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Carter Given Oaths on 'Leaks'

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Leaks to the press from high government officials last year so infuriated Jimmy Carter that the secretary of state, the director of the CIA and the president's national security adviser felt obligated to sign affidavits saying they were not the leakers. The Washington Post has learned.

Carter's wrath stemmed from a Washington Post account last October that described an internal administration split over whether to provide new types of military equipment to Morocco.

Signing sworn statements that they had not leaked the story were former secretary of state Cyrus R. Vance, CIA Director Stansfield Turner, national security adviser Zbigniew Brzezinski, Deputy Secretary of Defense W. Graham Clayton, Deputy Secretary of State Warren Christopher, and Undersecretary of State David Newsom, along with dozens of other high-ranking aides. All were interrogated by the FBI.

There were conflicting accounts as to whether Carter ordered his chief aides to sign the affidavits or whether they signed them voluntarily to mollify the president and encourage the other officials to sign them as well.

Either way, the taking of sworn statements from such high-level officials is unprecedented in any presidency, according to State and Defense department sources. Carter's vigorous pursuit of this and other leaks is an attempt to silence internal critics of his foreign affairs policies while demonstrating his grave concern over both the criticism and the substance of the leaks, sources said.

The investigation of the nine-month-old leak is still continuing. It is being handled by a special FBI team and is one of at least nine inquiries over the past 18 months into leaks describing deep policy divisions within the administration.

Two of the leak probes were initiated by the president.

The FBI has complained to the Justice Department about such investigations, departmental sources indicate, because agents do not believe such investigations ever lead to prosecutions. Instead, they are used to silence critics either by intimidating them or by identifying and firing them, the agents feel.

From the investigators' point of view, the White House is at fault for first encouraging the image of an open administration and then complaining bitterly as information about policy alternatives leaked out.

No sources of leaks have been yet identified by the two investigations initiated by the president, The Post was told. However, at least three State Department officials,

including one deputy assistant secretary of state, have been forced to resign after leak probes, sources said.

The White House refused to comment yesterday on the leak investigations.

The October story in The Post detailed the positions taken by each of the departments at a Cabinet-level Policy Review Committee (PRC) meeting two days earlier, on Oct. 16. The meeting had been attended by Vance, Brzezinski, Turner, Clayton, Christopher and Newsom as well as several of their aides.

Written by William Branigin, the article described a split over whether to provide new types of military equipment to Moroccan King Hassan II in his battle against guerrillas attempting to gain control of the Western Sahara. Several days later the president decided to provide the new arms.

One source said that "the president went off the ceiling" when he saw the article.

"Please see I get the results of the PRC before The Washington Post," the president reportedly said to Brzezinski. Although the minutes of the meeting had been prepared and were awaiting his approval, the president had not yet seen them, said one source familiar with the investigation.

"He got so mad that they [Brzezinski, Vance, and Turner] decided they had to do something they had never done before," said one source who said he felt PRC members came up with the idea of the affidavits to mollify the president.

Several other administration officials said, however, that the sworn affidavits were the president's idea.

"It was not so much the substance of the story," said one State Department source. "It was the detail about the conversations that took place in the meeting that got to the president. They were of greater concern than the substance. The story itself was trivial."

Other administration sources insisted that the president has been most disturbed by leaks that show in which direction he is leaning on foreign policy decisions, particularly when he takes a position perceived as being in conflict with a previously stated policy. Most such situations have involved placing ostensible national security concerns and strategic interests over articulated commitments to human rights and arms sales limits.

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"The president is particularly sensitive about stories that portray him as bending his espoused principles to help our right-wing dictators," one source said, alleging that there have been investigations of leaks of information about Carter's support for the deposed shah of Iran and former Nicaraguan president Anastasio Somoza.

At the State Department, Vance, Christopher, Newsom, Near East bureau head Harold Saunders and 15 other individuals signed the affidavits. At the Defense Department Claytor and five others also signed.

One former deputy assistant secretary for human rights, Steve Cohen, protested in writing that the procedure was improper, and then signed the affidavit.

Hodding Carter, the former State Department spokesman, was the only official who refused to sign, according to sources in the administration. According to one source, Carter, never really a suspect in the investigation, denied being the source for the story but refused to sign the affidavit on principle.

