

31 DEC 1972

Out of the Mouths of Boobs and STATINTL

By Art Buchwald

Capitol Punishment

Underlings

A lot of things were said in 1972 that people would just as soon forget. For example how would you have liked to have been . . .

. . . The person who said to Sen. Edmund Muskie during the primary campaign in New Hampshire, "Senator, why don't you go down to Manchester and give publisher William Loeb a piece of your mind?"

. . . Or the one who asked Maurice Stans, "Have you ever thought of opening a bank account in Mexico City?"

. . . Or the campaign adviser who said to Sen. George McGovern, "George, if they ask you about Eagleton, just tell them you support him 1,000 per cent."

. . . Or the person who called Jack Anderson and said, "Have I got a story on Eagleton for you!"

And what about the aide who said to President Nixon, "Thieu is in the bag. He'll agree to anything we agree to in Paris."

Lest we forget the poor fellow who said to John Mitchell, "I have this friend who used to work for the CIA and he's been casing the Democratic National Headquarters and . . ."

Or the man who called his friend in California early this year and asked, "How would you like to move to New York City and work for Life magazine?"

Or the officer who said to Gen. Lavelle, "Don't worry, General, they're *your* bombers and you can send them anywhere you want."

And what about the State Department aide who said to Secretary of State William Rogers, "I just gave Jimmy Hoffa a passport to go to Hanoi."

Or the person who assured Jean Westwood, "The Democratic National Committee chairmanship is yours for the next four years."

Or the person on Henry Kissinger's staff who told him, "Make it brief. Just tell the country peace is at hand."

I wonder where the man is who advised Tony Boyle, then United Mine Workers' president, "Don't worry, Tony, even if the federal government supervises the elections you're a shoo-in to win."

Or the Interior aide who told the White House, "My advice is to let the Indians stay in the Bureau of Indian Affairs. What harm can they do?"

And what ever happened to the man who said to Egypt's President Sadat, "Ask the Russians to leave. That will pressure them into giving us new weapons."

Or the lawyer who told Clifford Irving, "They can't send you to jail for faking an autobiography."

Or the editor at Cosmopolitan who advised Helen Gurley Brown, "Forget it. Nobody will pay to see a photo of Burt Reynolds in the nude."

And what about the man who said to Boris Spassky, "I think I've found Bobby Fischer's weakness."

And while we're at it, I wonder what happened to the man who advised Sammy Davis Jr., "Now when the President comes on the stage, throw your arms around him. He really loves that sort of thing."

And what about the person who said to Julie Nixon Eisenhower, "Well, if you feel that strongly about it, why don't you offer to give your life for the Thieu regime?"

And finally, let's have a moment of silence for Martha Mitchell's former bodyguard who said to her, "Please, Mrs. Mitchell, just lie on your stomach. This needle won't hurt."

27 DEC 1972

Approved For Release 2001/03/04 : CIA-RDP80-0166

Is Camp Peary Cloak for CIA?

WILLIAMSBURG, Va. (AP) — Is Camp Peary, a hush-hush Department of Defense installation in York County, Va., actually a training camp for the Central Intelligence Agency?

The Virginia Gazette, a weekly newspaper published not far from the camp says it is, basing its claim principally on an interview with an ex-CIA agent turned novelist.

Two reporters for the Gazette contend in an article for the weekly that the CIA uses Peary to train teams of assassins, guerrillas, foreign mercenaries and special warfare agents, and to test exotic new weapons.

They wrote that they were not permitted to enter the camp property and received crisp "no comments" when they posed questions to officials there.

Maggio the Source

Nearly all their information apparently came from former CIA man Joe Maggio, who wrote a novel — "Company Man" — which mentioned a "Camp Perry" at which he said tactical nuclear weapons were tested.

The Gazette reported that Maggio said from his home in Coral Gables, Fla., that the "Camp Perry" in his novel in

actuality was Virginia's Camp Peary, taken over by the Department of Defense 21 years ago.

The newspaper said it was told by Maggio that he was at Camp Peary for three months in 1956, enrolled in a "special intelligence tradecraft course" given CIA recruits.

It said Maggio said in the interview that the "training methods and techniques covered by the CIA" at Camp Peary included "assassination training, demolition training, parachute training, courses in wiretapping and intelligence-gathering, and experiments with special weapons for use in the field, including what Maggio labeled as 'mini-nuclear bombs.'"

'Disneyland of War'

The Gazette quoted Maggio as saying, "I'm sure if you had a blue ribbon committee

go in there, they'd find a whole new world — a Disneyland of war."

The Gazette quoted him as saying "the information contained on Camp Peary in the novel is factual."

Among other weapons the Gazette quoted Maggio as saying are being tested at Camp Peary were a laser beam weapon used to cause bodily deterioration within 24 hours, experimental formulas of drugs such as LSD, and a variety of chemical warfare materials.

"Some day, somewhere," the Gazette said it was told by Maggio in a taped telephone interview, "that base is going to have a catastrophe — some Dr. Strangelove explosion that really is going to rock that area."

Sensitive Radio Seen Bought by McCord

By Bob Woodward and Carl Bernstein
Washington Post Staff Writers

A spokesman for a Rockville electronics firm said yesterday that James W. McCord Jr. identified himself as security chief for President Nixon's re-election committee and paid \$3,500 in cash when he bought a radio receiver last May.

The receiver allegedly was used to pick up wiretapped conversations at the Democrats' Watergate headquarters. John Gearing, of the Watkins-Johnson Company, said McCord left a Committee for the Re-Election of the President business card with a salesman when the receiver, which normally sells for \$6,250, was purchased.

The firm's records say that McCord, one of seven defendants in the Watergate bugging case scheduled for trial Jan. 8, paid only \$3,500 because the receiver was a floor model used for sales demonstrations.

The indictment, returned Sept. 15, charges that on May 10 McCord purchased a radio receiving system "capable of receiving intercepted wire and oral communications."

Sources close to the Watergate investigation said the receiver mentioned in the indictment was the one purchased by McCord from Watkins-Johnson. Gearing said the FBI had taken copies of his company's records relating to McCord's purchase.

Gearing said McCord left the impression with the company salesman that the radio receiver was to be used by the President's re-election committee.

Records of campaign expenditures by the President's re-election committee, however, show no payment to McCord for such a purchase. Disclosure of all campaign expenditures is required by law.

An internal "confidential/eyes only" memo of the President's re-election committee dated two days after the June 17 Watergate break-in purports to list all the committee payments to McCord and lists

no amount resembling the \$3,500 allegedly paid for the radio receiver.

The memo, from Nixon committee personnel director Robert C. Odle to deputy campaign director Jeb S. Magruder, lists 18 separate payments to McCord, the highest being \$1,091.56 for security services.

Ralph Grimm, manager of the Watkins-Johnson Company, said his company sells very few of the receivers because they are handmade, very compact and extra sensitive for picking up weak signals.

