

INVESTIGATIONS

Church: 'Entering the 1984 Decade'

The investigations of the U.S. intelligence community are gradually moving ahead. Every week a presidential panel hears secret testimony about the Central Intelligence Agency's domestic activities. That probe was scheduled to conclude April 4, but the commission's chairman, Vice President Nelson Rockefeller, said last week that he will ask for an extension of several weeks.

House and Senate committees, meanwhile, are gearing up for investigations of the CIA, FBI and other U.S. intelligence agencies that are expected to continue into next fall. Last week the

ees that the agreement binding them not to reveal their work or other confidential information will be waived with respect to the committee." Church predicted that the committee will hold its public hearings this summer. Other highlights of the interview:

Q. To what extent will your Senate hearings be public?

A. The rule of thumb will be to hold public hearings whenever we can and closed hearings whenever we must. Charges concerning illegal operations against American citizens should be publicly discussed and any unlawful action should be revealed. On the other hand, there are some areas that must be handled in executive session, such as covert operations abroad, the revelation of which would injure our relations with foreign governments or impair sources of information or imperil agents in the field.

Q. There have been reports that the CIA either planned or carried out the murder of foreign heads of state. Can this ever be justified?

A. No. In the absence of war, no Government agency can be given license to murder. The President is not a glorified Godfather.

Q. If your committee finds out that assassination did occur, would it recommend criminal prosecution or impeachment of officials?

A. Yes, this is possible. However, I don't view the investigation as a man hunt. We know that there are gray areas in the law relating to intelligence that need clarification. *Ex post facto* laws are an abomination, and this committee is not a court. Its purpose is to conduct a searching review of what may have gone amiss, with the objective of strengthening the law so that any misdeeds do not occur again.

Q. What kind of congressional oversight would you like to see?

A. I am not sure that there is any oversight by the Congress that will prove to be wholly satisfactory. It may be that we can improve congressional oversight. Perhaps we can also more sharply delineate the jurisdiction between the CIA, the FBI and the military agencies so as to minimize the overlap that may now exist. We might prohibit certain kinds of operations: assassination is one pos-

sibility. But I don't think that these improvements would be permanent remedies. Possibly we may have to conduct a periodic investigation of the federal police and intelligence agencies.

Q. If a President and a CIA director agreed to keep information from Congress, congressional oversight could not be very meaningful, could it?

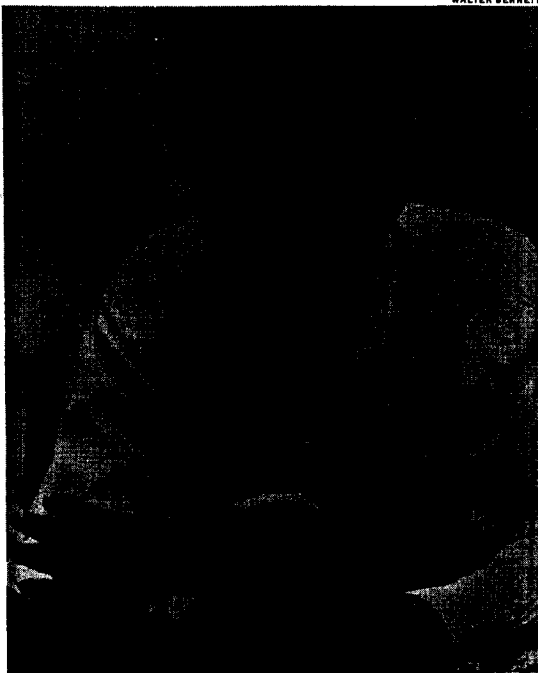
A. I suppose that such secrets can be kept for a time, but in our society they cannot be kept forever. These are agencies that find their honor in the way they uphold the law. Nothing is more ruinous to them than actions that violate the very law they are entrusted to enforce. If the laws are not constructed in such a way as to confine our police and intelligence agencies to their legitimate work, then the days are numbered for freedom in this country. I am very much opposed to the Government's constantly looking over every citizen's shoulder spying on his day-to-day activities, opening his mail, compiling dossiers on his personal life. We have entered the decade, you know, that ends with 1984.

