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Senate Panel May Bar Nixon's Terms

WASHINGTON, Nov. 26 (AP)—Senator Frank Church, of Idaho said today that he doubted that the Senate Select Committee on Intelligence would agree to the conditions posed by former President Richard M. Nixon in his offer to testify before the panel.

"I'm doubtful that this can be worked out to the committee's satisfaction if the exchange is limited in the ways Jack Miller has suggested," Senator Church said in a telephone interview from Boise, Idaho. He was referring to Mr. Nixon's attorney, Herbert J. Miller.

Mr. Church specifically cited the proposal that Mr. Nixon answer questions only before the "ranking members" of the committee—presumably himself as chairman, Senator John Tower of Texas, the vice chairman.

"I doubt that that would be acceptable to the committee," Senator Church said. "It was the clear expression of the committee the last time we discussed the matter that the full committee should be involved."

Senator Church also said that Mr. Nixon almost certainly would be required to testify under oath, a point not addressed in the proposal that Mr. Miller has submitted in writing to the committee.

Response by Lawyer

If the committee were to accept Mr. Nixon's offer, he would appear before Senator Church, a Democrat, and Senator Tower, a Republican, at San Clemente, Calif., for four hours sometime in January, according to Stan Mortenson, another attorney for Mr. Nixon.

Mr. Mortenson stressed that Mr. Nixon had offered to testify only in "an informal context" and was reserving his right to invoke executive privilege.

The committee is expected to consider the proposal at a meeting next week.

Mr. Nixon's proposal was made in a letter signed by Mr. Miller. It was made in response to a request from the committee outlining a number of areas about which they wanted to question the former President.

Mr. Mortenson said those areas included covert operations in Chile the so-called Huston plan, which recommended a variety of illegal domestic intelligence-gathering methods and the Central Intelligence Agency's surveillance of anti-war activists and other dissidents during the Nixon Administration. According to Mr. Mortenson, the committee also is seeking Mr. Nixon's views on how best to reform the intelligence community.

Mr. Mortenson denied a report that Mr. Nixon was reserving the right to invoke the Fifth Amendment privilege against self-incrimination. He also denied a report that Mr. Nixon had declined to come to Washington to testify because of his health.

"We're not setting a precedent here of his traipsing across the country and going up to the Hill to testify," Mr. Mortenson said in explanation of Mr. Nixon's insistence on remaining at Sa Clemente, where he has been living since he resigned Aug. 9, 1974, as a result of the Watergate scandal. Mr. Nixon also had been hospitalized because of a phlebitis condition.

Public Hearings Set

Meanwhile, Senator Church said the committee would hold public hearings on C.I.A. covert activities in Chile, despite the refusal of Administration officials to testify.

He released copies of letters from Secretary of State Henry

A. Kissinger and the C.I.A. director, William E. Colby, declining to appear before the committee at hearings scheduled for next Wednesday and Thursday. Both have testified in closed session about C.I.A. operations designed to prevent Salvador Allende Gossens, a Marxist, from becoming President of Chile.

"I believe it would be wholly inappropriate for an incumbent Secretary of State to appear in an open session to discuss, even on an unclassified basis, any real or purported covert operation of the United States Government," Mr. Kissinger said in his letter to Senator Church.

Mr. Colby cited "the President's decision that this agency should not participate in public hearings on covert action in Chile."

Senator Church said in a statement issued by his office that the committee would make public the results of its own closed door investigation of C.I.A. activities in Chile and "take testimony from a number of former State department officials who have the courage and the responsibility to see that the public interest will be served."

A committee spokesman said two former American Ambassadors to Chile, Ralph Dungan and Edward Korry, would testify.