Though not designed to pick up bugs or telephone wiretaps, Grimm said that is "a possible use" for them.

He said the receivers are normally sold to "government and those who work for government," though there is no prohibition on selling them to others.

Alfred C. Baldwin III, the former FBI agent who has said he participated in the Watergate bugging, apparently made reference to the receiver in a copyrighted article in the Los Angeles Times.

Baldwin, who is expected to be the chief government witness in the Watergate trial, gave this description in The Times article of monitoring telephone conversations at the Democrats' headquarters:

"I would keep an eye on the little TV-type screen on the monitoring unit. A constant line ran across the screen when the tapped phone was not in use. When someone started using the phone, the line would scatter and I would quickly put on the earphones."

Baldwin described the receiver as "a sophisticated receiving set, which McCord later said was worth \$15,000."

STATINTL

NEW YORK TIMES
22 DEC 1972

Paper Gives Court Its Watergate Tapes

By WALTER RUGABER
Special to The New York Times

WASHINGTON, Dec. 21—The Los Angeles Times, released from a pledge of confidentiality, turned over in court today tape recordings of its interview with a central figure in the Watergate bugging case.

The action effectively ended a contempt-of-court proceeding in which the newspaper's Washington bureau chief, John F. Lawrence, was jailed briefly on Tuesday after an initial refusal to surrender the recordings.

The Times had promised Alfred C. Baldwin 3d, who was questioned last September about the break-in at the offices of the Democratic National Committee and related matters, that it would not divulge the details without his approval.

An apparently full account of the eavesdropping and wiretapping operations at Democratic headquarters, as described by Mr. Baldwin in the interview, was subsequently published by The Los Angeles Times.

Mr. Baldwin and his attorneys agreed in today's move to allow the newspaper to make the full recordings available to Chief Judge John J. Sirica of the United States District Court here for a closed-door inspection of the contents.

It was understood that the judge would edit out any remarks on the tapes by Mr. Baldwin's attorneys or by the two reporters who conducted the interview, Jack Nelson and Ronald J. Ostrow.

The tapes, which had been turned over by the reporters to their paper, had been sought by attorneys for E. Howard Hunt Jr., one of seven defendants in the forthcoming criminal trial.

Mr. Baldwin is expected to be a major Government witness, and the defense lawyers had argued successfully that they were entitled to review his statements for possible use in any attacks on his credibility.

Judge Sirica had rejected the newspaper's argument that to force disclosure of the recordings would inhibit its news-gathering operations and violate the First Amendment's free press guarantee.

While the United States Court of Appeals for the District of Columbia had allowed Mr. Lawrence to remain free, it issued an order late yesterday warning that if the case did not reach the Supreme Court by tomorrow he could be jailed again.

No One Had Asked

A member of the three-judge appeals court panel, Harold Leventhal, asked at a brief hearing yesterday whether anyone had asked Mr. Baldwin to release The Los Angeles Times from the confidentiality agreement.

No one had, but both Earl J. Silbert, the principal United States attorney, and William

O. Pittman, Mr. Hunt's attorney, were thus prompted. Mr. Silbert said that Mr. Baldwin "had no hesitancy in authorizing the release."

In subsequent telegrams from Mr. Baldwin's attorneys, the newspaper was allowed to turn over the recordings "with the understanding that the voices . . . other than that of Mr. Baldwin will be excised by the court."

The lawyers, John V. Cassidanto and Robert C. Mirto, both of New Haven, said in the telegrams that The Los Angeles Times had been freed from the confidentiality agreement without pressure from anyone.

Judge Sirica, whose jailing of Mr. Lawrence had been criticized in the press and in Congress, said that he had been "very sorry" to cite the newspaperman, and that he was "very happy to see that this matter has been settled."

Reporters Not Satisfied

The reporters were less than satisfied with the outcome. Mr. Nelson said that it was "a sad commentary" when a news source had to give up a privilege to keep a journalist out of jail.

"It is still not a bell-ringing day for the First Amendment," Mr. Ostrow said. "The issue is still very much alive."

The Reporters Committee for the Freedom of the Press said that while the two newsmen and their bureau chief had escaped jail, the case nevertheless "represents a further serious erosion" of the First Amendment. The committee said:

"After all, two Federal courts did order The Los Angeles Times bureau chief to jail, and the only reason he escaped further imprisonment was not by the protection of the First Amendment but because a news source backed down on the confidentiality privilege."

STATINTL

20 DEC 1972

Times' Bureau Chief Jailed in Watergate Case

Lawrence, Now Free on Appeal, Refuses Judge's Order to Submit Data

BY ROBERT L. JACKSON
Times Staff Writer

WASHINGTON—A federal judge Tuesday jailed John F. Lawrence, The Times' Washington bureau chief, after Lawrence refused to submit tapes and other material relating to an interview last October with a key government witness in the Watergate bugging case.

About 2½ hours later, the U.S. Court of Appeals freed Lawrence from a basement detention cell in the federal courthouse until a special hearing on the case today.

Lawrence, 38, was cited for civil contempt by Chief U.S. Dist. Judge John J. Sirica for refusing to comply with the judge's subpoena, issued last Thursday, commanding that the materials be produced Tuesday.

"I'm deeply shocked that in America a professional journalist can be put behind bars even before there is a full hearing on an appeal," Lawrence said after his release.

'Issue That Has to Be Fought'

"This is an issue that has to be fought. We seem to be in competition with the free-trial idea, and the free-press side is not being given enough weight."

Lawrence said that although he had been well-treated, "It was a very emotional experience. I asked if I could say goodbye to my wife and they said, 'no.' It really dramatized that my liberty was being taken away."

Attorneys for The Times argued that certain unpublished portions of the five-hour taped interview with Alfred C. Baldwin III involved confidential information that the newspaper, at Baldwin's request, had agreed to withhold.

The Times also named as sources Nelson and Ronald J. Ostrow, who

conducted the interview, which was published on Oct. 5, told the court in sworn statements that this promise of confidentiality had helped them persuade Baldwin to be interviewed.

Tapes Sought by Defense

The tapes were requested by defense attorney William O. Bittman, representing E. Howard Hunt Jr., one of seven men indicted in the break-in and bugging of Democratic Committee headquarters (in the Watergate complex here) last June 17.

Bittman said the tapes could impeach Baldwin, an important government witness, if his trial testimony differed from statements made previously.

In the published interview, which ran several thousand words, Bald-

win told of monitoring tapped phone conversations from a listening post across the street from the Watergate complex.

Baldwin said also he had delivered sealed logs of some conversations to an official of the Committee for the Relection of the President but contended that he could not remember the man's name.

Government attorneys, who have granted Baldwin immunity from prosecution to testify as a government witness in the coming Watergate trial on Jan. 8, told Sirica they had no objection to the subpoena, which the judge had granted at the request of the defense.