Q. How can oversight be expanded and covert operations be kept secret?

A. The [1974] law requires that any covert operation be revealed to several different congressional committees. As a result, I am told by certain spokesmen of the Administration, covert operations now have been terminated. But I am not one who believes that we can simply forbid all covert actions, because I cannot foresee future circumstances. We must look for ways to limit covert activity to matters that really relate to the security of the country. I believe that we can find a formula that will bring covert activity into line with our traditional principles. For example, there may be a way to require an oversight committee's consent for certain kinds of covert operations. In any case, I hope that we can forestall a repetition of some of the covert operations of the past. I take strong exception to the CIA's undermining a government that had been freely elected by the Chilean people. This is contrary to our principle of respecting self-determination. Chile, moreover, hardly constituted a threat to the security of the U.S. It is also impossible for me to accept the secret war in Laos. Nothing in the Constitution entitled the CIA to fight a war that was disclosed neither to the Congress nor to the American people.

Q. Colby has said that this publicity and these investigations are hurting morale within the agency and drying up sources. What can be done about that?

A. Mr. Colby has also said that he recognizes the need for the investigation. The only way that such difficulties can be corrected is by a thorough investigation, which leads to remedial action. The sooner we get that done, the better it will be for the CIA and the FBI.



SENATOR FRANK CHURCH IN HIS WASHINGTON OFFICE
No agency can be given a license to murder.

Senate committee asked President Ford for CIA Director William Colby's 50-page written report on the agency's domestic activities and for a summary of his conversation with Ford in which Colby is believed to have dealt with CIA assassination attempts. Ford made no response. According to Senate Committee Chairman Frank Church of Idaho, however, Ford has earlier expressed the hope that a procedure "that would be satisfactory" could be worked out for turning over evidence.

Thus far Church has found the Administration to be cooperative. In an interview last week with TIME Correspondent Simmons Fentress, he said that FBI Director Clarence Kelley "has expedited clearances for the committee's staff, and Colby has advised all CIA employ-

a strong cadre of leaders, may be forced to rely upon the existing bureaucracy. Moreover, the traditional Cambodian hatred of all things Vietnamese may prove a stronger motivating power than Hanoi's ideology. But such matters are largely beyond the bounds of U.S. influence.

South Viet Nam poses a more difficult problem for U.S. policymakers. Implicit in the nature of the U.S. withdrawal at the time of the Paris Accords was the assumption that the U.S. could no longer guarantee the existence of a non-Communist government in Saigon, no matter how desirable that might be. Still there is a case for maintaining a reasonable amount of U.S. economic aid to South Viet Nam over the next several years because a very special relationship exists between the two countries. The temptation to cut off all military aid at once is strong. It would be better, however, to give Saigon some warning first and set a deadline. A year or 18 months should be enough. At that point the Saigon government should be as strong as it will ever be to resist further attacks. Thereafter, like the other countries of Indochina, it will have to rely largely on its own strength to maintain its independence if its people want it. By then the U.S. would also have more than amply demonstrated to the world that it is not an unreliable ally, if it has not done so already.

What about long-range U.S. aims in the area? Thirty years after the start of the Indochina War, in which nearly 50,000 Americans died and the U.S. spent \$150 billion, Washington today seems to have no coherent policy in Indochina, and not very many options.

Despite its recent brief reappearance, the "domino theory" is not a sensible base for U.S. policy; if taken seriously and literally, it might well mean sending U.S. troops back into Indochina sooner or later. The dominoes immediately adjoining Viet Nam may well fall to Communism if the present Saigon government collapses, though what kind of Communism, with what admixture of neutralism or nationalism, is far from clear. Strategically, this would not matter very much to the U.S. The more remote dominoes that do matter—Malaysia, Indonesia, the Philippines—would probably not be seriously affected (see box page 14). As for China, which was once thought to be panting to expand into Southeast Asia, there is no evidence that it has the means or intention to do so in the near future.

Almost certainly, a new balance of forces in Indochina will have to come about, with no military but some U.S. economic presence. The U.S. will have to find its own new, relatively minor role in the theater of its past failures and misjudgments. Hard as it may seem to imagine now, it may even be able to share in the rebuilding.

