

Curbing CIA abuse

F Post 3/26/76

Almost as if nothing had come to light in recent months about secret, illegal activities by the CIA and FBI at home and abroad, President Ford has actually proposed that the best way to regulate the intelligence community and correct its abuses is to permit it to operate in even greater secrecy.

Legislation he has suggested to Congress would make it a crime for any employe or former employe of the government or its contractors possessing "information relating to intelligence sources and methods" to disclose such information to anyone else. It is, in effect, an official secrets act, all-embracing; it could cover anything the government chose to have it cover.

Curiously, in what some see as an attempt to allay the fears of the press, only the leaker of secrets would be subject to punishment, not the receiver. But even if the Justice Department and the courts were to observe the distinction in the event of prosecution against a leaker, the certain result would be to ensure that the only information the public received about what its government was doing in the intelligence field would be what the government decided it should receive.

Trust me, the President says, to keep the cloak and dagger boys in line and to guard the public weal. Asked what guarantee the public would have that he and his successors would do that, he replies, "I would hope the American people will elect a president who will not abuse that responsibility."

One thing we have learned, however, is that not even the chief executive always knows what is going on, and the perfor-

mance of the last two presidents alone suggests that Mr. Ford's hope would be, at best, an uncertain one on which to rest our freedoms. The bitter struggle the administration waged last year to withhold information from congressional investigators is proof enough of that.

It can be persuasively argued that had the kind of authority President Ford requests existed in 1972, Richard Nixon might easily, and quite legally, have quashed the Watergate investi-

gation — in the interests, of course, of "national security."

No one wants this country's intelligence apparatus to be crippled. In the kind of world we live in, it constitutes our first line of defense. Nor is there any question that the need for secrecy about legitimate "intelligence sources and methods" is as vital as the need for secrecy about the sailing routes of Polaris submarines or the nation's contingency plans in the event of an attack.

But there is secrecy and then there is secrecy, and unfortunately the first use to which governments have always employed secrecy is not against their enemies but against their own citizens. The difference between a democracy and a tyranny is that in the latter it is done as a matter of course; in the former it is a constant danger which only an informed public can guard against.

Would Americans be better off if they had remained in ignorance about certain covert activities of the CIA — the assassination plots against foreign leaders, the channelling of millions of dollars in attempts to influence the politics of other countries? Has their exposure weakened the United States or diminished its real security in any way?

Those who would answer yes, or who believe that the press enjoys perhaps a little too much freedom in this country, need to be reminded of a truth someone pointed out at the time of the Pentagon Papers affair:

There are any number of countries in the world where the government has taken away the liberties of the people. There is no country where the press has ever taken away the liberties of the people.