

# KISSINGER'S ROLE IN WIRETAPS SNAGS SENATE APPROVAL

**Committee Members Insist  
on Seeing F.B.I. Report—  
Richardson Is Called**

By **BERNARD GWERTZMAN**  
Special to The New York Times

WASHINGTON, Sept. 7 — Henry A. Kissinger was threatened today with a delay in his confirmation as Secretary of State unless the Justice Department turned over to the Senate Foreign Relations Committee a report on wiretaps he approved on 17 Government officials and newsmen in 1969, 1970 and 1971.

After four hours of intensive questioning of Mr. Kissinger,

*Excerpts from Senate hearing  
appear on Page 10.*

the committee, headed by Senator J. W. Fulbright, asked him to return on Monday morning at 10:30—one hour after Attorney General Elliot L. Richardson is to meet in secret session with the committee to discuss the controversy over the wiretaps.

## Contradictory Replies

A Justice Department spokesman said this afternoon that no decision had been made yet on whether to comply with Mr. Fulbright's request for the Federal Bureau of Investigation report on the taps carried out on 13 officials and four newsmen. Some of the officials were close aides of Mr. Kissinger, and one of them, Richard M. Moose, now works for the committee.

"I think it is very clear that the committee will not be in position to act on the nomination until that report has been received," Sen. Clifford P. Case, Republican of New Jersey, told Mr. Kissinger. Mr. Fulbright, Democrat of Arkansas, quickly added, "I agree with the Senator."

## Record Is Praised

Some Senators, however, were less insistent on having the report. Both Senator Hugh Scott, the Republican leader from Pennsylvania, and Senator Charles H. Percy, Republican of Illinois, expressed opposition to receiving "raw F.B.I. data" that might infringe on the civil liberties of individuals.

The wiretapping was the most contentious issue raised during the hearing and the one that obviously bothered Mr. Kissinger the most. He gave contradictory replies to some questions, expressed ignorance of details of the investigations, and finally pleaded with the committee to deal directly with Mr. Richardson. But he defended the taps as necessary at the time to stop leaks to the press.

With television lights glaring in the Senate Caucus Room, Mr. Kissinger sought to persuade the committee members both in his opening statement

Continued on Page 10, Column 1

NYT 9-8-73

# Kissinger's Role in Wiretaps Snags Approval by Senate Panel

Continued From Page 1, Col. 5

and in his answers to questions that he would fulfill his pledge to work closely with them and them "to share more fully in the design of our foreign policy."

Most of the 16 committee members present praised Mr. Kissinger for his record as President Nixon's adviser on national security.

Senator Jacob K. Javits, Republican of New York, said the confirmation hearing was "historic" because of Mr. Kissinger's background as a German-Jewish immigrant.

"I can think of nothing which proves the American system to all the people in the world more validly than by sheer talent and energy and patriotism you have attained the most exalted place in the Cabinet," he said.

But despite the committee's receptiveness to Mr. Kissinger, members pressed him on several issues besides wiretaps. As the result of the questions and answers, the following points were developed:

¶Mr. Kissinger said he was "very moved" by the writings of Andrei D. Sakharov, a prominent Soviet dissident, who has warned against improved relations with Moscow so long as repression continues in the

Soviet Union. But he asserted that "painful as I find the Sakharov document, emotionally connected though I feel myself to him, I feel nevertheless that we must proceed on the course on which we are" — better relations with the Soviet Union and the extension of trade concessions to Moscow in line with the Soviet-American trade agreement.

¶He strongly defended the secret bombing of Cambodia in 1969 and 1970 by B-52's as necessary to protect American forces then in South Vietnam, but he assured the committee that he would keep Congress informed if such an "unbelievable event" ever happened again. "A procedure must be found by which the proper Congressional committees are informed," he said.

¶Senator George McGovern, the defeated Democratic candidate for President last fall, questioned the sincerity of Mr. Kissinger's "peace is at hand" statement last October, two weeks before the election. Mr. Kissinger said that it was his "sincere conviction" at the time that an agreement was near, but he acknowledged that he had made "a tactical mistake" in saying that only one more negotiating session with Hanoi was needed.

¶Despite Mr. Nixon's statement on Wednesday that "highest priority" was being given

to the Middle East, Mr. Kissinger said that it was useless for the United States to push negotiations until there was some "prospect of progress" between the Arabs and Israel.

¶Asked about neglected relations with Latin America and Africa, Mr. Kissinger said that "fairly quickly" after his confirmation there would be new initiatives toward Latin America, but he said it might take longer to do much in Africa.

### State Department Praised

Mr. Kissinger was asked how he planned to run the foreign policy machinery while wearing the "two hats" of Secretary of State and Presidential adviser. He said that "as a result of my combined position, the committee should receive substantially more information that it has in the past."

In his opening statement, Mr. Kissinger repeated his pledge to use the "dedicated professionals of the State Department and Foreign Service" —

a group he often disparaged in the past. He promised to "infuse the Department of State with a sense of participation, intellectual excitement and mission."

He promised rapid promotions for promising officers and said he would slim down his National Security Council staff at the White House.

On the question of when he would invoke executive privilege, Mr. Kissinger seemed to satisfy the committee when he said he would testify formally on "a 11 my activities," and would refuse to divulge only "direct communications" with the President or the actual deliberations of the National Security Council.

### Impact of Watergate

Noting the impact of Watergate on American life, coming when the country was just recovering from the divisions caused by the Vietnam war, Mr. Kissinger said: "These traumatic events have

cast lengthening shadows on our traditional optimism and self-esteem. A loss of confidence in our own country would inevitably be mirrored in our international relations. Where once we ran the risk of thinking we were too good for the world, we might now swing to believing we are not good enough. Where once a soaring optimism tempted us to dare too much, a shrinking spirit could lead us to attempt too little. Such an attitude — and the foreign policy it would produce — would deal a savage blow to global stability."