr. Boyatt's memorandum to me." This way, the Secretary explains, the committee will get the information it desires, Boyatt's name remains secret, and "no precedents - either for Congress or the State Department - will have been established."
In this letter President Ford expresses his "deep concern" after a November 14 vote on three resolutions passed by the House Select Committee which could lead to the full House finding Secretary Kissinger in contempt for refusing to comply with three subpoenas. The president starts the letter by highlighting the stakes as, "This issue involves grave matters affecting our conduct of foreign policy and raises questions which go to the ability of our Republic to govern itself effectively." While President Ford recognized the power of Congress to compel the production of documents, "However, this power, as broad as it is, is subject to recognized limitations. Not only is it limited by powers given to the other two branches, but it also must respect requirements of procedural due process as they affect individuals."

After a 10-2 vote in the House Select Committee on Intelligence that finds Secretary Kissinger in contempt for failure to subpoenaed documents, Chairman Otis Pike, notifies the rest of Congress of his intention to file a Report against Kissinger on December 8. In an attempt to allay concerns, Pike notes that, "Contrary to widely published rumors, neither the filing of such a report nor its adoption by the House will cause the earth to tremble nor the sun to stop in its tracks. No one is seeking to place Mr. Kissinger in jail, and the worst that can happen to him is that he might have to provide the documents subpoenaed to Congress." Pike finished the letter by stressing that, "No committee of Congress can ever
exercise oversight as long as the Executive branch alone determines what facts it may have."

Document 39

1975-12-19
U.S. Congress, House Select Committee on Intelligence, Memorandum from Representative Otis Pike, to Members of the Committee, "Possible Recommendations Developed by Committee Staff," December 19, 1975.
Source: Gerald R. Ford Presidential Library: White House Operations, Max Friedersdorf Files, Subject Series, Box 10, Folder, "CIA Investigations (3)."

This important memorandum briefly outlines eight proposals that the Pike Committee staff has developed for possible recommendations to appear on the final report of the committee. The first set of recommendations revolve around the intelligence community's budget, including: a consolidated intelligence budget, that is approved by Congress, reviewed by the Government Accountability Office, and where the total figures of the intelligence budget are made public. The second set of proposals relate to the creation of a standing House Committee on Foreign Intelligence, and that Congress should be fully informed before covert actions begin. The final set of recommendations involve the "limiting of secrecy." Here, the proposals endorse the creation of a clear process for Congress to release classified information, and the establishment of an independent body to de-classify information.

Document 40

1976-01-15
Source: Gerald R. Ford Presidential Library: White House Operations, Congressional Relations Office, Loen & Leppert Files, Box 14, Folder, "Intelligence, House Select Committee, Handling of Release of Classified Documents."

Here President Ford notifies Representative Pike that, "I have reviewed the House Select Committee documents on covert action. I have concluded that the publication at this time of these documents would be detrimental to the national security." The president warns that disclosure of covert operations would make it more difficult for foreign governments to cooperate with the United States in the future. Ford also rejects the claim that, "The question of whether the U.S. should, in fact, engage in covert action can be debated, but it should not be resolved by a systematic exposure of past and current programs. The fact
that many details of the two programs in question have appeared in the press does not alter the principle involved. There still is a serious difference between press speculation, however informed, and a Report issued by a Congressional Committee."

**Document 41**

1976-01-29

**White House, Letter from President Gerald Ford to Representative Otis Pike, Re Classified Information in Pike Report, January 29, 1976.**

**Source:** Gerald R. Ford Presidential Library: White House Operations, James E. Connor Files, Intelligence Series, Box 56, Folder, "House Select Committee, General."

President Ford reminds House Select Committee Chairman Otis Pike in this letter of the HSC's prior agreement concerning the President's veto power over declassifying materials. In this case the issue is the Pike Committee's final report. The President tells Representative Pike that he has been informed that "there are still some issues regarding inclusion in the report of certain classified information which have not been resolved by your Committee and the various agencies of the Executive branch concerned." The President concludes by noting that "I await your submission of these unresolved issues to me so that I might determine whether or not the disclosure of the information involved would be detrimental to the national security."

**NOTES**


[iii] Letter, Otis G. Pike-William E. Colby, July 28, 1975 (copies of documents quoted in this electronic briefing book, in cases where they are not drawn from materials that are exhibits in this EBB, are available in the Digital National Security Archive and/or, in Set II of the Archive’s CIA Covert Operations document collection).

[iv] Marvin Kalb and Bernard Kalb, *Kissinger.* Boston: Little Brown, 1974, pp. 454, 457. Indeed, Kissinger's leak divulged more information than the Pike Committee’s release, adding that the material had been picked up by NSA stations in Iran.


[ix] Examples would be Ronald Reagan from the Iran-Contra Affair, Bill Clinton from Bosnian arms trafficking, or George W. Bush in the investigations of his prewar manipulations of the intelligence on Iraq.