Earl J. Silbert, chief assistant U.S. attorney, said the government had expressed its "strongest opposition" to Baldwin's granting such an interview.

Sirica, in denying a Times motion earlier Tuesday to quash the subpoena, said the newspaper's tapes could be useful to defense attorneys in testing the credibility of Baldwin as a witness. He said that a jury might want to compare Baldwin's trial testimony with

all previous statements he had made.

Attorney Timothy Dyk, arguing for the Times against the subpoena, said that confidential information given to reporters was protected by the First Amendment's guarantees of freedom of speech and of the press.

Such a "sweeping subpoena," he said, could set a dangerous precedent and harm gathering of information in the public interest from government officials as well as from other news sources.

Lawrence, although not involved in interviewing Baldwin, was named in Sirica's subpoena as the newspaper's representative. The court was told that the Times, and not Nelson and Ostrow as individuals, had possession of the Baldwin tapes and related notes and materials.

Lawrence told Sirica he had custody of a manila envelope containing the subpoenaed materials but that he would refuse to submit it on constitutional and other legal grounds.

Sirica then placed Lawrence in the custody of a federal marshal to be "incarcerated until such time as he purges himself of his contempt." Sirica denied a Times motion to stay execution of his order pending appeal.

Lawrence was the third newsman this year to be jailed on the issue of protecting confidential sources of confidential data.

The others were Peter J. Bridge, a New Jersey reporter who refused to answer grand jury questions that went beyond his story on a housing scandal, and William T. Farr, Times reporter who has refused to disclose which lawyer in the Charles Manson case provided him with pre-trial statements in violation of a court-imposed gag order. At the time, Farr was a reporter for the Herald-Examiner.

The appeals court today will consider whether

continued

A chilling effect on the press

By Brit Hume

WASHINGTON: Ike Kleinerman, a C.B.S. News producer, took a camera crew through the South recently to develop material for a documentary on the problems of children in America. He hoped to arrange an interview with a mother who could describe vividly how the welfare system, with its prohibitions against payments to families with working fathers, has encouraged the breakup of homes. He finally found just such a woman. She was a welfare client who spoke eloquently from experience of the system's inequities. She agreed to be interviewed on camera, but only with her face averted and with absolute assurances she would not be identified by name. She had been secretly harboring her husband in her home and feared this would be discovered if she spoke out publicly. Although promises to withhold names have traditionally been routine in journalism, Kleinerman called C.B.S. headquarters in New York to check. The matter was referred to the legal department, where the judgment was swift. Kleinerman was told not to give the requested assurance. The interview was canceled.

C.B.S.'s lawyers were reacting to the Supreme Court's 5-to-4 decision last June 29, in the so-called Caldwell case, that the First Amendment gives journalists no right to conceal the identity of their sources of information from a grand jury. The Court acted simultaneously in three cases of newsmen who had been subpoenaed to appear before grand juries to expand upon information that was in their stories. Two of the reporters, Earl Caldwell of The New York Times and Paul Pappas of WTEV-TV in New Bedford, Mass., had gained access to the inner workings of the Black Panther party. The other, Paul Branzburg of The Louisville Courier-Journal, had published an inside story on the drug trade which named no names. All three refused to identify their sources or to breach other confidences which they felt had made their reports possible in the first place. Pappas and Branzburg were ordered to testify by state courts and appealed to the Supreme Court. Caldwell was excused from testifying first by the Federal District Court in San Francisco and subsequently by the Ninth Circuit Court of Appeals, which ruled that even his appearance behind the closed doors of a grand jury room would damage his credibility with his Black Panther sources. The Government appealed his case to the Supreme Court.

Speaking for the majority, Justice Byron R. White wrote, "We are asked . . . to grant newsmen a testimonial privilege that other citizens do not enjoy. This we decline to do . . . We cannot accept the argument that the public interest in possible

future news about crime from undisclosed, unverified sources must take precedence over the public interest in prosecuting those crimes reported to the press by informants . . ."

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2
Speaking for three of the four dissenters, Justice Potter

Stewart argued that the Court "invites state and Federal authorities to undermine the historic independence of the press by attempting to annex the journalistic profession as an investigative arm of Government . . . when governmental officials possess an unchecked power to compel newsmen to disclose information received in confidence, sources will clearly be deterred from giving information, and reporters will clearly be deterred from publishing it because the uncertainty about the exercise of the power will lead to 'self-censorship.'"

Justice Stewart's prediction, of course, fits precisely the circumstances of the canceled C.B.S. interview. And the chilling effect of the decision on the network does not seem to be an isolated example. For instance, Paul Branzburg, The Louisville Courier-Journal reporter whose case went to the Supreme Court, was also subpoenaed by a second Kentucky grand jury in connection with another story. At the height of the controversy, he learned that marijuana use had become widespread among well-to-do adults in one large Kentucky community. He gathered material for a story on it mainly through interviews with persons who used the drug. The Courier-Journal, understandably concerned that this might lead to conflict with still a third grand jury, decided not to use it.

Nicholas von Hoffman, the Washington Post columnist who has written often about radical political activity, says he has had a long-standing policy of trying to avoid being present during any activity the Government might want to investigate. "I always thought there was no way we could resist subpoenas, even before the Caldwell case," he said. "When they first started talking about the Mayday

demonstration at a National Student Association convention a couple of years ago," von Hoffman recalls, "I just got up and left."

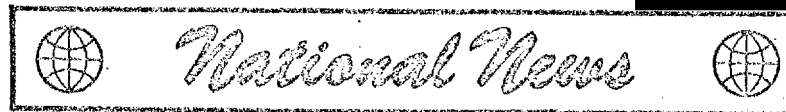
A well-known Washington freelance, whose work has appeared in this Magazine, told how he abandoned the idea of doing a magazine article about a friend, who he had discovered, to his astonishment, was deeply involved in the soft-drug traffic. Because the man had strong philosophical, rather than financial, reasons for his activity, the writer thought his case would be interesting. His friend was eager for the public to hear his views and agreed to cooperate if he were not identified. When the Court ruling came down, however, the writer changed his mind. "I never even considered doing it after that," he said. In fact, the writer was so intimidated by the prospect of being hauled before a grand jury to identify his friend that he insisted his name not be used in this article.

Although there is no indication that the Government still wants the testimony it sought from Earl Caldwell, the long court battle has left him uneasy. "When the Government issued the subpoenas," he says, "they asked for more than just my testimony. They wanted documents, tapes and notes. Since then, I have destroyed other tapes and notes and papers that I might have been able to use for stories. In some cases, I did taped interviews where I promised not to use the material until some future time. Now I've destroyed these kinds of things—things that might have been invaluable to me."

