

Contempt Move**Kissinger Cited
By House Panel**

Washington

The House Select Committee on Intelligence, voted overwhelmingly yesterday to hold Secretary of State Henry A. Kissinger in contempt of Congress.

The committee's action cited Kissinger for "contumacious conduct" for failing to respond to three subpoenas issued last week.

The action must be approved by a majority of the House before the matter is referred to the Department of Justice for investigation of possible criminal liability.

The committee's decision, the second contempt move by a House panel against a cabinet member in three days, caught congressional leaders by surprise.

House aides said that while there had not been time for an unofficial sounding of opinion in the House, they were doubtful that the House would ultimately vote to recommend criminal proceedings against Kissinger.

Conviction of contempt could bring him a maximum of a year in jail and a \$1000 fine on each of the three counts.

Kissinger said he "profoundly" regrets the committee's move, which he said he fears will "raise serious questions all over the world at what this country is doing to itself and what the necessity is to torment ourselves like this month after month."

The secretary pointed out that, in the case of one of the three subpoenas — a demand for recommendations for covert intelligence actions sent to the White House by the State Department under previous administrations — President Ford had chosen to protect the confidentiality of the materials with an assertion of executive privilege.

State Department spokesman Robert Anderson said the President's action makes the matter "an issue between the committee and the White House," emphasizing that Kissinger is no longer

involved with the subpoenas.

Mr. Ford said at a news conference that he had invoked executive privilege in the matter on the advice of Attorney General Edward H. Levi, but that he had taken the step "with reluctance."

Mr. Ford said that he had tried over the past five months to cooperate with the House committee.

Back Page Col. 4

From Page 1

tee's investigation but that the panel's demand for the intelligence recommendations, which concerns the administrations of his three predecessors, was simply "wrong."

The subpoena in question asks for copies of such recommendations sent from the State Department to the White House between 1962 and 1972, a period that does not include Mr. Ford's tenure as president or Kissinger's as secretary of state.

The other two subpoenas call for the minutes of meetings held by the National Security Council's secret "Forty Committee," and for intelligence reports concerning the Soviet Union's degree of compliance with its 1972 strategic arms limitation agreement with this country.

Both of those subpoenas were issued to Kissinger in his capacity as the President's national security adviser, a post he is to relinquish soon.

The committee vote on the covert action was 10 to 2, the result on the SALT subpoena was 10 to 1 and on the Forty Committee it was 10 to 2.

The deadline set by the committee for an administration response to all three subpoenas expired last Tuesday morning, and committee chairman Otis G. Pike (Dem-N.Y.) said later that

while none of the State Department's covert operations recommendations had been supplied, there had been minimal and unsatisfactory compliance.

Pike said that the records of meetings held by the Forty Committee, which has the responsibility for approving covert intelligence actions undertaken by this country, had been so heavily censored as to be "meaningless."

Pike also asserted that his staff had been misled by the White House about the availability of documents relating to the arms limitation agreement.

The contempt citations followed by two days a contempt citation against Secretary of Commerce Roger C.B. Morton by a House subcommittee.

New York Times