

House Fight Over Leak of Secrets

Files Are Closed to Lawmaker

Washington

In a close vote marked by bitter debate, the House Armed Services Committee rebuked Representative Michael Harrington (Dem-Mass.) yesterday for leaking classified information about Central Intelligence Agency operations in Chile.

Now a member of the House Intelligence Committee investigating the CIA, Harrington said he had no regrets over what he did. He said he welcomed the Armed Services Committee action as an opportunity to force a showdown over "the real issue — secrecy in government."

"It appears that Congress does not control the CIA, but that the CIA controls Congress," Harrington said in a statement. "It is easy to see how and through whom."

The Armed Services Committee voted 16 to 13 to deny Harrington access to its classified files pending a formal ruling by the House Ethics Committee.

House rules give all members the right to inspect any committee's files, but the Armed Services Committee majority maintained that some sanctions ought to be imposed against anyone who makes classified material public.

Representative Richard Ichord, (Dem-Mo.) said Harrington had "indisputably violated" another House rule forbidding the release or use of evidence received in executive session without the consent of the full committee.

Harrington's defenders pointed out that the rule Ichord cited has always been toothless until now and carries no enforcement provisions. Representative Ronald V. Dellums (Dem-Berkeley) called the attempt to penalize Harrington "pet-

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ty . . . ludicrous and tragic" and said it was an unwarranted example of "prior restraint."

While Dellums was speaking, Representative Robin L. Beard (Rep-Tenn.) exclaimed in a voice that could be clearly heard at the press table that Dellums' remarks were "a bunch of s---." Beard said he was considering introducing a resolution to censure Harrington on the floor.

Dellums later suggested that he and Beard might best settle their differences outside the hearing room but nothing came of the offer.

The acting committee chairman, F. Edward Hebert (Dem-La.) said the meeting was called to erase "any question" over a similar decision reached last week at a secret session that 13 members — less than a quorum of the 40-member committee — attended.

Harrington maintained later that blind insistence on government secrecy was what enabled the CIA to interfere in Chile's internal affairs and help bring down the government of the late President Salvador Allende.

According to heretofore secret transcripts released yesterday at the meeting, Harrington inspected secret CIA testimony on Chilean operations in June, 1974, and sent letters during the next month to the chairman of the House and Senate Foreign Affairs committees in hopes of securing public hearings.

Testifying before the armed services subcommittee on intelligence headed by Representative Lucien Nedzi (Dem-Mich.) last September 25, Harrington acknowledged briefing several members of his own staff, an aide to Senator Frank Church (Dem-Idaho), and Washington Post reporter Laurence Stern over the summer.

When the New York Times published a story based on the CIA's Chilean operations from some source other than himself, Harrington said he told Stern not to feel bound by any confidences.

Harrington said he had also asked Nedzi at that same secret hearing what a congressional overseer's duty was "when you know that Congress and the public are being lied to."

Harrington said he has since made repeated requests to Nedzi's subcommittee for information regarding other CIA operations, but all have been ignored.

The acrimonious atmosphere at the hearing yesterday was marked by talk of "treason" on the one hand and futile efforts on the other to hear Harrington out before a vote was taken.

Hebert said Harrington had already had his chance last September and would get another before the Ethics Committee on which Hebert and four other members of the Armed Services Committee also sit. Representative Melvin Price (Dem-Ill.) is chairman of both committees.

Representative Charles H. Wilson (Dem-Hawthorne) protested that the Ethics Committee's handling of the dispute promised to be "a cut and dried operation" in view of the fact that three of its members had already voted against Harrington.

Representative Larry McDonald (Dem-Ga.) used the word "treason" and said he regarded Harrington's conduct as "a potential course of giving aid and comfort to the enemy."

Teddy Roosevelt, McDonald said, once defined patriotism as "stating the truth except where to do so would give aid and comfort to the enemy."

In a sarcastic retort, Wilson asked McDonald: "Will you tell me who the enemy is and will you also tell the secretary of state?"

Harrington's supporters, including several Southern Democrats such as Representatives G.V. (Sonny) Montgomery of Mississippi and Mendel J. Davis of South Carolina, questioned the legality of penalizing Harrington in the 94th Congress for something he did in the 93rd Congress. The committee majority met that issue by inviting the Ethics Committee to settle it.

Meanwhile, the committee decided, Harrington will be "denied access to any committee files or classified information maintained therein because of his previous refusal to honor House and committee rules regarding material received by the committee in executive session."

"If we can't maintain secrets in government, we are not going to be able to survive," declared Representative Samuel Stratton (Dem.-N.Y.). "Unless you're prepared to destroy the intelligence system in this country, you've got to have some rules."

Dellums protested at one point that every congressman had an obligation to follow the dictates of his conscience rather than top-secret labels imposed by the executive branch. He said he found it strange that the effort to penalize Harrington was being made now amid a parallel House dispute over the future of the secret CIA committee on which Nedzi and Harrington also serve.

Representative W. D. Daniel (Dem - Va.) warned that the result of every congressman following his own conscience would be "nothing but anarchy."

Representative Patricia Schroeder (Dem.-Colo.) replied that she was just as concerned about the other extreme — "dictatorship."

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