Caldwell thinks the decision will be especially hard on newsmen trying to cover the activities of disaffected blacks, who tend to be suspicious of the press. "We could never promise these people that our stories would get in the paper, or even that, if they did, they would come out the way they

continued

13 DEC 1972



CIA hand seen in Watergate scandal

WASHINGTON — A fake passport in the name of Edward Hamilton was reportedly found on Frank Sturgis when he was arrested during an alleged robbery and bugging of Democratic National Headquarters at the Watergate Office Building here June 17. The passport was reportedly faked by the CIA for former White House consultant E. Howard Hunt Jr., who is under indictment in connection with the scandal. Hunt is a former CIA operative.

Hunt was hired by Charles W. Colson, special counsel to Nixon and who also served on his re-election committee and now has tendered his resignation effective March 1. In addition, Colson was Nixon's labor liaison. The Teamsters Union has announced that it will switch its lucrative legal business to the law firm Colson is expected to join.

Another strange aspect of the Hunt-Sturgis link was brought to light with the death of Hunt's wife in the United Air Lines crash in Chicago last Friday. Her purse contained more than \$10,000 in neatly arranged bills. Police reported that one of the bills bore a written inscription: "Good luck. FS" — same initials as Sturgis'.

The federal indictment charges that Hunt was present at the Watergate at the time of the bugging but left before the police arrived and arrested five others, including Sturgis. At the time, Hunt was in charge of security for the Republican National Committee.

The Watergate trial is scheduled to open next month.

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DEC 13 1972

PROBER CITES \$10.585 IN AIR CRASH

Odyssey of Watergate Bills?

By Edmund J. Rooney
and Phillip J. O'Connor
© 1972 Chicago Daily News

CHICAGO, ILL. — An investigator who helped convict one of the Watergate bugging defendants told the Chicago Daily News Wednesday that \$10,585 found in a wrecked jetliner here may be part of \$109,000 missing in the break-in case.

Chief Investigator Martin Dardis of the Dade County state's attorney's office in Miami added that he believes the money came to Chicago via a transaction at a New York City bank.

"We were never able to trace \$109,000 of the Watergate money. It was all in \$100 bills and some of those bills found in Chicago could be part of it," said Dardis.

The wife of E. Howard Hunt, a defendant in the Watergate bugging break-in case in Washington, was carrying the \$10,585, including 100 bills of \$100 denomination.

Mrs. Dorothy Hunt, 52, of Potomac, Md., who was killed in last Friday's airliner crash, was coming to Chicago to visit a cousin, Harold A. Carlstead.

Dardis played a key role in the Dade County investigation of another of the Watergate defendants, Bernard Barker, who deposited \$114,000 in the Republic National Bank in Miami and then drew it out — in \$100 bills.

Barker and four of the other defendants were arrested at 2:30 a.m. last June 17 inside Democratic National Committee headquarters in the Watergate Hotel in Washington.

Barker had 53 bills of \$100 denomination in his possession when arrested. He and the oth-

er four persons were carrying electronic listening devices, cameras for photographing documents, burglary equipment and hand-held radios. The five wore surgical gloves.

Hunt was a \$100-a-day White House consultant until shortly before seven persons were indicted Sept. 15 in the Watergate break-in.

He and another former White House consultant, G. Gordon Liddy, who also was indicted, were not arrested inside the Watergate.

Dardis played a key role in the investigation that led to the conviction of Barker last month on charges of unlawfully notarizing a \$25,000 Republican campaign check. He received a 60-day suspended jail term in a bench trial.

Dade County State Atty. Richard Gerstein contended

that the \$25,000 was part of \$114,000 in donations to President Nixon's campaign that were used to finance the Watergate break-in. Both Hunt and Barker formerly served with the Central Intelligence Agency (CIA).

Dardis said he had done some investigation of the \$100 bills that were found in the wrecked jetliner in Chicago.

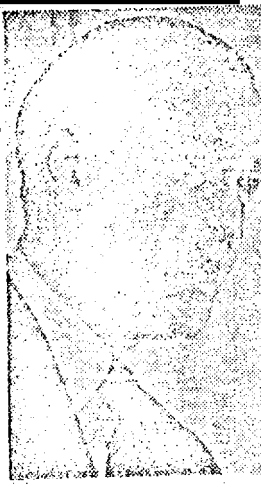
Dardis said that at least 20 of the bills started with the prefix B, which indicates they came from the federal reserve bank in New York City.

He also noted that two sets of the New York bills were in sequence and that this led him to believe that Mrs. Hunt or whoever gave her the money had obtained the cash from a New York bank before coming to Chicago.

Two of the \$100 bills Mrs.

Hunt carried bore inscriptions. One said "Good luck, FS." Investigators said this apparently stood for Frank Sturgis, another of those arrested inside Democratic National headquarters.

Helms to Resign As CIA Director



RICHARD HELMS
... out of the cold

2d-Term Revisions Continue

By Lou Cannon
Washington Post Staff Writer

KEY BISCAYNE, Fla., Dec. 2—Richard Helms will soon resign as director of the Central Intelligence Agency. He has been offered a new job by President Nixon and is expected to accept.

Helms' intentions became known in Washington today while the President was announcing here that he would retain his principal White House advisers but would accept the resignation of special counsel Charles W. Colson.

Presidential press secretary Ronald L. Ziegler announced that No. 1 assistant H. R. (Bob) Haldeman, domestic affairs assistant John D. Ehrlichman and foreign policy adviser Henry A. Kissinger would stay on in the second term.

Ziegler also announced the retention of eight other high-ranking officials, including himself, and the anticipated resignations of counsellor Robert H. Finch, deputy counsel Harry S. Dent and special assistant Robert J. Brown, the highest-ranking black in the Nixon administration.

Donald H. Rumsfeld, director of the Cost of Living Council, will be given an unidentified "major new assignment," Ziegler said. Rumsfeld has been mentioned frequently as a likely choice to replace George Romney, who resigned early last week as Secretary of Housing and Urban Development.

Mr. Nixon pledged Monday at Camp David that he was going to "change some of the players and some of the plays" in an effort to prevent his administration from "coasting downhill" in its second term. Most of the announcements during the week have been of administration holdovers, and Ziegler conceded that the appointments have not amounted to a "traditional shakeup."

Instead, Ziegler said, the various changes in assignments will produce "more efficiency" in the White House and "allow us to get the job done better."

The full list of holdovers announced by Ziegler today includes Haldeman, Ehrlichman, Kissinger, Ziegler, congressional liaison man William E. Timmons, special consultant Leonard Garment, director of communications Herbert G. Klein, counsel John W. Dean III, personal secretary Rose Mary Woods and speechwriters Raymond K. Price Jr., Patrick J. Buchanan Jr. and William Safire.

Ziegler also announced that Roy L. Ash, the newly appointed director of the Office of Management and Budget, would be made an assistant to the President, a designation which means that he will be available to take on special assignments in addition to directing the budget office.

Helms got into intelligence work in World War II as a young naval officer assigned to the Office of Strategic Services. He joined the CIA when it was formed in 1947, and has remained there ever since. He rose to the position of deputy director after an assignment as the director of CIA's covert or "black" operations.

