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## Fresh orgies of CIA scrutiny will be unhelpful

An honorable strategy will have misfired if the Rockefeller Commission report stirs fresh orgies of CIA scrutiny instead of laying the ghosts which threaten to disrupt the great tasks of intelligence collection.

According to St. John's words, engraved at the CIA's entrance, "The truth shall make you free." This is what CIA Director William Colby had in mind when he laid out the record in a report to President Ford last December.

With many subordinates in a revelatory mood, he wanted to secure the agency's future by being candid about its past.

Ford was in no position to serve as a repository for all this information, so he created the Rockefeller Commission for a searching scrutiny into charges that the CIA conducted "massive, illegal domestic intelligence operations" in the Nixon days.

The commission has been blunt in reporting on instances where the agency's zeal appears to have exceeded its authority.

But all this candor may not suffice as public reassurance in days when there is no consensus on foreign policy. The crux of a controversy over priorities is the commission's observation that "the vigorous pursuit of intelligence can lead to invasions of individual rights."

Those who would tolerate minor invasions to secure significant intelligence are encircled by a new resistance to any form of official high-handedness.

The controversy is also a matter of perspective. The CIA's principal illegality, it develops, was a 20-year scrutiny of the mail exchanged between the Soviet Union and the United States. The agency undertook this task in cold-blooded disregard of the law.

In the dark days of the Cold War, this was judged a risk worth taking, an exercise which counterintelligence found highly rewarding.

In the perspective of 1973, when this surveillance was stopped by James Schlesinger, it was no longer worth the gamble. The host-mood had thawed, the trade winds of commerce had begun to blow, and the public was no longer tolerant of law-breaking in pursuit of national security.

The agency did not break the law in collecting information on the Vietnam dissenters. As the commission points out, the 1946 NSC Act, while restricting the agency's police powers and internal security functions, does not prohibit intelligence activities or the collection of files which concern American citizens. These efforts only become illegal when the agency participates in the activities

of law enforcement agencies.

The circumstances of those days make it doubtful that the public's right to be secure against "unreasonable searches and seizures" was badly breached by CIA's efforts to discover if foreign influences were at work upon the dissent movement. Even such an apostle of individual rights as Ramsey Clark found it "imperative" to get comprehensive intelligence on the civil disorders.

The CIA was pushed into the gray area of its activities by pressures from the White House. Presidents Johnson and Nixon leaned on the CIA because it had more license and flexibility than the FBI.

The Rockefeller panel is critical of Richard Helms, then the director, for being more compliant than he might have been. But Helms, after all, was a career official schooled in responsibility to the White House. He became another victim of Richard Nixon's arrogance.

The commission has advised Congress how to tidy up the ambiguities and loose ends in the CIA's charter. It has even urged the creation of a joint Committee on Intelligence, a notion which had few supporters in the days when the pursuit of intelligence was counted a top priority. There will be members of

Congress who want to bathe the disclosures in sanctimony, perhaps even to condemn the spy satellites for their intrusions on backyards around the world.

But Congress will be nursing a controversy at the expense of the national interest if it fails to seize this chance for a fresh start.