

# SORENSEN WITHDRAWS, BOWING TO RESISTANCE TO C.I.A. NOMINATION



Associated Press

Theodore C. Sorensen speaking before Senate intelligence committee.

## CARTER IS REGRETFUL

Says His Administration Has  
Lost 'Extremely Talented  
and Dedicated Man'

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WASHINGTON, Jan. 17—Theodore C. Sorensen, bowing to growing opposition within the Senate Select Committee on Intelligence, told the committee today that he had asked President-elect Carter to withdraw his nomination as Director of Central Intelligence.

"It is now clear that a substantial portion of the United States Senate and the intelligence community is not yet ready to accept as Director of Central Intelligence an outsider who believes as I believe," Mr. Sorensen told a surprised committee. "It is equally clear that to continue fighting for this post, which would be my natural inclination, would only handicap the new administration if I am rejected, or handicap my effectiveness as Director if I am confirmed."

President-elect Carter, in a brief statement issued by his press secretary, Jody Powell, in Americus, Ga., accepted Mr. Sorensen's decision with an expression of regret, saying, "The administration and the intelligence community have lost the services of an extremely talented and dedicated man."

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writing a book on the Kennedy Administration, in which he served for more than three years as speech writer and special counsel to the President. Mr. Sorensen received \$200,000 for the book as an advance against royalties. In December 1968, Mr. Sorensen returned the materials to the Government as a gift to the John Fitzgerald Kennedy Library and took a tax deduction of \$231,000.

There was no suggestion that what Mr. Sorensen did was illegal or anything other than accepted practice at the time. The disclosure of the affidavit, however, generated critical questions and growing opposition to the Sorensen nomination with the committee.

In addition, several members of the committee were said to have expressed concern over what they called Mr. Sorensen's "pacifist" approach to military service; his role in aiding Senator Edward M. Kennedy, Democrat of Massachusetts, overcome the Chappaquiddick incident in which a woman riding in his car was killed; the suspicion that he knew more than he would acknowledge about Central Intelligence Agency assassination plots in the Kennedy years; his inexperience in foreign intelligence; and the representation by his New York law firm (Paul, Weiss, Rifkind, Wharton & Garrison) of multinational corporations and such countries as Zaire, Sierra Leone and Iran, where the C.I.A. is influential.

### Carter Anger Hinted

Mr. Sorensen notified Mr. Carter of his intention to have his name withdrawn from nomination just two minutes before he walked into the Senate Caucus Room for the hearing, and Mr. Carter made no attempt to dissuade him.

Mr. Sorensen's withdrawal was the first major setback for the President-elect in his dealings with Congress. While Mr. Powell avoided any description of Mr. Carter's reaction beyond the prepared statement, insiders suggested that Mr. Carter was angry over the senators' opposition.

Mr. Powell said that Mr. Carter still preferred someone from outside the intelligence community for the job but that he did not expect to make another announcement on a new appointment of a Director until after his inauguration Thursday.

Opposition to Mr. Sorensen's appointment, which developed at the outset among a minority of the 15-member committee, began to grow late last week when questions were raised about an affidavit he gave four and a half years ago in behalf of Daniel Ellsberg and Anthony J. Russo Jr. in their trial in connection with the unauthorized disclosure of the Pentagon papers, dealing with United States involvement in Vietnam.

### Tax Deduction Over Gift

In the affidavit, which was a matter of public record but was never admitted into evidence at the trial, Mr. Sorensen said that when he left the White House in February 1964, after the death of President Kennedy, he took with him 67 boxes of documents, letters and other material, including seven boxes that contained "classified" information.

He said he had used that material in

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The Republican members of the committee, still smarting from the residue of Watergate and feeling that many of the intelligence abuses disclosed after Watergate had roots in former Democratic administrations, reportedly saw in Mr. Sorensen a Carter vulnerability that they could successfully exploit to the embarrassment of the new administration.

They quickly disseminated the affidavit through the committee and collected support from conservative Democrats on the committee and from Senator Robert C. Byrd, Democrat of West Virginia, the Senate majority leader.

In a 10-page statement read to the committee before his announcement of withdrawal, Mr. Sorensen addressed himself to what he called "scurrilous and unfounded personal attacks which have been anonymously circulated against me."

### Charges 'Totally False'

He said that he had never compromised the national security of the country and that nobody had ever charged him with conveying classified information to others or mislaying classified information.

He labeled as "totally false" any charge that he had improperly taken classified documents from the White House or had improperly taken a tax deduction for donating them to the Kennedy library.

"My handling of classified information was at all times in accordance with the then-existing laws, regulations and practices," he said.