President Johnson picked him to head the agency in 1966 as a replacement for Adm. William F. Raborn Jr.

Helms' reputation as a "professional" in the intelligence community and in the

Washington has been high. A newspaper columnist wrote a common judgment in 1966: "(He) fits none of the stereotypes of the spy thriller and the innumerable spy films of recent years. Slender, soft-spoken, modest in demeanor... he is not even a distant relative of James Bond."

While no information was available last night on a new assignment for the 59-year-old Helms, it was determined that he regards the President's new offer as a promotion from his present job.

There was speculation, too, that Helms might be replaced by James Schlesinger, who is presently chairman of the Atomic Energy Commission. Schlesinger is highly regarded by the White House and played an important role in evaluating and helping to reorganize the government intelligence community after Mr. Nixon took office.

The Washington Post reported on Nov. 25 that Colson, a controversial troubleshooter who served as liaison man to labor and ethnic groups during the election campaign, would be leaving the White House to resume private legal practice in Washington. He most likely will join a firm headed by his old partner, Charles H. Motin, who said that he and his partners would "welcome him with open arms."

Ziegler said that Colson will remain on the White House staff for at least 60 days to help with transition to the second term.

Finch, who said two weeks ago that he was returning to California with an eye on running for either the governorship or U.S. Senate, is to hold a news conference in Washington Tuesday to discuss his formal plans.

Dent will return to his legal practice in South Carolina and Brown to his business in North Carolina, Ziegler said.

3 DEC 1972

FOUR DEPARTURES CONFIRMED**Top White House
Team to Remain**

STATINTL

By GARNETT D. HORNER
Star-News Staff Writer

KEY BISCAYNE, Fla.—President Nixon disclosed yesterday that a dozen senior members of his personal staff at the White House will carry on into his second term.

Presidential assistants Henry A. Kissinger, H. R. (Bob) Haldeman and John D. Ehrlichman and press secretary Ronald L. Ziegler are among the best-known names on the still-incomplete list to be retained in essentially their current positions.

Ziegler announced Nixon's decisions regarding the dozen key staffers even as it was learned authoritatively that what he called the "substantial" cut planned by the President in the total personnel of his executive office could approach 50 percent.

The press secretary told questioners: "I really don't want to lock the President or anyone in the White House to specific percentage figures."

Personnel Totals 1,600

Sources familiar with the second-term planning still in process indicated the goal is to cut as nearly in half as possible the total of more than 1,600 personnel in the "Executive Office of the President." That includes such elements as the Office of Management and Budget, the Council of Economic Advisers and so on, as well as the 500 or so in the White House office itself.

Ziegler confirmed yesterday that four staff members whose departure has been widely anticipated will be leaving soon—counsellor Robert H. Finch, special counsels Charles W. Colson and Harry S. Dent, and special assistant Robert J. Brown, who is the highest ranking black on the staff.

Besides Kissinger, Haldeman, Ehrlichman and Ziegler those listed yesterday as staying on for the second term were:

Herbert J. Klein, a long-time Nixon associate serving as director of communications for the Executive branch.

William E. Timmons, assistant to the President for congressional relations.

Leonard Garment, special consultant to the President who is especially concerned with civil and human rights affairs.

John W. Dean III, counsel to the President whose investigation satisfied Nixon that none presently employed by the White House was involved in the Watergate break-in case.

Rose Mary Woods, who has been personal secretary to Nixon since 1950.

Special assistants Raymond K. Price Jr., Patrick J. Buchanan and William L. Safire, who have made up Nixon's primary speech writing team but whose roles "may change somewhat," according to Ziegler.

Ehrlichman Role Changed

Kissinger, assistant to the President for national security affairs whose role in Vietnam peace negotiations and in arranging the Peking and Moscow summits brought him much into the public eye, was getting his final instructions from Nixon for a new round of secret peace talks in

Paris Monday when his continued retention as the President's right-hand man in foreign policy was announced.

Haldeman, known as the White House chief of staff, and Ehrlichman, Nixon's top domestic policy aide, have been working closely with the President here this weekend as they have for weeks on plans for restructuring the staff and devising ways to make the government operate more efficiently.

One step Nixon has decided on, White House officials said, is to split Ehrlichman's job, in effect to free him to devote more time to managing the handling of major policy issues that cut across departmental and agency lines.

Ehrlichman will continue to act as chairman of the Domestic Council, but his duties as director of the council staff, overseeing day-to-day activities, will be taken over by Kenneth R. Cole Jr., who will be promoted from deputy director to director of the council.

New Rumsfeld Assignment

Donald Rumsfeld, counsellor to the President and director of the Cost of Living Council, "will be taking on a major new assignment" in Nixon's second term, Ziegler dis-

Ellsberg Pins a Plot on Watergate Figure

By THEO WILSON

Staff Correspondent of THE NEWS

Los Angeles, Nov. 29—A former CIA agent, arrested during the burglary-bugging attempt at Democratic headquarters at the Watergate complex in Washington also plotted to attack and "defame" Daniel Ellsberg at a public rally in Washington, defense attorneys at the Pentagon Papers trial here charged.

At a court hearing tomorrow, they will ask the trial judge to hold an evidentiary hearing to determine whether the former agent, Bernard Barker, was working under government orders at so, to dismiss the time and if the conspiracy-espionage indictment against Ellsberg and co-defendant Anthony Russo Jr.



Bernard Barker

The defense has also moved to dismiss the indictment "because of gross misconduct by the vice president of the United States" who made "highly prejudicial and inflammatory comments concerning the motives, the guilt and the patriotism of the defendant."

This was a reference to Spiro Agnew's remarks on a national

television program, when he intimated that he saw no difference between the Watergate affair and the Pentagon Papers case.

Ellsberg's chief attorney, Leonard Boudin, said in his papers that "the strong inference exists from the facts now available that the responsibility for the said conspiracy and prejudice rests with the government."

New Jury Asked

U.S. District Court Judge Matt Byrne Jr. has scheduled argument tomorrow on a defense motion for a mistrial and for the swearing in of a new jury.

The defense lawyers contend that while the trial was delayed pending litigation over a government wiretap, the jurors could not avoid becoming prejudiced, since they were in recess during the political campaign. The lawyers said that the Vietnam war was an issue and the jurors had to become involved in the political debate over it.

They also noted that a new jury

now could include persons in the 18-to-20-year-old group. When the present jury was sworn, this age group had not yet been included in federal panels.

Opposing the motion for mis-

trial and dismissal of the indictment, the government has contended that the jurors were under orders during the recess not to discuss or read about the case, and that selection of a new jury would create unnecessary delay and expense.

Judge Byrne has called the 12 regular and six alternate jurors to his court on Friday, when he is expected to question them about their ability to continue to serve.

He has set Dec. 6 as the tentative date for resuming the trial, with opening statements to the jury by Assistant U.S. Attorney David Nissen.