The majority of a dozen officials interviewed by The Post, none of whom would speak for the record, said they did not believe there was a deliberately formalized policy of intimidating internal critics of administration policy. One White House official defended the president's "maturity" about leaks.

"I have never seen him get angry about [leaking], himself. Jody [Powell, the president's press secretary] and Zbig get furious, but never the president. But I do see in him a deep sense of disappointment when something surfaces. He feels if people have to leak things then they ought to resign. It is a question of loyalty. It is personally disloyal to leak."

Most officials did acknowledge, however, that the conducting of even a few full-scale FBI probes of leaks has the effect of intimidating internal dissent.

"When someone, from the seventh floor [where the State Department's top officials are housed] is implicated, the investigation is immediately closed," said one source. "But when it is someone in the bureaus, it is pursued until every lower grade officer connected with the issue understands that public disagreement will not be tolerated."

Several sources noted that the state department bureaus concerned with human rights and arms sales policies are most often blamed by the White House and State Department for leaks critical of the president for policy inconsistencies.

"We start with Patt Derian [director of the human rights bureau] and then we add to the list," said one investigator when asked how he got his suspects.

The other investigation initiated by Carter attempted to find the source of a story concerning the use of an electronic listening post in Norway to help verify Soviet compliance with provisions of the strategic arms limitation treaty (SALT I) and the proposed SALT II.

Published on June 29, 1979, The New York Times story by Richard Burt said the site in Norway was being considered as a replacement for listening posts in Iran and U2 flights over Turkey for verification of the types and quantity of warheads launched in Soviet missile tests.

At the time, reports said Turner had requested an investigation because the article disclosed the existence of the Norwegian base. Several administration sources said last week, however, that the existence of the tracking station and its functions had been widely known for some time in Norway and most certainly to Soviet intelligence agencies.

The source said that the damage from the point of view of the Carter administration was that the bottom of the article stated that "these systems would only be able to pick up a small fraction of the missile telemetry obtained previously at the Iranian sites."

"The president's strong reaction came over the fact that this was another tool for critics of SALT II to use to defeat the program," said one administration source.

A Defense Department source disputed that, however, saying, "Some people here still think the Soviets did not know what that site was about. In any event, it was highly classified."

According to a State Department source, the greatest current concern over leaks has to do with ones coming out of the Defense Department.

"The amount of leaking now is at an all-time high," said one State Department official. "On security subjects, leaks seem to have a political motivation [to convince the public of the need for a stronger defense]. The pressure has been on the Defense Department because in the last four or five months there has been a great deal of information coming out of there. Brown is as much concerned about backgrounders [briefings for reporters] as he is about leaks."

"That is completely false and preposterous," said Defense Department

spokesman Thomas B. Ross yesterday.

One high-ranking State Department official said that Vance as well as Carter was deeply bothered by leaks from the State Department.

But Vance was also convinced that most leaks came not from within his department but from Brzezinski's National Security Council, that source said. Ever the gentleman, Vance would never confront Brzezinski directly, the source said.

Instead, Vance would call Brzezinski and say he thought Jerrold L. Schecter, Brzezinski's press secretary, had made "inappropriate comments" in a background briefing. Brzezinski "knew what the boss was talking about," the source said. "He knew that Vance thought he had done it."

Brzezinski, on the other hand, was said by several sources to have called Vance regularly to complain that leaks had come from the State Department.

"Zbig is fast to call about a story with a leak in it," said one State Department official familiar with such calls. "Some in his building think he is often trying to preempt suspicion from falling on himself or his staff."

According to several sources, Brzezinski's complaints to the president about State Department leaking led to a dramatic Feb. 6, 1979, meeting in the Cabinet room of the White House.

According to one administration source, the president authorized Brzezinski to draw up a list of suspected leakers from the State Department after a CBS television report on U.S. policy toward Iran.

On the evening of Feb. 5, the CBS senior State Department correspondent, Marvin Kalb, broadcast that "U.S. officials believe that the [former Iranian Prime Minister Shahpour] Bakhtiar government will fall, probably in the next day or so."

Within minutes after the broadcast, Powell called CBS to say that the president, Vance and Brzezinski did not believe that the Bakhtiar government would fall.

