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Rogers Backs F.B.I. Role In Inquiry of News Leaks



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Secretary of State William P. Rogers at his news session yesterday.

Sees Nothing Wrong in 'Investigating Crime'— Cites Times Dispatch

By FRED P. GRAHAM

Special to The New York Times

WASHINGTON, Sept. 3—Secretary of State William P. Rogers insisted today that there was nothing unusual in the recent use of agents of the Federal Bureau of Investigation to try to discover the source of news leaks in the State Department.

He confirmed that Attorney General John N. Mitchell had ordered agents to question officials in the State Department and other agencies about disclosures to reporters, but he refused to comment on reports that the agents had used lie detectors.

Speaking at a news conference, Mr. Rogers expressed surprise at repeated questions about the disclosure yesterday by a State Department spokesman, that agents had been questioning officials about their contacts with reporters.

"Is there anything wrong with investigating a crime when it occurs?" Mr. Rogers finally asked.

He discussed the investigations essentially in terms of law enforcement, discounting suggestions that they might intimidate officials or discourage them from discussing public business with reporters.

Times Report Is Cited

Mr. Rogers used as his example a dispatch from Washington in the New York Times on July 23, concerning the disarmament talks with the Soviet Union, although he said that investigations had followed "a couple" of other news leaks.

The Times article had disclosed United States bargaining positions, which Mr. Rogers said the United States had agreed to keep secret and he implied that top officials

suspected a "deliberate leak" by someone who wanted to sabotage the negotiations.

Asked why the State Department had not used its own security agents to investigate the leaks, Mr. Rogers gave the impression that investigation by the bureau would be in order whenever top-secret information appeared in print.

"The law makes it quite clear that top-secret matter, if divulged, is a criminal offense," he said. He added that "when there's a violation of law, the F.B.I. is the investigative arm that investigates it."

There is no federal statute that makes it a crime to disclose top-secret information, as such. A State Department spokesman said later that Mr. Rogers, who is a former Attorney General, was referring to the Espionage Act of 1917, which makes it a crime for a Government official to disclose defense data in the belief that it "could be used to the injury of the United States, or to the advantage of any foreign nation."

McCarthy Era Recalled

In reply to the suggestion that the agents' presence in the department brought back memories of the anti-Communist investigations initiated by the late Senator Joseph R. McCarthy, Mr. Rogers said that the department "has suffered from the scars of those days." He pledged to "do everything I can to be sure that doesn't occur."

He said he had called in his top assistants last night to make it clear that they were to remain accessible to the press. He also made the point that the investigations included other agencies also, and that "no department personnel had been found culpable by the investigators."

Some officials have said privately that the agents also have questioned personnel in the Pentagon and the White House about the leaks. Officials in the State Department have told reporters that they were asked to sign affidavits detailing their disclosures to newsmen and that they were given lie detector tests.

Mr. Rogers brushed off a question about the reported lie detector tests, say, "Oh, I don't want to go into any investigative techniques." In a general vein, he said that the lie detector, or polygraph, "is a very good instrumentality for showing innocence," but that it is not very conclusive in proving guilt.