STATINTL

The 'Watergate caper' — a postelection look

STATINTL

By Robert P. Hey

Staff correspondent of The Christian Science Monitor

Five months after the attempted bugging of the Democratic National Committee's headquarters in Washington, the American public remains baffled. Who ordered the bugging? How widespread is political espionage? And, more important: What is the likely impact of Watergate on Americans' faith in their political process? First of four articles.

Washington

TO OUTWARD APPEARANCES IT WAS A typical lazy Saturday, spring's last. Downtown in Washington clouds of tourists swirled around gleaming monuments. Out in suburbia homeowners bartered postdandelion lawns. But for tourists and Washingtonians alike the news last June 17th would prove anything but typical. As the day wore on startling information filtered down to Americans slowly, like rain through a forest canopy: In the dead of night five men had been arrested inside Democratic national headquarters. They were carrying devices for wiretapping telephones, several crisp \$100 bills, and cameras. And they were wearing rubber gloves, which would leave no fingerprints.

Precisely who had sent them, Americans in and out of Washington immediately wondered? What were they trying to find out? Where did their money come from? Finally — what part, if any, did the Republican Party play in all this? It was, after all, an election year.

In the five months since then the issue has waxed and waned. Days of accusatory headlines have alternated with oft-limited denials and periods of quiescence. Charges of politics repeatedly have hurtled through the air; "Watergate" became a major issue in the McGovern presidential bid.

Issue is rising again

Now that the election is over, the issue is on the ascendancy again in Washington. In the offing are: trial of seven Watergate bugging defendants, scheduled to begin Jan. 8; one or more congressional committee investigations, also likely to begin in the near future.

This time the issue walks hand-in-glove with far deeper questions of ethics in politics and of citizen faith in the political process.

One of the most serious questions is: Was Watergate an isolated incident, as Republicans maintain? Or was there a widespread Republican effort to conduct espionage against Democratic presidential candidates this year and sabotage their campaigns, as several publications have charged? These journalistic allegations were followed by a series of changes from individual Americans that efforts had been made to recruit them to conduct such sabotage.

(Late last month White House press secretary Ronald L. Ziegler denounced the Washington Post, which has made many of the charges, for what he called "a vicious abuse of the journalistic process" in its allegations of widespread Republican sabotage against Democratic candidates.)

But the Republican denials have not as yet covered the full range of accusations. And if there should be proven to be any truth to charges of widespread campaign sabotage, it is thought here, government and its leaders will have suffered yet another blow to their credibility — a blow they can ill afford.

In Mid-November a Harris poll reported that public confidence in leaders of government continued at a low ebb, down significantly from only six years ago.

Public confidence drops

According to this poll only 28 percent of Americans questioned said they had a great deal of confidence in the U.S. Supreme Court, only 27 percent in the federal executive branch (which includes the presidency), and only 21 percent in the Congress. This was significantly lower than the support expressed for national leaders in a 1968 poll; this decline paralleled the drop in public confidence generally in private institutions, as measured by the same Harris poll.

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President's Counsel Accuses the Washington Post and C.B.S. of 'McCarthyism'

By ROBERT H. PHELPS

Special to The New York Times

KENNEBUNKFORT, Me., Nov. 12—Charles W. Colson, special counsel to President Nixon, accused The Washington Post and the Columbia Broadcasting System last night of "McCarthyism" in their reports of the bugging of the Democratic National Committee and allegations of Republican efforts to "sabotage" the Democratic Presidential primaries.

In a rare public appearance, the key Nixon assistant told the annual convention of the New England Society of Newspaper Editors at the Shawmut Inn that The Post and C.B.S. had been "unconscionable" in the way that they had "printed, reprinted and eventually reported as a fact that which was indeed not a fact" regarding the attempted bugging of the Democratic headquarters at the Watergate Hotel in Washington and the alleged disruption of the Democratic primary campaign.

Specifically, Mr. Colson cited a Post article reporting that H. R. Haldeman, President Nixon's top assistant, had had access to a "secret fund" used

to disrupt the opposition. Mr. Colson complained that The Post had repeated the charge without mentioning denials by Mr. Haldeman and by Hugh Sloan, the former finance chairman of the Nixon drive, who allegedly was the original source of the article.

Mr. Colson, who played a major role in directing the campaign to re-elect President Nixon, singled out Benjamin Bradlee, the executive editor of The Post, for his harshest criticism.

Describing Mr. Bradlee as the "self-appointed leader of a 'tiny fringe of arrogant elitists'"

in journalism, Mr. Colson added:

"If Bradlee ever left the Georgetown cocktail set where he and his elitist buddies dine on third-hand information, gossip and rumor, he would discover the real America. He might learn that all truth and knowledge does not emanate exclusively from The Post, The [New York] Times, and the networks; and that all of the rest of the country isn't just sitting around waiting to be told by these select few what they are supposed to think."

Mr. Colson also denounced C.B.S. for its handling of the

commentator, for two programs on the Watergate case, "rehashing all of the old charges, coming up with no new information and noting only a selective few denials." Fifteen minutes of the 22 minutes of the first program were "unlabeled editorial," Mr. Colson said.

"Thus," he charged, "The Post and C.B.S. employed tactics similar to those attributed to their old archenemy of the nineteen-fifties [the late Senator Joseph R. McCarthy], engaging in the identical kind of unproven innuendo they found so shocking 20 years ago."

Mr. Colson attributed The Post's handling of the Watergate story to the paper's desire to prop up the sagging campaign of Senator George McGovern. He suggested no motivation for C.B.S.'s coverage.

The tragedy of The Post's handling of the Watergate story, Mr. Colson concluded, was to "erode somewhat public confidence in the institutions of government; and it also eroded as well the confidence of a lot of fair-minded persons in the objective reporting of The Washington Post."

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Carl Rowan

Errors in GOP Campaign

WASHINGTON — If tomorrow's balloting produces the Nixon landslide which some pollsters expect, we may spend a lot of years asking why the President ran so scared that he permitted the trampling of historic principles and protections.

All incumbent Presidents have used their appointees and other resources of government to try to win reelection. They have fanned surrogates out on the campaign trail, but almost always they used only those Cabinet members (the Attorney General, e.g.) and assistants who were clearly understood to be politicians-in-waiting.

BUT IT BODES future ill for the nation when the Secretary of State and the Secretary of Defense are pulled into naked political hucksterism. It injects a special measure of political poison into the foreign policy dialogue when a political campaign is festooned with the voice of a Secretary of State who has otherwise hardly been heard from for four years.

The assumption is that Secretary of State William Rogers will now go back to civilian pursuits.

The FBI's directive to field stations to provide data that John Ehrlichman and other Nixon aides could use in the campaign is an even more serious matter, as Ehrlichman admits publicly.

I won't ask how, then, in the name of sanity, an FBI struggling to regain the confidence and adulation of all the people

could make the colossal error of helping the political campaign of the incumbent President. I know how. Ehrlichman and his associates in the White House are known to play rough.

