

CIA Acts Linked To Top

Kissinger Says Ford, Nixon Had Final Say

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Secretary of State Henry A. Kissinger told the House intelligence committee yesterday that every clandestine operation undertaken by U.S. agents has, for years, been personally approved by the President.

Repeatedly put on the defensive by the roughest questioning he has ever faced on Capitol Hill, Kissinger made the disclosure in light of complaints by committee members that Kissinger may have had the final word on all too many secret and often questionable projects.

The Secretary's response demolishes the theory of "plausible deniability" that has so often served to insulate Presidents from past disclosures.

"Every operation is personally approved by the President," Kissinger declared under interrogation first by Rep. James V. Stanton (D-Ohio) and later by Rep. Robert W. Kasten Jr. (R-Wis.).

Kissinger said he was certain of this "during all the time I have been in Washington" and was virtually certain that this was the case under earlier administrations as well.

Kissinger's full-time Washington service began in 1969 at the start of the Nixon administration.

A recently retired State Department intelligence expert, James R. Gardner,

told the committee Thursday that nearly 40 covert Central Intelligence Agency operations had been approved between 1972 and 1974, largely on Kissinger's say-so and without a single meeting of the special White House group ostensibly in charge of such activities.

Kasten said Gardner, who served as State Department liaison officer for secret spying operations, also left the committee with the impression that Kissinger didn't bother to get the President's approval for any but "the most sensitive" projects.

The White House adviser in charge of national security affairs under both President Nixon and President Ford, Kissinger denied any such omissions.

"The case is that all the decisions are passed to the President for final determination," he said. At another point, Kissinger said of covert operations generally, "The assistant to the President (for national security affairs) makes no decisions."

Under legislation adopted by Congress last year, clandestine CIA operations must be specifically approved, in advance, by the President.

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and subsequently reported to pertinent congressional committees. But the procedures for initiating such activities in the past have always been closely guarded.

Kissinger refused to discuss them even yesterday until the committee in the afternoon sat down with him in closed session. Chairman Otis G. Pike (D-N.Y.) said he saw no reason why Kissinger couldn't talk about "procedures," but the Secretary maintained that "it is impossible to discuss the procedures without discussing the decisions."

Rep. Ronald V. Dellums (D-Calif.), who cast a lone dissenting vote against holding the closed-door meeting, asked Kissinger at the public session about covert CIA operations in Chile to prevent the election of Marxist President Salvador

Allende and about Kissinger's reportedly declaring in 1970 that "I don't see why we need to stand by and watch a country go Communist due to the irresponsibility of its own people."

Testifying in a high-ceilinged hearing room festooned with military seals and flags, Kissinger would neither confirm nor deny covert Chilean operations at the public session, and said he couldn't comment on news reports "about a statement I allegedly made five years before."

In rapid-fire fashion, Dellums listed his other reservations about Kissinger, including the wiretapping of White House subordinates and the many posts he holds. Dellums said that he thought the secretary had too much power and that he was concerned about the way he operated.

Kissinger maintained that Dellums' views were "based on testimony that is fragmentary and, in some instances, inaccurate," and said he was sorry to hear them before getting a chance to speak up "in executive session." Kissinger said the Senate Foreign Relations Committee, by contrast, had "sustained my position" on the wiretapping controversy recently by a vote of 16 to 0.

The House committee was in a far less conciliatory mood in light of Kissinger's refusal to honor its subpoena for a copy of a "dissent memorandum" concerning the 1974 Cyprus crisis by the State Department's director

of Cypriot affairs, Thomas Boyatt.

Pike set the tone with an opening declaration that the deeper the House investigation of the nation's intelligence community digs, the more alarmed he has become over the cynical, hypocritical and evil acts turning up. He said the committee has even found one covert operation that went ahead over the opposition of both the CIA and the State Department.

"But in no case," Pike added, hinting that Kissinger insisted upon the undertaking, "has the assistant to the President for national security affairs opposed an operation."

Turning to the Cyprus crisis,

Pike said he suspected that the Boyatt memo to Kissinger was being held back primarily "because it would look bad." Rep. Robert McClory (R-Ill.) said he couldn't understand why Boyatt was perfectly willing to let the committee have the information.

In refusing to supply the memo or to let Boyatt testify about policy recommendations he made, Kissinger has maintained that subjecting junior and middle-level State Department officials to such inquiries could inhibit the Foreign Service and even lead to a resurgence of McCarthyism.

McClory emphasized, however, that "if there is a privilege (for such officials), it would seem to me it belongs to the people in that area" rather than to Kissinger.

The Secretary of State insisted that he was interested in compromise, not confrontation. He also readily agreed that the committee was clearly not interested in hounding Boyatt.

"On some reflection," Kissinger quipped, "I have some rough idea about who this committee is after."

Despite Boyatt's wishes, Kissinger maintained that it was important to protect the anonymity of lower-level officers' recommendations.

Committee members such as Rep. Les Aspin (D-Wis.) said they felt it just as important to protect the rights of those who are willing to speak up, to make sure that the "whistle blowers" can tell their stories to Congress without fear of persecution.

Along that line, Aspin protested the State Department's habit of sending "monitors" along whenever

the committee interviews a State Department witness, whether the witness wants the monitor or not.

Kissinger promised that henceforth State would send lawyers only if the witnesses request them. Suggesting a two-stage compromise concerning the Boyatt memorandum as well, the secretary said he would be quite willing to give the committee such documents in the future after deleting only the writers' names.

The Boyatt memo's author has been publicly identified, but Kissinger suggested including it — without naming the author — in a pile of other papers concerning the Cyprus crisis that might be supplied to the committee.

Declaring himself open to any other compromise suggestions, Kissinger said he has already asked President Ford not to invoke executive privilege, and stated repeatedly that he was not

trying to concoct some "secretarial privilege" in its place.

(Several White House and administration sources have indicated that Mr. Ford has decided to let Kissinger go it alone on the issue and probably would not invoke executive privilege in any event.)

Committee members, however, were still concerned over Kissinger's attempts to modify the terms of a congressional subpoena. Rep. Robert N. Giaimo (D-Conn.) repeatedly demanded to know what authority Kissinger thought he had — especially since he was not resorting to executive privilege.

Kissinger said he wasn't a lawyer and that he would have to rely on the advice of the State Department's legal counsel, Monroe Leigh.

Pike said after the executive session that he considered Kissinger's proposal for concealing the Boyatt memo's

origin "wholly meaningless." The committee is to discuss the next step Tuesday.



James K.W. Atherton—The Washington Post

Rep. Ronald V. Dellums chats with Secretary Kissinger during lunch recess.