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News Leaks and Hypocrisy

We have been treated lately to two particularly gross spectacles of governmental hypocrisy.

One is the raising from the dead of the House Ethics Committee, not to pursue its hazy mandate to keep congressional corruption down to tolerable levels, but to hound newsman Daniel Schorr for pirating out to the public a committee report on intelligence fiascos.

The other has been the wailing of Secretary of State Henry Kissinger that press leaks were making foreign diplomats reluctant to deal with the United States. The leaks that he felt impaired the national security happened to be derogatory toward Kissinger.

At the same time, it was revealed that his most trusted aide had leaked extensive quotes from classified memoranda of conversations between Kissinger and Middle Eastern leaders, who thought they were negotiating in confidence. These leaked quotes made the Secretary appear a genius among pedestrian diplomats.

There are two simple rules of government, apparently, concerning the public's right to know: 1) classify and suppress sensitive information if it's unfavorable to officialdom; 2) declassify and leak sensitive information if it's favorable to officialdom.

Consider the Schorr case. CBS newsman Schorr glommed onto the text of a report that the House Intelligence Committee intended to release. As a movement to suppress it began build-

ing up in the House, Schorr rushed out the following highlights:

The CIA had dropped badly in not anticipating either the 1973 Yom Kippur war or the 1968 Tet offensive; intelligence information had sometimes been manipulated for the political purposes of the White House; Henry Kissinger had done his best to stonewall the House probe. The inescapable conclusion was that congressional supervision over intelligence agencies, entrusted to the most prestigious figures in Congress, had been an abject, negligent and inexcusable failure.

The report thus did not deal in real, live spy secrets but with old, rusted conspiracies. Oh, foreign feathers might be ruffled by the disclosure, and our adversaries in the world might receive some peripheral benefit. But this was nowhere near the benefit our country would reap from exposing, and thus creating the climate for correcting, the incredible lapses of our covert organizations in both effectiveness and adherence to the law.

When the House voted to suppress the report, Schorr arranged to have it published in the Village Voice. We won't attempt to unravel here the secondary flap caused by Schorr's effort to get the publication to pay for the report with a charitable donation to the Reporters Committee for Freedom of the Press. But we agree with Schorr on the public's right to know about the CIA fiascos.

The publication of the report brought down upon Schorr's head the most distinguished outburst of sanc-

tion since the palmiest days of the Watergate coverup. Secretary Kissinger cried "McCarthyism" and mourned for the nation's future; President Ford offered to put the FBI at the disposal of the House until the perpetrators of truth were brought to justice; a vast braying went up that press leaks must stop before our foreign policy became paralyzed.

The act was going great until the untimely disclosure that Kissinger's office had been ladeling out massive doses of classified material that lionized the Secretary, page after page of confidential diplomatic conversations.

This wholesaling of secrets for no loftier cause than to puff up Kissinger caught the secrecy buffs with their indignation down. There was no dispatch of FBI agents by Ford, no pronouncements by Kissinger that diplomacy had been rendered impossible, no talk of hearings or prosecution or contempt action as in the Schorr case.

Instead, there was a congenial huddle of veteran Foggy Bottom leakers; and then Kissinger aide Alfred Atherton, long noted for his meticulous observance of Kissinger's orders, obligingly took the fall. There had been a "substantial misunderstanding" of Kissinger's instructions, said the State Department, but the leakers were motivated by "good intentions." Atherton was patting on the wrist with an official reprimand and then invited to lunch with Secretary Kissinger and the Israeli Foreign Minister. Meanwhile, the House Ethics Committee, after a decade of staidly

looking the other way to avoid investigating dozens of House members publicly accused of bribe-taking, kickbacks, campaign fraud, conflicts of interest, and abuses of government perks, suddenly roused itself from its torpor and asked for \$350,000 to probe a crime it could enthusiastically pursue: the smuggling to the American people of forbidden truths about bureaucratic misbehavior and congressional laxity.

Perhaps some good can be wrung from the committee's new-found zeal for investigation. While it is in the mood to investigate something, and possessed of funds, staff and subpoena power to do it, we are prepared to offer the committee several cases of real violations of congressional ethics, each one guaranteed to merit a bona fide probe in contrast to the current shabby harassment of a newsmen.

The revival of the House Ethics Committee shows that it's not crimes against the public but embarrassment of the government that provokes official ire, just as the Atherton charade again reveals the double standards on the uses of classified information. Both incidents illustrate the dangerous mind-set of government, which laughs off official abuses of power while massing its armament against the proper challenges that freedom must make to pretensions of sovereignty. It is a mind-set the people in the press must resist in this, our bicentennial year. If we are to preserve our freedoms for another 200 years.