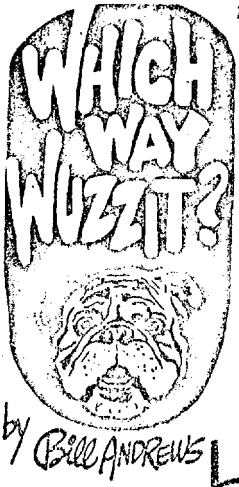
But the FBI will survive this misadventure. Even though it may be pressured toward new indiscretions if the same insensitive characters hold power for four more years, the FBI is going to move back to a posture where it espouses no social, economic or political ideology, and it plays footsie with no political party.

Perhaps the most ominous development of all is the extent to which 1972 turned American politics into a sort of CIA-vs.-the-KGB operation — no ideological comparisons intended.

Now that we've had the Watergate burglary and bugging caper, the revelations that Donald Segretti was running a massive campaign to sabotage Democratic candidates, and overwhelming evidence tying this espionage, thievery and sabotage to the White House, you can wager that in future campaigns anything will go.

THE THIRST for power, suspicion, intrigue, will combine to diminish the little respect that remains for rights of privacy in this society.

Before this nation pays the final price even a retired Richard M. Nixon may one day look back and ask: "Was winning worth all that?"



DAILY WORLD 11/4/72

THE ACCUSED LEADER OF THE BREAK-IN AT DEMO. NAT'L HDQTERS SAID HE'S "ALWAYS DEALT WITH THE PARA-MILITARY, THE INTELLIGENCE MOVEMENT, THE PEOPLE WHO LIVE BY THEIR WORD."

"MORNING FRED...
WHAT'S THE
GOOD WORD?"

CENTRAL
INTELLIGENCE
AGENCY

I DON'T KNOW-
I'M DECODING
IT NOW!

X	=	C
9	=	
0	=	E
4	=	T
M	=	S

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The Nixon Paradox

By James Reston

The two things that have preoccupied President Nixon most of his waking hours for the last two years have been winning the war in Vietnam and winning re-election to the Presidency. Both have been hard, ambiguous and agonizing problems, but the contrast between his handling of the war and his direction of the election campaign is startling.

On Vietnam, he has argued, not for victory but for a compromise that would endure, not merely for a cease-fire, but for practical arrangements between the contesting forces that would move from confrontation to negotiation and cooperation but finally to what he calls "a generation of peace."

In the election struggle with the Democrats, he has much the same problem. But while he has talked endlessly about "peace with honor" and the future in Vietnam, he has said nothing about "victory with honor" in the election, and what may come after.

While the President has been considerate of the future in Vietnam, and willing to compromise with the Communists, he has used every trick in the book, and quite a few that have never been in the book, to defeat the Democrats in the election, without regard for the future when they may still be in control of the Congress.

This is one of the mysteries of this election. The President has won but is so used to losing that he doesn't know it, and is now pressing hard for a landslide that he may win, but in the process so antagonize the Democratic majority in the Congress that he cannot govern effectively in the next four years.

On the whole, Washington is very tolerant of the easy ethics and even

dirty tricks of Presidential politics. Everybody understands why the President doesn't agree to debate George McGovern, though most of them think he would do all right if he did. And they're all used to the deceptions of campaign finances.

But this campaign has moved from Tammany Hall dirty tricks to guerrilla warfare, espionage and sabotage, bugging and burglary, and while the Democrats concede that they have run a poor campaign, and maybe even that they deserve not to win, they resent and even hate the C.I.A. tactics that have been used against them, and will probably carry their resentment into the next four years.

It will be interesting to see how the President deals with this dual problem in the last few days of the campaign. He is insisting that he will not sign an ambiguous peace with the Communists in Vietnam because, while this would help him in the election, it would create trouble later on. Look to the future, he says.

At the same time, he is being asked to look to the future beyond the election at home, answer the charges of financial corruption, espionage and sabotage, and go on to an honorable victory that will win the respect and cooperation of the Congress and the people in the coming years.

The important thing now is that, if he is going to win, that he should win clean and fair, but while he is now riding high, he is in trouble of winning both in Vietnam and in the election under circumstances that will hound and defeat him in the next four years.

For the moment, he is following what he calls his "game plan," but this comparison between sports and politics is not really very accurate. For he is playing to win in the election and in the Vietnam peace talks, but not regarding how he will live with the consequences.

The polls tell us that he is still not very popular personally but that he is going to win by a landslide. They also tell us that the Democrats have outregistered the Republicans three to two, but that Senator McGovern may lose every state in the Union, and that his only chance of avoiding a shut-out lies with the people who know Mr. Nixon best—in California and the District of Columbia. It is an extraordinary paradox.

Still, when it is all over, Mr. Nixon has to deal with the practical problems, and will need some trust, if not affection, to deal with them. His problem now is not whether he can win next week, but whether he can win in such a way that he will be able to govern effectively in the next four years, and so far he has not addressed

STATINTL

Capitol Punishment

A Small Favor

By Art Buchwald

If Richard Nixon wins the election next week, most of the credit will go to Lu Doc Toy who heads the "Communists For Nixon" Committee in Hanoi.

Lu Doc Toy who, until this election, always voted the straight Communist party ticket, decided to support Nixon this year because he said, "I'm sick and tired of having my kids bused along the Ho Chi Minh Trail."

Having made the decision, Lu Doc Toy contacted the Committee for the Re-election of the President in Washington which sent one of their top CIA men to Hanoi to help him in the campaign.

Lu Doc Toy told the CIA man, "I need bumper stickers, buttons, posters and a secret fund to get the Communists For Nixon off the ground."

The CIA man said, "We've written off North Vietnam as far as electoral votes go, but you could help us tremendously in getting the President re-elected with a small favor."

"What can I do? Lu Doc asked.

"Arrange a peace treaty with the U.S. a week before the elections."

"It's done," Lu Doc Toy said. "My cousin is a member of the Politburo and he owes me a favor."

Lu Doc Toy went to see his cousin Ton Son Not in his bomb shelter the next day. During a 15-minute break in the bombing he said, "Ton Son Not, as you know I am head of the Communists For Nixon and I have a small favor to ask of you."

"You have dishonored your ancestors. Lu Doc Toy," Ton Son Not said. "How can you support a man whose party would bug the Watergate?"

"It was a prank," Lu Doc Toy said. "Everyone does it during an election year. Besides Nixon knew nothing about it."

"That's what all the Communists For Nixon say. But we know differently. Besides, how could you work for a man who said he would stop the war in 1968?"

"Exactly," Lu Doc Toy said. "That's what I came to speak to you about Nixon wants to stop the war again, only this time *before* the election."

"It's a trick," Ton Son Not said. "What does he want in exchange for it?"

"Nothing we wouldn't have given him in 1968. It's the same deal that was offered to him then."

