

KISSINGER'S ROLE IN WIRETAPS TOLD TO SENATE PANEL

Richardson Provides Memo
but It Fails to Satisfy
Those Seeking Delay

By BERNARD GWERTZMAN

Special to The New York Times

WASHINGTON, Sept. 10—

Attorney General Elliot L. Richardson today turned over to the Senate Foreign Relations Committee a memorandum on Henry A. Kissinger's role in the wiretapping of 17 officials and newsmen from 1969 to 1971, but failed to satisfy Senators who have threatened to delay Mr. Kissinger's confirmation as Secretary of State.

Senator J. W. Fulbright, chairman of the committee, said that Mr. Richardson's hour and a half with the committee behind closed doors fell short of the members' expectations. He said the committee still lacked information on the motivation for specific wiretaps, the procedure used to institute them and the results achieved.

Later in the day, the committee met in private session and voted 14 to 0 to authorize Senator John J. Sparkman, Democrat of Alabama, and Senator Clifford Case, Republican of New Jersey, to meet with Mr. Richardson and Acting Deputy Attorney General William D. Ruckelshaus "to obtain information on Dr. Kissinger's role respecting his initiative, or concurrence in wiretap surveillance."

Kissinger Support Indicated

The two members of the committee were directed to report back to the full group with their recommendations. They were authorized to read the full Federal Bureau of Investigation report from which Mr. Richardson's memorandum was written. It was not known if the report would be made available to them.

After Mr. Richardson's testimony, Mr. Kissinger met for two hours in open session with the committee, and again answered a range of foreign policy questions.

It seemed that a majority of the committee, while irked with the difficulty in receiving a full wiretap report from the Justice Department, was still inclined to support Mr. Kissinger for the job.

Mr. Kissinger seemed relaxed during most of today's session — the second since Friday's opening hearing. The committee asked him to return again tomorrow morning.

At least two Democratic Senators, Clairborne Pell of Rhode Island and George McGovern of South Dakota, pressed Mr. Kissinger on the question of American policy toward the Soviet Union in the

Continued on Page 10, Column 1

Kissinger's Role in Taps Explained to Senate Panel

Continued From Page 1, Col. 3

current crackdown on Soviet dissidents, and after critical comments by the National Academy of Sciences in Washington.

The academy, in a cable to its Soviet equivalent, said that further harassment of Andrei D. Sakharov, the outspoken physicist and civil rights advocate, could lead to curtailment in the Soviet-American scientific exchange program.

Mr. Kissinger, agreeing that the question of the dissidents was difficult, said that he and other officials had made known their personal concern to Soviet authorities about repressive policies, but that it did not serve the interests of either country for the United States to make an official protest, or to try to link domestic change in the Soviet Union with improved relations with the United States.

Opponents Seek Hearing

The wiretap issue, which hung over the committee hearing, seemed to threaten delay of Mr. Kissinger's confirmation. Many members are insistent on getting the full report on the taps of 13 officials and four newsmen. In addition, the request of some 15 groups to testify against Mr. Kissinger could delay confirmation.

Some of the Republicans on the committee, such as the ranking minority member, George D. Aiken of Vermont, have voiced concern that the process not prevent Mr. Kissinger from giving the American address to the United Nations General Assembly on Sept. 24.

"I do not regard Henry Kissinger as a saint," Mr. Aiken said. "I feel sure that sometime during his life he has committed sins, but on the other hand, it is simply a matter of degree and I do not believe any member of Congress can qualify as the president of the stonecasters association at this time because everybody is guilty."

He said that he hoped the United States would not lose international respect by "interminable delay in making a decision" on the nomination of Mr. Kissinger, who is President Nixon's adviser on national security.

Mr. Fulbright, Democrat of Arkansas, drew some laughter from the crowded Senate caucus room when he said: "I do not think Dr. Kissinger requires the title of Secretary of State to function. He has been

functioning forcefully without it."

Mr. Kissinger, who has asked Mr. Richardson to answer the committee's questions about the legal issues involved in wiretapping, was asked by Senator Edmund S. Muskie, Democrat of Maine, whether as Secretary of State he would continue to approve their use.

"The issue of wiretapping raises the balance between human liberty and the requirements of national security," Mr. Kissinger said, "and that the weight should be on the side of human liberty and that if human liberty is infringed, the demonstration of national security must be overwhelming and that would be my general attitude."

Mr. Richardson, in his memorandum, made public by the committee, said the Justice Department was not revealing the names or details about the individuals whose phones were tapped because "it has long been Justice Department policy that this kind of material should not be disclosed unless an overriding public interest makes it essential."

In answer to a newsman's question, however, he did acknowledge that the phone of Richard M. Moose, a committee staff aide who had once worked for Mr. Kissinger, had been tapped, but that this had ceased before Mr. Moose began work for the committee in October, 1969.

The memorandum said: "As best can be determined from the F.B.I. records, Dr. Kissinger's role included expressing concern over leaks of sensitive material and when this concern was coupled with that of the President and transmitted to the director of the F.B.I. it led to efforts to stem the leaks, which efforts included some wiretaps of Government employes and newsmen."

Names Were Supplied

"His role further involved the supplying of the F.B.I. of names of individuals in the Government who had access to sensitive information and occasional review of information generated by the program to determine its usefulness," the memo said.

Mr. Kissinger was asked a variety of questions, as is usual in such hearings. Among the points developed were the following:

Under questioning by Senator Stuart Symington, Democrat of Missouri, Mr. Kissinger acknowledged publicly for the



The New York Times

Henry A. Kissinger answering questions at Senate hearing

first time that he was chairman of the secret Forty Committee, which, as he explained, "deals exclusively with what are called covert operations." He said the group recommended clandestine projects to the President, but in answer to a question by Mr. McGovern, he denied any assassinations or coups were undertaken in this Administration. "I would say that our genius does not reside in clandestine activities on a broad scale," Mr. Kissinger said.

Asked his view of the need for an independent Central Intelligence Agency, Mr. Kissinger strongly supported the autonomy of the C.I.A. He said that "I think it would be very wrong and very dangerous for anybody at the White House or as Secretary of State to attempt to dictate, even by inference, the conclusions that the intelligence community should reach, and especially the C.I.A."

'Opposite Is True'

On Europe, Mr. Kissinger said that this area currently had his "highest priority" and that he expected that there would be several documents emerging from the current discussions of the United States, Western Europe, and Japan in advance of Mr. Nixon's planned trip to Europe. He said one might be on economic and political matters, to be adhered to by the United States, Japan, and the nine Common Market countries; the second might be a defense document signed by the North Atlantic Treaty Organization; and the third "a brief, all-embracing declaration which relates all these documents to each other."

On relations with the Soviet Union, a topic also raised last Friday, Mr. Kissinger denied specifically a suggestion by Mr. McGovern that the United

States had given the Kremlin a signal that it would not object to acts of repression.

"The opposite is true," he said in reply. "The only reason why I do not go into greater detail about what we have discussed on a semiofficial basis is that it would then deprive it of its semiofficial character."

"But I can assure you that not only have we not signaled to them we are prepared to overlook it," he said. "We have signaled them exactly the opposite."

In a related development, Caspar W. Weinberger, Secretary of Health, Education and Welfare, at a news conference about his recent trip to Moscow, said that it made no sense for United States officials "to fire a lot of bombastic statements back and fourth in the press."

He said that the Soviet crackdown did not have his approval, but that the purpose of his visit was to get a medical exchange program moving and that protesting to the Russians about repressions would not have done any good.