



FRANK CHURCH AT SENATE HEARING, SECRETARY OF STATE HENRY KISSINGER & OTIS PIKE AT HOUSE COMMITTEE SESSION

INVESTIGATIONS

Making a Splash, Missing the Point

Chairman Otis Pike was piqued. His House Select Committee on Intelligence had subpoenaed an internal State Department memo, and Secretary Henry Kissinger had refused to hand it over. Convinced that the Secretary was covering up, Pike pressed his committee to cite Kissinger for contempt of Congress.

Then Robert McCloskey, the State Department's liaison man with Capitol Hill, swung into action. He persuaded House leaders that such a contempt citation would badly damage Kissinger's prestige abroad. Thereupon, these men mounted a quiet campaign of friendly persuasion among committee members. The result: Pike's colleagues overruled him and voted 8 to 5 merely to invite Kissinger to explain in person why he refused to release the memo.

Protecting Dissent. Last week Kissinger reiterated to Pike's panel that he was not suppressing any embarrassing information, but trying to maintain State Department morale and efficiency. At issue was a memo written by a desk officer criticizing U.S. policy in Cyprus. Kissinger argued persuasively that lower-level policy recommendations should not be turned over to Congress with the names of the authors attached. Reason: State Department staffers might then hedge their recommendations for fear that they could be dragged before Congress to justify them—as happened in the Joe McCarthy era. Kissinger again offered to supply summaries of dissenting recommendations; the authors could testify about facts, but not about their advice. The effort at compromise resumes this week.

The scrap with Kissinger was important for another reason. It typified the way in which congressional committees investigating the U.S. intelligence community have diverted themselves from their objective: to find methods to better watch over the CIA, FBI and sim-

ilar agencies. Both the House committee and its Senate counterpart headed by Frank Church have been on the job since early this year, and both have spent too much time bawling the Administration or grabbing for headlines by concentrating on flashy issues. One motive: peppery and aggressive Pike yearns to run for the Senate in 1976, and Church may well announce his candidacy for President by year's end.

The House committee has been less effective than the Senate's. True enough, it has learned a good deal about the *sub rosa* financing arrangements enjoyed by intelligence agencies; that the General Accounting Office, which is supposed to monitor federal spending, keeps its hands off the CIA; the CIA alumni in the Office of Management and Budget handle the purse strings of their alma mater.

But many of the House committee's charges have been inexcusably glib and unfair. The committee heard former CIA Analyst Samuel A. Adams, an outspoken critic of the CIA, charge that top U.S. officials had deliberately concealed the true strength of the Viet Cong before the Tet offensive; then Pike refused to call the accused, as well as other witnesses in a position to rebut the charge. He also concluded that the intelligence community had shown incompetence by failing to predict the Yom Kippur War in the Middle East and the Portuguese coup. But these indictments neglected to consider that the Israelis also had been caught off guard and that while the CIA should have been more aware of the power of the Portuguese Communists, it cannot watch everything or be right every time. The intelligence agencies' many successes are almost always kept secret.

In the Senate, Frank Church's committee has explored the misuse of the Internal Revenue Service by the Nixon Administration to hound its polit-

ical enemies, the CIA's illegal reading of citizens' mail and other abuses. Since it discovered in February, however, that the CIA had been involved in foreign assassination plots, that subject has occupied more of the committee's time than all other topics combined. The record bulges to well over 11,000 pages. Church became fascinated with dart guns, shellfish toxins and other peripheral exoticia of covert operations. But the committee was unable to pin down who was responsible for the vague plots to kill Fidel Castro, the Congo's Patrice Lumumba and lesser undesirables. Doing so, says Committee Member Walter Mondale, is like "trying to nail Jell-O to a wall."

Future Plans. Though the committee does not plan to release its report on the assassinations for another few weeks, it is already the subject of controversy. In a letter that was hand-delivered to each member, President Ford urged that it be kept secret. Church and other Democrats have accused the Administration of trying to suppress the findings, and probably no more than three of the committee's eleven members will support Ford.

On Feb. 29 the committee's mandate expires, and much remains to be done. The schedule is jammed with hearings on the CIA role in Chile, allegations of the FBI harassment of political dissidents and, finally, the need for tighter congressional and White House control over the intelligence community. Unfortunately, there will not be nearly enough time to give the last subject the attention it deserves.

In the end the committees probably will make sound proposals for watching over the intelligence agencies and their finances: a joint congressional panel, perhaps, empowered to question intelligence officials under oath. Such a system of accountability promises to reduce future abuses. But some political leaders at home and abroad will still wonder whether that was worth bruising the prestige and credibility of the CIA and its fellow agencies.

