

CIA (Δ)

Kissinger Denies Involvement In Domestic Spying by C.I.A.

NYTimes By NICHOLAS M. HORROCK MAY 6 1975

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WASHINGTON, May 5—Secretary of State Kissinger said today that he and the National Security Council had had no involvement in any domestic operations of the Central Intelligence Agency and that he had never "transmitted" to the agency any feeling of concern about domestic security on the part of President Nixon.

His statement was made to reporters after he testified before the Rockefeller Commission, which is investigating the C.I.A.

Richard Helms, former director of Central Intelligence had said in January that domestic operations were conducted in response to Presidential con-

cern that foreign influences were controlling the domestic antiwar movement.

Mr. Kissinger's statement raised the question of whether the C.I.A.'s operations were outside the chain of command suggested by the National Security Act of 1947, which calls upon the C.I.A. to "perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

The present C.I.A. chief, William E. Colby, said in January that the agency conducted domestic intelligence gathering

Continued on Page 12, Column 4

Continued From Page 1, Col. 2

from 1970 until 1973 as an outgrowth of Presidential concern over radical activities.

This concern was expressed in the so-called "Huston plan," a proposed attack on radical movement that included burglaries, electronic surveillance and mail covers, which was prepared in 1970 but not implemented. The C.I.A., Mr. Colby has said, continued to gather information and maintain files on Americans even though the plan was not adopted.

The National Security Council, a national security advisory body, and the 40 committees are the normal conduits for commands to C.I.A. for instance, covert activity abroad is conducted either with the express approval of the 40 Committee or under the power of executive orders issued through the council. (The 40 Committee includes representatives from the major agencies of the intelligence community, Mr. Kissinger and members of the council.)

But today, under questioning, Mr. Kissinger said that "since I have been in Washington, the National Security Council or the National Security Council staff or the Assistant to the President for National Security Affairs did not concern themselves with domestic intelligence or were not informed about domestic intelligence.

Mr. Kissinger has directed the council since 1969 and his tenure covered the years 1970 until 1973, during which Mr. Colby said that part of the domestic intelligence operation took place.

Vice President Rockefeller said today that there were other channels of command between the White House and the C.I.A.

outside of the National Security Council and that these channels could have included President Nixon himself.

Mr. Kissinger also disavowed today any knowledge of alleged assassinations by the C.I.A. Each of the day's other witnesses—a former C.I.A. chief, John A. McCone, Secretary of Defense James M. Schlesinger, and a former White House aide, Walt Rostow — were asked about assassinations.

All denied direct knowledge. Mr. McCone said that during his term of office there was "absolutely no assassination plot or authorized assassination plot against Castro by the Cuban Premier, [Fidel Castro] or any other foreign leader."

Today's session was one of the last two in which the commission will hear witnesses. It has begun to prepare its report, which is scheduled to be given to President Ford on June 6.

Mr. Schlesinger said what he recalled, from his internal investigation of C.I.A., indicated that what authorizations came in the summer of 1971 came through "channels other than the N.S.C."

The concern of the Nixon Administration with domestic radicals was synthesized in a plan written by John Charles Huston, then a White House aide, in the summer of 1970. The plan had been contributed to by members of the major intelligence agencies. It would have authorized, with Presidential approval, the use of burglaries, mail covers and electronic surveillance, to gather intelligence about the domestic radical movement.

The plan was in effect for five days, but was rescinded when the late J. Edgar Hoover refused to allow the F.B.I. to be involved. It was not the only period in which the C.I.A. has conducted domestic intelligence, according to Mr. Colby, the agency head.