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Helms wants to know if U.S. spied on him

By Bill Gertz
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Sen. Jesse Helms has asked the Justice Department to investigate whether the CIA and National Security Agency illegally spied on him during his recent trip to Chile.

In an Aug. 5 letter to Attorney General Edwin Meese III, Mr. Helms, North Carolina Republican, charged that the intelligence services may have violated "executive orders and legal restrictions" that forbid surveillance of U.S. citizens abroad.

"My concern lies with the possibility that the CIA and other U.S. intelligence organizations may be unlawfully invading the privacy of senators, including me," Mr. Helms wrote. "... Accordingly, I request an FBI investigation of the CIA and the NSA to determine whether the Helms delegation was under U.S. electronic or physical surveillance at anytime during its trip to Chile in July 1986."

A Justice Department spokesman confirmed that the letter had been received, but declined further comment.

The Helms' letter is the latest salvo in the battle between the senator and several Reagan administration agencies.

The FBI said it was conducting a "leak investigation" of Mr. Helms and his staff following reports that U.S. intelligence information was passed illegally to the government of Chile.

Christopher Manion, a Helms aide on the Senate Foreign Relations Committee, and another unidentified staff member are under suspicion in the investigation, congressional sources say.

Mr. Helms charged last week that the State Department and the CIA have engaged in a "smear cam-

paign" against him because of his opposition to what he has described as a Reagan administration campaign to destabilize Chile's military government.

He also accused Assistant Secretary of State Elliott Abrams of supplying false information to the Senate which led to the leak investigation, a charge Mr. Abrams denied.

The Foreign Intelligence Surveillance Act of 1978 restricts spying on Americans to cases where there is evidence of criminality. The law, however, allows the NSA to intercept communications between foreign embassies and their governments.

but requires intelligence agencies to limit spying on people not directly under surveillance.

In addition, President Carter in 1978 issued an executive order restricting agencies from spying on Americans abroad, but a Reagan administration directive in 1981 reportedly relaxed controls on overseas monitoring of Americans.

One application of the prohibition occurred in 1978 when Carter administration officials turned down a CIA request to wiretap telephone conversations in France of Ibrahim Yazdi, at the time an aide to Iran's Ayatollah Ruhollah Khomeini, according to published reports. The request was denied because Mr. Yazdi was an American citizen.

Mr. Helms charged in his letter that recent press attacks against him and his staff for allegedly leaking classified information to the Chilean government were "frivolous and false."

"Yet some of the information appearing in the press claims to have reference to conversations we had in Chile, and subsequently, about matters which are in no way classified," Mr. Helms wrote.

A Helms staff aide said the delegation held a 2½-hour meeting with Chilean Interior Minister Ricardo Garcia Rodriguez July 9. Mr. Helms

spent about 50 minutes of the meeting asking the Chilean leader to provide details on the case of American permanent resident Rodrigo Rojas.

Mr. Rojas was burned to death in Chile during anti-government protests in an incident now under investigation by the Chilean government. Witnesses said men dressed as soldiers poured a liquid over him and set him afire. Several members of the Chilean military have been arrested in connection with the incident.

The leak investigation of Mr. Helms and his staff reportedly focuses on the compromise of a U.S. agent in the Chilean military who supplied an internal military report on the burning death to the U.S. government.

Meanwhile, Mr. Helms asked Senate Majority Leader Robert Dole in an Aug. 7 letter to be notified in advance of any Senate action on the fiscal 1987 House and Senate Intelligence Authorization bills in order to give the senator time "to study both measures in depth."

"I intend to offer a package of amendments related to strengthening counterintelligence, competitive analysis, improvements in verification by national technical means, and protection of [intelligence] sources and methods."