The Footnote Kissinger Wants Expunged

A 3 WE AVOID the release of the still being fought-over report of the Senate Select Committee on POW/MIA Affairs, it is bizarre, to say the least, to observe the machinations of some of those trying easier and less clear answers. High on the list of lesser victims of history and veterans of their personal affairs are Richard Nixon and Henry Kissinger.

Let's start with Nixon, who so successfully turned the Senate panel as he famously did at the House of Congress nearly 50 years ago. He asserted his taped his Watergate tapes. He was unsuccessful in 1974. This time, he has gotten away with it—"assumes neither the committee nor very importantly, the press, has screamed bloody murder.

Nixon, you may remember, was the only one who cried the nacks, after the peace talks with Vietnam had been signed. In January, 1973, that all American POWs had been released by Ho Chi Minh, no turning back to have been true. Nixon, in turn, was on his way in becoming a second man, with the author of Watergate advancing on him in the Oval Office. He wanted desperately to be rid of Vietnam so he could concentrate on re-election. So he said there weren't any men left behind. No one in the executive branch chose to contradict him. The Defense Department was a part of this.

On April 11, 1973, Nixon held a meeting with Roger Shulkin, the Pentagon official who handled POW/MIA affairs. Vice President Spiro Agnew, then deputy national security advisor, was also present. Later that month, Shulkin announced that there was no credible evidence that any U.S. POWs remained in Vietnam. However, at hearings last year before the Senate POW panel, three former defense secretaries testified that the opposite was true—men had been abandoned.

There is a tape of the April 11, 1973, meeting, recorded on the same voice-activated system that produced the Watergate tapes. Nixon refused to release the full recording. Is he beyond the law again? Who permitted him this time?

Furthermore, Nixon also refused to appear before the committee. Instead, he sent a sworn to a list of questions, answering not to face any hostile examination. In those responses, which go beyond even Washington's allowable standards for self-servng diplo, Nixon denied pressing Shulkin in that 1973 meeting and calls such suggestion "insulting." All right, Mr. Nixon, since you've got nothing to hide, let's hear the tape.

And now for Henry Kissinger, who, though he was present before the committee, has actually endorsed Nixon in the realm of Kissinger's activities, which confirms some of Nixon's present national security advisor, who negotiated the Paris peace accord, was not satisfied simply to put his version of history into the committee's record. He now wants to make his final report.

Working through Sen. Hank Brown of Colorado (a Republican committee member who is possibly acting under the influence of an old Kissinger ally, Senate Majority Leader Robert Dole), Kissinger has been lobbying frantically to delete or alter changes in his sections in the report that refer to Kissinger's role in the prisoner issue. Sources report that Brown has been carrying Kissinger's water in the meetings now being held to hammer out final language.

To dredge up a moment, how did Kissinger, a subject of the committee's investigation, obtain a draft copy of its report? The speculation is that it was leaked to him by Brown or Sen. John McCain, another member of the committee who wants the Nixon-Kissinger no-man's-land kept under view to prevail.

A key passage in the draft report that Kissinger is trying to have expunged involves what Kissinger had been told by intelligence officials in 1973 that at least some remaining POWs and how Kissinger had failed to act on it. The passage, a long footnote, says that 10 days ago, in a phone conversation with Sen. Bob Smith, the committee vice chairman, Kissinger claimed that he had told Nixon that the intelligence community had concluded that Blaine's list of POWs held in Laos was incomplete. Kissinger, according to the footnote, said that when he informed Nixon of this, the president declared that "a failure to account for the additional prisoners would lead to a restructuring of [the] process.

The footnote concludes: "Mr. Kissinger said that the president was later unwilling to carry through on this threat.

When a report about this footnote appeared in a New York Daily News story by Paul Royer earlier this week, Kissinger and his lawyer, though they had enjoyed the blessing of the first leak, became concerned about this one, and intensified their expunging efforts through Brown and his staff.

One final story about Sen. Brown. Recently, he asked the Defense Department to compile a list of those of the 561 returned POWs who could be regarded as bona fide "heroes." He said he wanted the list be added to the committee's report. He had the other request, he said the Pentagon should agree none of the hero list included Sen. McCain, a former POW.

The list has been compiled. Sen. McCain is on it. Unless it is removed between now and next week, it will be in the report. Sen. Brown refused to return my call seeking comment.