He said that he had "never sought to avoid military service, hazardous or otherwise," but that he had requested



The New York Times/George James

Members of Senate Select Committee on Intelligence listening to statement by Theodore C. Sorensen. From left, Gary Hart of Colorado; Robert Morgan, North Carolina; Joseph R. Diden, Delaware; Walter Huddleston, Kentucky.

military service in a noncombatant capacity and that his request for such a classification had been granted. He said that he had never "permitted my preference for personal nonviolence to inhibit in any way my advice to the President on the military and other options available as a matter of national policy."

He also branded as "totally absurd" and "totally false" suggestions that his legal representation of multinational companies and foreign governments posed a potential conflict of interest and suggestions that he "must have been somehow involved" in Kennedy White House plots to assassinate foreign leaders.

After reading his defense, Mr. Sorensen reached for a separate piece of paper and stunned the committee by reading his statement of withdrawal. He had informed Mr. Carter of his intention only minutes before he entered the Senate Caucus Room, although he had decided on his course sometime after midnight last night.

Mr. Sorensen's confirmation was in trouble even before the affidavit became an issue, according to some members of the committee. Some C.I.A. officials opposed the nomination and had approached some committee members informally. Among those approached was Senator Barry Goldwater, Republican of Arizona, but he said that the comments had not affected him because he had already made up his mind to vote against the nomination.

By last Thursday the affidavit was becoming the focus of the controversy and opposition surrounding Mr. Sorensen.

A staff member for Senator Joe Biden, Democrat of Delaware, recalled that Mr.

Sorensen had filed the affidavit in the Pentagon Papers case and when Mr. Sorensen visited Mr. Biden on a courtesy call, Mr. Biden asked him about it. Mr. Biden said that Mr. Sorensen had promised to provide him with a copy of the affidavit.

#### Inouye Notified by Biden

According to Mr. Biden, the staff member read the affidavit and came across the acknowledgement that Mr. Sorensen had taken classified documents from the White House.

Mr. Biden said that he called the matter to the attention of Senator Daniel K. Inouye of Hawaii, chairman of the committee, and other senators last Thursday.

By Friday, the Republican leadership, in the words of one committee staff member, "saw the chink in the armor" and mobilized quickly to join with some Southern Democrats in an attempt to place the nomination in jeopardy. By Friday afternoon, some reporters had obtained copies of the affidavit and were questioning Mr. Sorensen about it.

That same day, Mr. Goldwater said, he was told that the hearings might be postponed, and he suggested to Mr. Baker that he call President-elect Carter to tell him there were problems with the Sorensen nomination.

Mr. Baker said he took a "soft count" of the support for Mr. Sorensen and could come up with no more than five votes in his favor and nine who were solidly opposed to him.

#### Mondale 'Little Comfort'

According to sources in Mr. Sorensen's office, the director-designate called Vice

President-elect Mondale Saturday and received "little comfort." Then Mr. Sorensen called Mr. Carter and called him again on Sunday. After the Sunday call, Mr. Carter issued a statement in support of Mr. Sorensen and called the criticisms against his nominee "groundless and unfair."

Last night, however, Mr. Sorensen decided that his chances for confirmation were too discouraging to overcome.

When Mr. Sorensen called Mr. Carter just minutes before entering the caucus room this morning, he told the President-elect that the outcome in the committee had become more and more apparent to him, according to Mr. Carter's press aide.

Mr. Carter agreed with Mr. Sorensen's assessment and did not attempt to dissuade him from his decision to withdraw his name.

"They did reach the same conclusion," Mr. Powell said. "Certainly the prospects were not very good. The affidavit played a crucial role. Certainly the Governor's decision [not to try to dissuade Mr. Sorensen] was not based on a feeling that Mr. Sorensen lacked the qualifications to do the job."

#### Sorensen Not Blamed

Mr. Powell said that Mr. Sorensen had told Mr. Carter about the affidavit last Thursday when the President-elect was here at Blair House. Mr. Powell said that there was no inclination in Mr. Carter's circle to "hold Ted at fault for not bringing it up."

Mr. Powell would not concede that the pre-appointment investigation of Mr. Sorensen had failed by not bringing the

affidavit to light, but he added that "it is safe to assume that the material of the F.B.I. on Sorensen did not include the affidavit."

Both Mr. Carter in Plains, Ga., and Mr. Baker in the Senate Caucus Room used the word "generous" to describe the action of Mr. Sorensen in opting for withdrawal of his nomination, thus sparing both the Carter administration and the

Senate committee the effects of divisiveness and controversy.

Mr. Powell summed up the situation for Mr. Carter: "It's not the first time things haven't worked out the way he [Mr. Carter] wanted, and I fear it won't be the last. You win some and you lose some."

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