

Ethics Panel Fails to Solve Schorr Case

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After four months and \$150,000 the House ethics committee has been unable to find who leaked the secret House CIA report to CBS correspondent Daniel Schorr last January.

The committee began a series of public hearings yesterday in a final effort to get the answer by putting witnesses under oath. The House ordered the investigation when the report of the House intelligence committee was printed in the New York weekly, *The Village Voice*, less than two weeks after the House had ordered it suppressed because it contained classified information.

The ethics committee's chief investigator, David W. Bowers, a retired FBI agent, reported on what he considered loose security at the intelligence committee offices and told of dozens of copies of the secret report being passed around executive branch agencies.

He said he believed investigators were "quite a bit" closer to the answer than at the start, but he couldn't produce the name of the leaker.

Bowers' staff conducted unsworn interviews with 385 persons, he said. But investigators did not ask Schorr who gave him the report because his lawyer sent word that he would not tell them. The committee is wary of getting into a constitutional confrontation pitting freedom of the press against the power of Congress to cite for contempt. Schorr admitted passing his copy on to *The Village Voice* because he felt the public should be able to read it.

There were two main versions of the report circulating in Washington last January and apparently several

others with some changes.

On Jan. 19, Bowers testified, the intelligence committee staff printed 20 copies of its draft and distributed them to the 12 panel members. One copy was sent to the CIA for comment from the executive branch. Bowers said the CIA made 30 copies and sent some to the White House, State Department and other agencies, some of which made more copies of their own. Bowers said he could account for 88 copies of the staff draft in circulation among the executive agencies.

For the rest of that week through Jan. 23, the commit-

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tee met daily to rewrite the staff draft. It made changes on 111 pages, nearly one-third of the report. On Friday, Jan. 23, the committee approved the report and, by a vote of 9 to 4, agreed to release it.

The CIA asked for a copy of the approved report and was turned down by committee chairman Otis G. Pike (D-N.Y.), on grounds that once the report was adopted it was the committee's property and would not be turned over to the administration in advance of general release.

Bowers said CIA borrowed a copy from a committee member, reportedly Rep. Les Aspin (D-Wis.), who refused yesterday to deny or confirm the report.

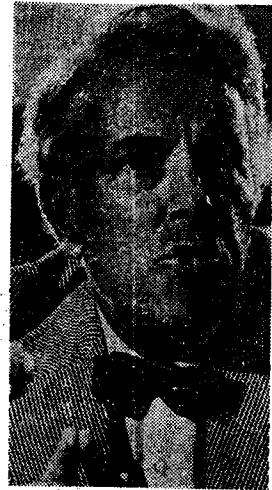
The CIA made 30 copies of the report as approved by the committee and sent them to other agencies, which made 17 more, Bowers reported.

Bowers said the version published in the *Village Voice* did not correspond exactly to any version he had seen — the staff draft, the final report, or individual copies possessed by nine of the 12 committee members who would show investigators their copy.

This suggests that the leak to Schorr came from someone who had a version of the report as it existed in mid-week. So far as is known, the executive branch received only the staff draft and the final committee

product and nothing in between. On the other hand, the committee staff sent committee members daily changes.

Bowers said security provisions at the intelligence



REP. OTIS G. PIKE

... defends his committee

committee were "mixed" and, compared with intelligence agencies such as the FBI, were "very poor." He said there was no identification control over copies of the report, classified material was sometimes left lying around the committee offices, and a machine to duplicate documents was located outside the secure area.

Pike, who wanted to release the report — which he said showed failures of American intelligence agencies — testified yesterday that he had not leaked the report to Schorr and did not know who did. Pike defended his committee and its staff saying it had handled 75,000 classified documents well. "Our bookkeeping was better than the CIA's. When they said we hadn't returned some documents we showed them they had them," he said.