

Senate CIA Probers Encounter

By George Lardner Jr.
Washington Post Staff Writer

The Ford administration has devised an intricate set of hurdles to stave off the demands of the unprecedented Senate investigation of the work of the Central Intelligence Agency.

The final barrier, executive privilege, has yet to be asserted, but, according to an informed source, it is definitely being held in reserve.

Outwardly, the administration's relationship with the

Senate investigating committee headed by Sen. Frank Church (D-Idaho) remains cordial. Last week, members of the committee and its staff visited CIA headquarters for a top-secret briefing on some highly sensitive operations.

The committee also was reportedly given the CIA inspector general's 1973 report on questionable activities brought to light by an internal investigation.

"There are some things in it about assassination (plans)," said one knowledgeable official.

Officially, the CIA stance is that it has "no secrets" from whatever committees Congress chooses to designate as its overseer. The reality appears to be far different. Administration officials are privately professing a growing apprehension that the Church committee is going to insist on more information than the CIA and the White House are willing to give them.

Publicly, the committee has so far complained only over the sluggish pace with which the CIA has been yielding re-

quested documents. But its staff, one source said, has twice threatened subpoenas in the dickering for information.

For its part, the White House evidently feels there is justification for its fears. Just last month, one official said, Senate committee staffers sat down at Langley with a CIA librarian for about two hours, poring over a 40-page list of clandestine operations.

The staffers finally left after checking off the ones they wanted. Informed later, the White House was chagrined to

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note that they had asked only for reports of operations that originated in either the Eisenhower or Nixon administrations.

One administration official said, "I hope I'm not being paranoid, but..." He said the committee staff claimed later that the apparent selectivity was unintentional.

The Senate committee has apparently been content so far to live with the hurdles that have been raised, although some have yet to be tested.

According to a source close to the CIA, they are:

- The committee is to be provided with the requested documents, but they will still be clearly stamped with whatever secrecy classification they bear.

- The Senate committee staff is permitted to read somewhat more sensitive documents in a room set aside for it at CIA headquarters, but the staffers can carry away only CIA-prepared paraphrases of what they have read. If the deletions are con-

sidered too broad, they are subject to negotiation.

- Sens. Church and John G. Tower (R-Tex.), the committee vice chairman, or even the committee staff may read over documents but may only take notes on what they have read. If they take notes, the CIA or perhaps even White House officials will read them over and bring "the most sensitive" portions to the committee's attention in hopes of preserving their secrecy.

- Only Church and Tower would be permitted to read still more sensitive documents. "We would tell them we have something to show them but nobody else," the source said. Church and Tower would then have to get the committee's approval, in advance, to inspect the records. The senators could either agree that the records should be kept secret or they could recommend that the committee pursue the documents.

The final hurdle could come over what the CIA and the White House evidently consider extremely sensitive information, such as that supplied to the CIA from a foreign source with the understanding that it would be given to no one else.

In such cases, Church and Tower might be given an oral briefing, but executive privilege would probably be invoked to maintain the secrecy of the underlying documents. "This is the zero hour," the source said. On these documents, "we won't give."

None of these intricate steps, it was emphasized, have

been formalized or committed to writing.

"We're dealing at this point with apprehensions, not facts," the administration official said of the dealings with the Church committee. "So far, they've been terribly cooperative," even reportedly submitting their notes for CIA inspection in some instances, he said.

That, however, does not mean there is no haggling. The CIA inspector general's 1973 investigation is a case in point. It was launched by a directive from then-CIA Director James R. Schlesinger following disclosures of the disguises and technical assistance furnished to E. Howard Hunt Jr. in the Daniel Ellsberg burglary. In an agency-wide memorandum dated May 9, 1973, Schlesinger asked all CIA employees to report to him on any questionable activities "now going on, or that have gone on in the past."

A total of 659 CIA employees responded. The CIA and the White House have been insisting, however, on keeping their names from the Church committee on the grounds that "it would turn the agency upside down" if these employees were called in for questioning.

The administration takes the position that the inspector general's investigation and report, along with the "corrective actions" that resulted, were adequate, but some top-ranking Church committee staffers apparently feel there is no way of determining this without going back to at least some of the employees who made the disclosures.