

The Secret Air War: Some Senators Sense Another Watergate

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WASHINGTON, July 23—Although no such talk has yet been heard in public, some members of the Senate Armed Services Committee are convinced that the secret bombing of Cambodia will emerge as another, perhaps more dangerous, facet of the Watergate scandal. Just as the Nixon

Administration's fears of dissent and "enemies" led to secret wiretapping and other illegalities beginning in early 1969, the argument goes, so did fear of Congressional rejection lead to the carefully coordinated secret bombing campaign. That 14-month campaign was not officially known to Congress and the American public until last week.

The Watergate affair and the matter of the secret bombing intersected directly on May 9, 1969, after The New York Times reported that B-52 raids were taking place in Cambodia. The dispatch did not indicate that the attacks were systematic and were being falsified to prevent detection. But the disclosure led to the institution of at least 17 wiretaps, many directly authorized by President Nixon and Henry A. Kissinger, his adviser on national security.

"The President's motives were honorable," one high White House official told The Times last May, when the first reports about the wiretapping were published. The leaks had to be stopped, he said and the wiretapping turned out to be for the protection of the innocent."

Kissinger's Role

At the time, there was published speculation that a major reason for the wiretapping, which involved a number of National Security Council assistants, was the wish of Mr Kissinger to check on the personal loyalty of his aides and colleagues.

In retrospect, there was a far more compelling reason for the wiretapping, whose legality has been challenged in one federal court suit—the White House fear that further details about the extensive bombing would be made public.

By the end of the secret bombing, with the invasion of Cambodia in May, 1970, there had been 3,630 unreported raids and a consistent pattern of official deception. Between March, 1969, and May, 1970, White House and State Department spokesman repeatedly insisted that American policy was to respect the neutrality of Cambodia. President Nixon made the same remarks, in essence,

when he announced the invasion of Cambodia in a nationwide television address on April 30, 1970.

Sometimes in 1971, the Pentagon—responded to a request for Vietnam bombing statistics from the Senate Armed Services Committee by providing classified figures showing no B-52 bombing in Cambodia until the invasion.

Some Senate aides, much to their surprise and dismay, learned only last week that the false statistics were sent directly by the Pentagon to Senator John C. Stennis, the chairman of the Armed Services Committee, whose personal sense of belief in the military is matched only by his personal sense of integrity.

Hearings Expected

Full-scale hearings into the deception are viewed as inevitable, with Senator Harold E. Hughes, Democrat of Iowa, who initiated the current disclosures, already calling for the resignation of those responsible. Senator Hughes received a similar set of false statistics last June, more than three years after the secret bombing had ended.

As with Watergate, no one has stepped forth to assume responsibility for these activities, which were not exposed until a former Air Force major, Hal M. Knight, playing the role that James W. McCord Jr. did in the Watergate break-in, told all. His account was enough to flush out Pentagon acknowledgments of the sustained Cambodian operations plus a series of elaborate explanations to justify the falsification of reports.

The height of such justifications was reached by Gen. George S. Brown, the newly confirmed Air Force Chief of Staff, who said that the falsifications were not "illegal." He provided this explanation: "For falsification to constitute an offense, there must be proof of 'intent to deceive.' This is a legally prescribed element of the offense and is negated when the report is submitted in conformity with orders from a higher authority in possession of the true facts."

In rebuttal, Senator Hughes and others have publicly noted that there was intent to deceive Congress and the American public about the bombing and that they were deceived. In addition, the Pentagon has yet to produce the name of any "higher authority" who is willing to admit to authorizing any falsification.

False Reports Deplored

Three of the Nixon Adminis-

tration's top officials who involved in the secret bombing decision in 1969—former Secretary of Defense Melvin R. Laird; Gen. Earle G. Wheeler, the former chairman of the Joint Chiefs of Staff, and Mr. Kissinger—all have deplored the falsification and disavowed any knowledge or authorization of it. Similarly, the Pentagon has yet to produce anyone who is willing to take responsibility for providing falsified statistics

classified "secret" to the Armed Services Committee.

At week's end, however, the Pentagon was still justifying the falsifications and deceptions and cover-ups, insisting that none of those words were applicable. Jerry W. Friedheim, the Pentagon spokesman, told newsmen: "It's not a question of trying to set up a system that would falsify records, it was a question of setting up a special reporting procedure. We didn't want to lose the opportunity to conduct these operations."

Unasked Questions

Among the questions that were not being asked by the Nixon Administration and that undoubtedly will be pressed by the Watergate-inspired Senate:

¶What constitutional basis did the President have for bombing a neutral country and not telling the Senate?

¶Did President Nixon perpetrate a lie, in effect, in his statements and in the Administration's posture of neutrality during those secret strikes?

¶Is there any secret military campaign that justifies the use of falsified reports to the military's own reporting system?

¶Is there any difference between the attitude of top-level officers who insist that anything, if authorized properly from higher authority, is justified, and the attitude of those Republican campaign officials and White House aides who have admitted participating in the Watergate cover-up?

The personal role of Mr. Nixon in all of this has not been made known by the White House, and he has yet to mention publicly the secret bombing campaign. It is not known, for example, whether he shares the view of his top aides about the falsification of orders—even orders for a secret bombing campaign deemed to be vital to a Vietnam settlement.

At least one Republican member of the Armed Services Committee, William B. Saxbe of Ohio, already has said that

he thinks there are more grounds for impeachment of the President because of the secret air war than because of Watergate.

The false reports supplied to the Senate, Mr. Saxbe told a reporter last week, "is further evidence that the Administra-

tion was telling them to do this." He added:

"I think they were getting their orders from the Commander in Chief and, therefore, the Commander in Chief should have to answer for it. "If the charge is serious enough, there's impeachment."