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ON PAGE 1-8

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Lawmakers doubt Meese's objectivity

By Jennifer Spevacek
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Cries grew louder on Capitol Hill yesterday for an independent counsel to review a secret National Security Council scheme to divert funds from Iranian arms deals to Nicaraguan resistance forces, despite the appointment of a three-member presidential panel to examine NSC operations.

Many lawmakers questioned whether Attorney General Edwin Meese — one of President Reagan's closest advisers — could conduct an impartial inquiry into a matter so sensitive and so close to the Oval Office.

A Justice Department investigation uncovered the elaborate scheme and the department continues to investigate the matter.

The presidential panel is headed by John Tower, the former Republican senator from Texas; Brent Scowcroft, a private foreign policy consultant and a retired Air Force lieutenant general who was a deputy to Henry Kissinger in the Nixon White House and national security adviser to President Ford; and Edmund Muskie, the former senator from Maine who was secretary of state in the Carter administration and the Democratic candidate for vice president in 1968.

While praising the president's appointment of the panel, several lawmakers also pledged to broaden congressional investigations already under way.

Rep. Peter Rodino, chairman of the House Judiciary Committee, started the call for an independent prosecutor in a letter to Mr. Meese late Tuesday.

"The investigation will inevitably touch on the president and his closest associates," Mr. Rodino wrote. "Given your longstanding personal and professional relationship with those involved, the need for an independent assessment would appear to be advisable.

"An independent investigation is the only way to restore the confidence of the American people in their government," Mr. Rodino wrote.

Senate Democratic leader Robert Byrd and House Democratic leader Jim Wright said earlier in the day that such a request would be premature.

But more than a dozen congressmen and senators yesterday publicly joined Mr. Rodino's call for an independent investigation.

It takes a majority of either Democrats or Republicans on either the House or Senate judiciary committees to trigger provisions in the Ethics in Government Act asking for a special counsel, with subpoena powers, to be appointed by Mr. Meese.

The law covers all Cabinet officers, the directors of the FBI and CIA, and government employees earning at least Executive Level 2 pay — currently $63,764 a year.

Pentagon sources said that the law may not cover either the former national security adviser, Vice Adm. John Poindexter, or his assistant, Lt. Col. Oliver North. An officer with Adm. Poindexter's service record would earn about $60,900 a year, and an officer with Col. North's service record would earn an annual salary of $40,800, the sources said.

But Colorado Republican Rep. Hank Brown, who researched the ethics law, said that the attorney general, on his own authority, can appoint a special counsel.

Adm. Poindexter resigned his NSC post, and Col. North was fired from his, on Tuesday after a Justice Department preliminary probe uncovered the funds diversion scheme, which was concealed from other White House officials and from Mr. Reagan, according to Mr. Meese.

Members of the House Judiciary Committee had already asked Mr. Meese to appoint a special counsel to investigate the connection between Col. North and Eugene Hasenfus, the American shot down in a cargo plane over Nicaragua Oct. 6.

Sen. John Kerry, a fierce critic of the resistance to the Marxist government of Nicaragua, said the Justice Department had been slow to investigate his allegations of drug smuggling and gun-running by the Contra rebels and his questions about Col. North's activities.

"This senator is not convinced there haven't been those who have tried to cover this up in recent months," Mr. Kerry said.

"Ed Meese is obviously more than the attorney general," the Massachusetts Democrat said. "He sits on the NSC. He's a foreign policy adviser. . . . No matter what their good intent or good will, it's like having the fox guarding the chicken coop."

Sen. George Mitchell, Maine Democrat, said Mr. Meese proved himself "incapable of conducting an independent investigation" by declaring that only Col. North and Adm. Poindexter knew of the diversion of money to the rebels.

"How could he possibly know this?" Mr. Mitchell said.

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Sen. David Boren, Oklahoma Democrat and incoming chairman of the Senate Intelligence Committee, said his panel will provide independent oversight of the administration's investigation. Both the House and Senate intelligence panels already have begun investigations.

The House Foreign Affairs Committee also held its first hearing into the Iranian dealings Monday. Chairman Dante Fascell, Florida Democrat, yesterday said his committee's investigation will be expanded to include testimony by Mr. Meese, Col. North and Defense Secretary Caspar Weinberger.

Secretary of State George Shultz, former National Security Adviser Robert McFarlane, Adm. Poindexter and CIA Director William Casey are already scheduled to meet with the committee early next month.

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Rep. Fernand St Germain, chairman of the House Banking Committee, yesterday asked Mr. Meese to report to his committee on whether any money from the Iran arms sales was laundered through U.S. banks before going to the Nicaraguan resistance forces.

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And Rep. Les Aspin, chairman of the House Armed Services Committee, said his committee will consider legislation to bar the NSC from engaging in covert activities. "Either the NSC must come out of the closet or operations must come out of the NSC," he said.

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