The next day presidential appointments secretary Phillip Wise called the State Department with a list of 16 people the president wished to see with Vance that afternoon. The list included roughly half the department's ranking brass at the level of assistant

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secretary or above, plus the head of the Iran desk at the State Department, Henry Precht.

At the meeting, Carter praised Vance at length. After saying Vance was the best secretary of state in recent times, Carter then launched into an increasingly intense and angry monologue about the problem of leaks—particularly those on U.S. policy toward Iran that had occurred over the preceding three months.

There were bound to be differences among foreign policy advisers, Carter said, according to four people who attended the meeting. He was bound to have to reject some of the advice he received. But he could no longer let those whose advice had been rejected carry on their battle in the press, Carter reportedly said.

Accounts of what else the president said differ slightly, but all sources agree he said the following:

"This leaking has got to stop, and what I am going to do is this. If there are any leaks out of your area, whatever the area may be, I am going to fire you. Whether or not that's fair, and I can see where some of you might not think it fair, this has just got to stop. So, leaks from your area, regardless of who is at fault, and you're fired!"

Carter then left the room, taking no questions.

At the State Department that day, nearly every person attending the meeting sought out Vance for assurance. Vance told them that while he too was concerned with leaks and the divisiveness they created, the president was wrong to single out the department. Several aides asked if the message was a personal one and whether they should leave the department. Vance assured each of his personal confidence.

According to several State Department officials, the majority of those present at the meeting felt Vance had been publicly humiliated by the president, despite Carter's lavish praise of him.

"Whatever personal loyalty the president had with each of the people in that room that day was severed permanently," one State Department source said.

Reactions to the meeting varied. Political appointees serving at the president's pleasure seemed to feel personally attacked, sources said. Some thought that Precht, an advocate of a much different Iran policy than the one the president had been following for the previous six months, had been singled out. Career employees of the State Department tended to think that the department was the target of an institutional attack, another source said.

Later that day or the next day, Vance spoke with both the president and the vice president about the meeting, sources said. He reportedly expressed concern that his staff was being unfairly singled out for deeds that were occurring regularly everywhere in government, including in the National Security Council staff.

The next day the president met with Brzezinski and several of his senior staff members. This time, however, he did not threaten. Rather, he cajoled them to smooth their relations with their State Department counterparts.

Most leaks do not result in compromising the national security but in official discomfort, according to one source. The discomfort can range from presidential outrage at having policy alternatives prematurely narrowed to official embarrassment abroad, as in a recent instance in Italy.

That matter involved a Defense Department employee who told an Italian journalist how inept a particular Italian intelligence official was. When an article ran with attribution to American intelligence sources, an American intelligence official was expelled by the Italian government in the ensuing flap.

Under the Carter administration, the State Department has referred between a half-dozen and a dozen cases each year to the Justice Department for further investigation and possible prosecution. Virtually none of those referrals are ever prosecuted, however, because the Justice Department insists that the referring agency be willing to declassify the leaked information for use in a trial.

Sources were unable to estimate the number of referrals during previous administrations, but generally believed it was no higher. One source, however, noted that during the period that Henry A. Kissinger was secretary of state there were far more internal investigations to determine the sources of leaks.

While Kissinger was foreign policy adviser to President Nixon, he helped select 17 aides for wire-tapping.

No electronic surveillance has been used to determine the sources of news leaks under the Carter administration, according to sources, although the FBI agents conducting the two investigations authorized by the president were said to be reporting "out of the normal chain of command."

Since prosecutions in leak cases are rare, leakers are more frequently punished by disciplinary actions ranging from an entry in their personnel file for unwitting mistakes to forced resignation for serious leaks.

A deputy assistant secretary of state was forced to resign from the department last year for a variety of reasons after having inadvertently leaked precise information on the number and type of Soviet helicopters in Afghanistan during a background briefing. Because of the detail given, the Soviets may have been able to deduce how the information was collected, according to administration officials.

Another junior officer was forced to resign for having gotten "carried away" and giving a well-known journalist classified documents, including an easily traced study on which the junior officer was working. "It was a case of a bureaucratic 'flash,'" said one administration leak-chaser. "Leakers are often... without axes to grind, and without any foreign policy goals. They just have a psychological need to do it."

Another State Department official observed that the "psychological need" is often "to be sure the truth comes out of a bureaucracy laden with falsehoods."

Staff writer Timothy S. Robinson contributed to this report.