NSA: Inside the Puzzle Palace

The National Security Agency is like the Jorge Luis Borges fable of the infinite library in which all of the planet's knowledge and information reside, mad-deniably encoded. Into the NSA's heavily guarded, three-story headquarters outside Washington every week the world's secrets flow from U.S. spy ships, surveillance planes, satellites and hundreds of electronic listening posts round the globe. Unlike the CIA and other U.S. intelligence agencies, the NSA's mission is strictly communications—electronics and cryptology. It is the ultimate bug, the source of most of the nation's foreign intelligence information and, like the CIA, a source of growing controversy.

Compared with the NSA, the CIA is as open as a New Hampshire town meeting. The NSA welcomes its confusion with NASA and the National Security Council. It is the one federal agency that claims—and gets—total exemption from the Freedom of Information Act. When Harry Truman started the NSA under the Defense Department's authority in 1952, only a handful of people even knew of his order.

Four Missions. By one estimate, the NSA spends \$1.2 billion a year and employs 25,000 people, compared with the CIA's \$750 million and 16,500 workers. At its Fort Meade, Md., headquarters, variously known as "Disneyland" and "the Puzzle Palace," the NSA labors in extraordinary anonymity to monitor communications throughout the world and then decipher the coded messages. In that task it is reputed to employ everything from the world's largest bank of computers to blind people whose acute hearing can pick up signals on tapes that sighted people might miss.

The NSA has come under increasing congressional attention. The troubles began last June when the Rockefeller commission revealed that the NSA had fed 1,100 pages of material on U.S. citizens to the CIA's "Operation Chaos," which was aimed at uncovering foreign influences among U.S. radical groups. Last week despite vigorous White House lobbying against it, the Senate intelli-

gence committee called NSA Director Lew Allen, 50, an Air Force lieutenant general with a doctorate in nuclear physics, to explain some of his agency's operations. It was the first time an NSA chief has ever testified in public about the agency's specific activities.

The committee was most interested in the NSA's monitoring of international telephone and cable traffic involving American citizens from 1967-1973. Allen testified that the NSA, under "Project Minaret," received "watch lists" of U.S. citizens about whom other agencies such as the CIA, the Defense Intelligence Agency and the FBI wanted information. In all, said Allen, the NSA intercepted the international calls or cables of 1,680 American citizens and groups and of 5,925 foreign nationals and groups.

The watch lists covered four basic areas. One was international drug traffic. Another was keeping track of potential presidential assassins. The other two areas were terrorism and possible foreign support for civil disturbances. Cryptically, Allen told the Senators that the watch-list monitoring had prevented "a major terrorist act" in an American city. The episode apparently involved a plan by Arab terrorists to hide explosives in a car parked on a New York City street and detonate them when Israeli Premier Golda Meir, who was visiting the city, passed by.

The monitoring of U.S. dissidents began with Lyndon Johnson's anxiety that foreigners were financing and organizing antiwar groups seeking to drive him from office. The FBI and CIA submitted watch lists. The Defense Intelligence Agency had the NSA monitor the foreign communications of about 20 Americans who were traveling to North Viet Nam.

The legality of the operations is questionable. The committee arranged for Attorney General Edward Levi to appear this week to discuss the matter. Allen admitted that the NSA had obtained no warrants for any of the monitoring and that the agency had never sought a legal opinion on the subject



DIRECTOR LEW ALLEN TESTIFYING
Like a Borges fable.

from the Attorney General or the White House. He did point out that Defense Secretary Melvin Laird had known what was going on, as had two Attorneys General, John Mitchell and Richard Kleindienst, before a third, Elliot Richardson, had finally called off the monitoring in 1973, on grounds of dubious legality.

ACLU Suit. The committee was alone in its attentions to the NSA this week. In Washington's U.S. district court, the American Civil Liberties Union filed a \$500 million class-action suit charging the NSA and CIA with running a large and illegal spying campaign against antiwar elements in the 1960s and early 1970s. The suit was brought on behalf of 7,200 individuals and 1,000 groups on which the two agencies supposedly kept files, monitored calls and cables and opened mail. Among the defendants are four communications companies—RCA Communications, ITT World Communications, Western Union and American Cable and Radio Corp.—that allegedly cooperated with the agencies in helping them monitor communications. Of course it was the U.S. Government that persuaded the companies years ago to cooperate with the intelligence gathering, and congressional staff members point out, the companies agreed to a matter of patriotic duty.

