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The CIA: No Easy Solution

Accountability While Keeping Secrets Poses Problems

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For the Central Intelligence Agency, former director Richard Helms observed the other day, "there's no quick fix."

The mood of the times, he suggested in what has become a favorite CIA theme, requires more public scrutiny, a stricter accounting from the agency whose long-hidden misdeeds have been making headlines for months.

That said, Helms then told the Senate Intelligence committee that he had no ready ideas about how that might be done on a permanent basis and yet maintain the CIA's legitimate secrets.

This effort to strike a new balance is just beginning. Whether it will ever go beyond into the lawbooks is not at all certain.

The Senate committee was created nine months ago with a mandate to investigate the government's entire intelligence community—from the CIA, the National Security Agency and the Defense Intelligence Agency to the FBI, the Internal Revenue Service and others—and an initial deadline for completing its work of Sept. 1.

Public hearings began last Tuesday, more than two weeks after the expiration of the long-forgotten deadline.

For openers, the committee chose a secret CIA cache of shellfish toxin and other deadly poisons that should have been destroyed five years ago when President Nixon renounced biological warfare and ordered the destruction of such stockpiles.

The subject made for good theater, especially with the production of an ominous poison dart gun that CIA Director William E. Colby was careful not to handle himself lest TV cameras capture him clutching a weapon.

But to some CIA watchers, the substance of the hearings seemed a bit thin after so many months of investigation, especially when

it appeared that CIA's high command had orally ordered destruction of the expensive toxins only to be frustrated by some CIA sci-

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entists who couldn't bear the thought of throwing the rare poisons away.

Chairman Frank Church (D-Idaho) acknowledged at the close of the three-day round of hearings that the committee's performance may have reminded some onlookers of "a hippopotamus rolling a pea."

But he said the inquiry had still raised in miniature the basic problems that infect the intelligence community: elusive chains of command, slipshod internal supervision, nonexistent records, excessive secrecy and compartmentalization, and "above all . . . the necessity for improved mechanisms of accountability all the way from the White House to the outer branches of the intelligence establishment."

Colby, who became CIA director in 1973, said he was unaware that the spy agency had engaged in a hush-hush program for developing highly lethal poisons until this spring when a CIA officer responded to Colby's appeal for information about questionable activities.

Called back from Iran to testify for the 10th time since the beginning of the Watergate scandal, Helms said he knew about the program, which was started in 1952 and code-named Project Naomi, but conceded that he never gave much thought to what legal authority his predecessors might have relied on for getting into such activities.

Created in 1947 to coordinate, evaluate and disseminate intelligence affecting national security, the CIA was authorized to perform such "other functions and duties" as the National Security Council might direct. But there is no evidence, or even claim, that the CIA

was ever directed to finance the development or enough poison to kill thousands of people.

Helms shrugged off the question in his testimony, saying simply that by the time he became director, "CIA was expected to be in the vanguard of these things." For protective purposes, he said.

Across in the House, Rep. Otis G. Pike (D-N.Y.) and his intelligence committee were busy confronting not only the CIA but the White House on the right of a congressional committee to uncensored information from the executive branch.

For months the Church committee has been dicker-ing with White House and intelligence agency lawyers for classified information, sometimes fiercely but, almost always offstage.

According to a spokesman, the Senate committee "has gotten more classified documents on more classified subjects than any other committee in the Congress ever has. We've pursued the art of negotiation."

In the process, however, the committee has settled at times for sanitized documents, deletions and paraphrases. Sometimes, Church and Sen. John G. Tower (R-Tex.), the committee's vice chairman, have settled for oral briefings in place of documents.

Pike has made plain that he does not consider such censorship consistent with his notions of Congress as a co-equal branch of government. He has been insisting on the right to obtain classified government documents with no strings attached, and he has not hesitated to issue subpoenas.

The confrontation escalated earlier this month when the Pike committee rejected CIA arguments for continued secrecy of a four-word phrase in a mistaken assessment of the Arab-Israeli war. The congressmen make it public along with other, agreed-upon portions of the document in question.

Angered by the committee's assertion of the right to declassify government documents—a right that Church also has asserted rhetorically but never pushed to a showdown—the White House cut off the flow of information to House investigators and

vowed to produce no sensitive witnesses or records until the Pike committee changes its tune.

Pike has so far shown no signs of relenting, and his committee is apparently solidly behind him on the issue. The ranking Republican on the House committee, Rep. Robert McClory (R-Ill.), voiced particular chagrin when White House and CIA lawyers refused to surrender subpoenaed intelligence records concerning the Communist 1968 Tet offensive in South Vietnam.

"I can't understand their unwillingness to give us their full cooperation and all the information we ask for," McClory told reporters. "Imagine their unwillingness to give us what we want on Tet."

More dedicated to public hearings than their secretive Senate counterparts, the House committee moved ahead Thursday with a session that produced charges of deliberate distortion of U.S. intelligence reports during the Vietnam war as part of a conscious effort to mislead Congress and the American public.

The CIA that day was portrayed in the Senate as spending millions of dollars for a hoard of deadly poisons it had almost forgotten and in the House for caving in to the military and condoning a stream of misinformation about an unpopular war.