THE PRESIDENCY/HUGH SIDNEY

Chart & Pointer Time Again at BAWs

We have now in the Federal Government something we might call the "Bureau of Asian War, Southeast"—or BAWs. It goes on now like HUD or the FPC resisting, right down to the desperate end, efforts to change it or end it. The Ford Administration seems overpowered by the momentum of the thing, a familiar condition of institutional Washington. It is a rule of thumb that any program that survives ten years is permanent. Our longest war has taken on this characteristic.

BAWs does not have a legal charter or a shiny new headquarters building along the Potomac. But scattered throughout the Government are thousands of men and women who depend on it for their livelihood. Other thousands who gave more than a decade of their most creative years to BAWs feel compelled to continue their search for vindication of their positions.

Last week retired General William Westmoreland, who ran the massive combat over there more years than anyone, was back on the White House grounds barking out his lament that Ford could not use "tactical air support" and "B-52 strikes" and "the mining of Haiphong Harbor." He stood like a ramrod, his chiseled jaw working, his eyes flashing as if he once again heard the distant trumpet, asserting of his old antagonists: "The only language that Hanoi understands is the language of force."

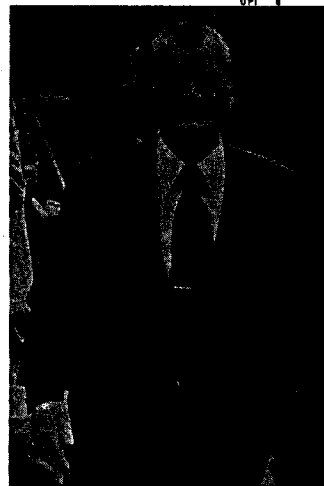
Gerald Ford and Henry Kissinger have no more or less logic in their pleas for hundreds of millions of dollars for more ammunition than the Government ever did. Their public case rests on the analysis of the Communist mind (the enemy will negotiate this time) and the long-range weather forecasts (the monsoons are coming). In truth, they simply cannot bring themselves to walk out of BAWs.

All along the BAWs line folks are rallying as if some invisible flag had been raised at headquarters. There are the same old slogans, press releases and speeches about honoring commitments and about other nations losing faith in the United States if we do not plunge on. Secretary of Defense James Schlesinger last week was puffing his pipe and weighing "the dry season," against "the wet season." His computers were spinning out statistics about the percentages of the land and the people controlled by the Communists. General George Brown, Chairman of the Joint Chiefs of Staff, dispatched Major General John R.D. Cleland on a new fact-finding mission to the war area. Cleland roared off through the skies, and there were memories of General Maxwell Taylor and Walt Rostow swooping down on Saigon for Kennedy. The exhilaration of new crisis was evident all through BAWs.

Big colored maps unrolled in briefings from the Cabinet Room to Capitol Hill. In the State Department they put up the coded progress reports by the hour. The old Southeast Asia hands walked with a little more pride among their mementos, which have never been put away, including a stuffed mongoose and a fine selection of tribal folk art. Suddenly there was a resurgence of the collapsible aluminum pointer, that riding crop of bureaucratic status. All up and down the ranks, the pointers were extended with sharp clicks, the desk officers and colonels whacking the charts authoritatively as they explained the fluid fronts, slapping their trouser legs to drive home salient points.

Old fears were rekindled. Vice President Nelson Rockefeller on board his jet raised the specter of a "bloodbath" of a million people if South Viet Nam fell. Apparently that stems from the claim by Richard Nixon five years earlier that 1½ million Catholics who fled to the South would be killed if South Viet Nam fell. Former Secretary of Defense Clark Clifford did some research at the time and found a little more than half that many Catholics had fled South and about the same number stayed in North Viet Nam and were not touched by the Communists. Further, the original contention that countless thousands had been slaughtered when North Viet Nam went Communist in 1954 could not be verified.

One wonders, as BAWs clanks again, what it would be like if the President decided to end our part of those wars by just ending it, turned the full energy of the U.S. into a powerful appeal for all factions to stop the killing and devised a whole new program—"Rebuild Asia, Southeast," or RAS—to use the millions for reconstruction and reconciliation. But that is not in the manual of the Old Boys at BAWs.



WESTMORELAND LAST WEEK