

Contempt Move in House

Washington

Rejecting a compromise offer from President Ford, House intelligence committee chairman Otis G. Pike filed contempt action in the House yesterday against Secretary of State Henry A. Kissinger.

The New York Democrat said he would ask for a House vote on contempt "in a couple of days" unless the intelligence committee opposes his position at a meeting today.

Pike told all the House in a letter that contempt action against Kissinger would not "cause the earth to tremble . . ."

"No one is seeking to place Mr. Kissinger in jail," Pike wrote fellow members, "and the worst that can happen to him is that he might have to provide the documents subpoenaed to Congress."

Mr. Ford's compromise offer was to identify to the House committee all U.S. covert intelligence operations abroad since 1961 that were requested by the State Department, rather than by intelligence agencies.

But Pike said that does not comply with the committee's subpoena for information on all State Department requests for covert operations whether carried out or not.

Pike said the State Department originally told his committee it requested five covert operations during the 14 years, but said the department has now found 25 requests for covert operations.

The action filed by Pike charges Kissinger with "contumacious conduct," and if approved by the House would direct Speaker Carl Albert to turn the case over to the local U.S. attorney for prosecution.

Albert refused to either back Pike or oppose him but indicated he would not stand in the way of a House contempt vote if Pike asks for one.

Kissinger would say only that he will let the White House negotiate the matter.

Pike dropped the other two contempt citations against Kissinger on grounds committee subpoenas have now been complied with.

Those subpoenas were for minutes of National Security Council approvals of reportedly more than 100 U.S. covert intelligence operations since 1965, and for U.S. intelligence estimates of Soviet compliance with arms agreements.

Mr. Ford's compromise offer, in effect, was to extend the covert operations approval decisions back to the 1961 date in the State Department subpoena, and to identify the operations requested by the State Department.

White House Counsel Philip W. Buchen told the committee in a letter dated Saturday that the President had authorized him to make that offer.

"This additional step should, we believe, make it possible for the committee to obtain the information that your letter indicated was necessary without affecting the President's claim of executive privilege," Buchen wrote.

Mr. Ford had invoked executive privilege on grounds some of the State Department covert

operation requests were made directly to previous presidents and all were ultimately either approved or disapproved by previous presidents.

Pike contended Mr. Ford could not invoke executive privilege for past presidents and said in his letter to House members that no recommendations to presi-

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dents were subpoenaed anyway.

He said the subpoena was for State Department operation requests to the National Security Council, which he said was created by Congress in 1947 and is therefore subject to Congress' oversight.

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