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The Kissinger Affair

By William V. Shannon

WASHINGTON — Once again, the Senate Foreign Relations Committee has marched up the hill and down the hill and accomplished nothing.

With Secretary of State Henry Kissinger scheduled as the next-to-last witness, the committee is nearing the end of its "investigation" of Mr. Kissinger's involvement with the seventeen White House wiretaps, with the "plumbers" operation, and with his possible misstatements of fact during his confirmation hearings.

During those hearings last September, outside observers urged the committee to explore his involvement thoroughly and not be distracted by Mr. Kissinger's intellectual brilliance and aura of success. But the committee asked him some pointed questions, deputized two of its members to review the documentary evidence in private with Mr. Kissinger, and then voted to accept his version.

The question of his involvement began to surface again at the House Judiciary Committee reviewed the documentary evidence as part of its impeachment inquiry. After his highly-publicized cease-fire negotiations in the Middle East, Mr. Kissinger was discomfited to be asked at his first Washington press conference about these disagreeable matters. He quickly cut off that line of questioning.

The following week, he counter-attacked in another news conference in Salzburg, Austria, with his empty threat to resign.

A majority of the members of the Senate then put on a display of craven sycophancy that could only dismay any genuine believer in democratic equality and the rule of law. Without waiting to find out the facts or study the issues, these Senators signed their names to a resolution assuring him of their complete confidence and, in effect, saying they wanted him to continue in office on his own terms whatever the facts might be.

Whatever happened to all those Senate speeches asserting that "this is a Government of laws and not of men"? Or that "there is no such thing as an indispensable man"? Gone a-glimmering, obviously, in the Senatorial rush to be with a winner and share in the warmth of his favorable publicity.

By last week, even Senator Fulbright, chairman of the Foreign Relations Committee, was dismissing the matter as "a tempest in a teapot."

What is in dispute is not the relatively unimportant question of whether Secretary Kissinger "initiates" most of the wiretaps. The real question is: Was this wiretapping of newsmen and high Government officials designed to

shut off national security "leaks," as President Nixon and Mr. Kissinger contend, or was it primarily a program of domestic political spying as a different reading of the evidence would suggest?

The wiretap program began immediately after the publication of an article about the secret bombing of Cambodia. Why then were three of the four persons first chosen to be tapped all individuals who had no access to this military data? Why were taps continued on some individuals long after they had ceased to have access to any secret data? Why did Mr. Kissinger, speaking through his aide, General Haig, repeatedly overrule F.B.I. requests that a nonproductive tap on Morton Halperin be discontinued?

Was it because the tap on Mr. Halperin, though "nonproductive" in a national security sense, produced interesting political information since Mr. Halperin had become an adviser to leading Democrats?

Was one purpose of the taps to enable Mr. Kissinger to keep abreast of what his major rivals inside the bureaucracy and his critics outside were privately thinking and saying?

This supposition may be unfounded but given Mr. Kissinger's overweening drive to dominate the entire foreign policy community, it is also entirely plausible.

Did the wiretaps improve security by producing useful leads?

Mr. Kissinger told the Foreign Relations Committee last September: "There were cases in which the sources of some leaks were discovered and in which appropriate action was taken."

But President Nixon told John W. Dean in a conversation on Feb. 28, 1973, concerning these wiretaps: "They never helped us. Just gobs and gobs of material; gossip and bull—."

The committee has no staff trained to conduct a proper inquiry. It could resolve these questions only if it hired an experienced lawyer to interview all of the witnesses including those that the F.B.I. talked with in its brief inquiry in May 1973. Perfunctory hearings with Senators questioning a few big shots such as the F.B.I. director are no substitute for a thorough, independent inquiry.

In the absence of such an inquiry, the questions will linger. Did the Secretary subtly mislead the committee last September? Does the committee intend to hold him fully accountable for his words and deeds? Or does it tacitly accept a double standard of candor and behavior if the alleged offender is famous and seemingly successful?

In a constitutional democracy, those questions cannot be regarded as a tempest in a teapot.