"But why now? I thought the U.S bombing was working."

"Who knows what goes on with those cockamamie Americans? But I'm giving it to you straight. If you people say okay Nixon will send what's-his-name to Paris to sign the deal."

"Wait a minute," Ton Son Not said, "If we agree to a peace settlement, that means we'll have four more years of Nixon."

"Look, Ton Son Not," Lu Doc Toy said, "We hold the key to the American presidential election in our hands. We have to decide whether we want Nixon for President and a generation of peace, or whether we want the misguided, badly thought out, socialistic programs of George McGovern."

The bombing started again. "WHAT ABOUT THIEU? WILL HE GO ALONG WITH IT?" Ton Son Not yelled.

"DON'T WORRY ABOUT THIEU," Lu Doc Toy yelled back. "HE'LL DO ANYTHING NIXON ASKS HIM TO!"

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STATINTL

Trial of Watergate Suspect Opens in Miami Tomorrow

By JEREMIAH O'LEARY
Star-News Staff Writer

MIAMI, Fla.—Watergate defendant Bernard L. Barker will go on trial here tomorrow on a Florida criminal charge stemming from his handling of a \$25,000 Republican campaign contribution check two months before the burglary of Democratic National Committee headquarters.

The way was cleared for the trial to begin before Dade County Criminal Court Judge Paul Baker when defense attorneys headed by Henry Rothblatt exhausted their attempts to obtain a dismissal of the charge or a delay in the trial.

The trial will be the only public airing of any facet of the Watergate case before voters go to the polls next Tuesday. The criminal trial of Barker and six others indicted in the Watergate break-in will not take place until Jan. 8. Various Congressional committees have been unable to get public hearings launched into the political espionage case before the national election.

Prosecutor David Goodhart

and Rothblatt appeared before Baker yesterday and the jurist denied a defense motion for dismissal of the charge. Rothblatt then went before Miami Federal Court Judge Peter Fay and withdrew an earlier motion for a temporary injunction to restrain the state of Florida from going ahead with the trial of Barker tomorrow.

Barker is charged with violation of a Florida law which makes it a third-degree felony to misuse a notary public seal. Barker, who is a real estate man, a notary and a former operative with the CIA in anti-Castro Cuban movements, faces up to five years in prison if convicted.

The case against Barker made by State Attorney Richard E. Gerstein is that the Miami man attempted to cash a \$25,000 check in a Florida bank last April by authenticating with the notary seal the endorsement of another. The cashier's check was made out to Kenneth Dahlberg, a key midwest fund-raiser for the committee for the Re-election of the President. Gerstein

charges that Barker did not know Dahlberg and never saw him endorse the check.

It has never been explained how the \$25,000 check came into Barker's possession. Barker also cashed four other checks that has passed through CREP, totaling \$39,000. These checks originated in Texas, were reissued or "laundered" in Mexico City, and went to CREP headquarters in Washington before ending up in the hands of the Watergate group leader.

The trial is expected to be of short duration since Rothblatt has waived a jury trial.

Letters To The Editor

Mixed Bag of Sleuths

As a reader who occasionally pursues a news article to the last paragraph, I am amazed that no government agency, no columnist, no editorial writer, apparently no citizen, seems to have read the first Post article on the Watergate affair to the end. Did no one else note that two of the five "burglars" caught there are longtime friends, associates, and employees of Jack Anderson, and that Anderson went their bail and invited them to his home upon their release?

Barker and Sturgis, it was noted casually in the last paragraph, are "soldiers of fortune," frequently employed by Jack Anderson.

I am an admirer and regular reader of Anderson's column, but I cannot avoid the impression that some of his material is obtained by means other than the "press release." Anderson has been strangely silent on the subject of the Watergate affair, offering merely an infrequent comment on its scandalous nature.

I offer these observations only to suggest that, rather than a wholly Republican or wholly free-lance operation, the Watergate break-in may have been a mixed bag that included "investigators" of diverse backgrounds and interests.

RICHARD E. GRANT.
Alexandria.

30 OCT 1972

Approved For Release 2001/03/04 : CIA-RDP80-01601R

NATIONAL AFFAIRS



McGovernites' index card on Segretti

The Story Of a GOP Trickster



Szhlik: \$2,000 from a 'chipmunk'



Haynie © Louisville Courier-Journal

'Oh, you naughty little devils, you!'

The great gummy fungus called the Watergate case refused to curl up and die. Day by day, new details appeared, confirming the existence of a well-financed, well-organized eighteen-month GOP campaign to defame and confuse the Democratic opposition through espionage, legal and otherwise. Last week NEWSWEEK uncovered a new Republican operative—a Midwestern political sabotage agent who says he was recruited, coached, supplied and paid at least \$2,000 by the GOP's amateurish spymaster, Donald H. Segretti. A telephone link was established between Segretti and the home and White House office of Dwight Chapin, appointments secretary to the President. If the President had not been directly soiled by the case so far, his Administration and party certainly had been—and George McGovern was riding the issue hard (page 36) as his last best hope of giving Mr. Nixon a race by Election Day.

From the White House last week came a new chorus of who-me piety: "If anyone had been involved in such activities, they would not long be at the White House," said press secretary Ron Ziegler, because espionage is "something we don't condone and won't tolerate." Up Pennsylvania Avenue, however, at the offices of the Committee for the Re-election of the President, the strain was beginning to tell. To prevent further leaks to the press, documents were shredded, and staffers were put to work spot-tailing other staffers ("We don't want them sleeping around," said personnel chief Robert Odle). Campaign manager Clark MacGregor was trotted out on White House orders to denounce The Washington Post, and read out loud in the White House which he would field no questions—that

the Democrats were engaged in hanky-panky themselves. The strains of the Watergate affair had set off a fiery new round in the four-year-old running battle between the Administration and the press, as well as intense competition among the media to break the latest tidbit of revelation (page 76).

All week long, fresh details came to light about the manifold activities of the mercurial Segretti, who had gone into hiding once his name surfaced two weeks ago. Telephone records disclosed that at least 28 calls from Segretti's Los Angeles home—or charged to his toll card—were put through last spring to Dwight Chapin's home, or to the White House, or to the home or office of former White House consultant E. Howard Hunt, who was one of the seven men indicted for the Watergate break-in.

Boss: Chapin's name on the call list offered circumstantial support, at least, for the earlier report by a friend of Segretti's that Segretti had named Chapin as his White House contact. And political insiders found it nearly impossible not to look beyond affable Dwight Chapin to H.R. (Bob) Haldeman, the President's chief of staff, who has been Chapin's boss and tutor for ten years, first at the J. Walter Thompson advertising agency and now at the White House. "Dwight didn't do a thing without Haldeman's authority or approval," a former Nixon aide noted last week. Chapin, who had been a friend and classmate of Segretti's at the University of Southern California where they had played a front-line role in campus political wars (following page), ducked reporters' questions with a "no comment," but the White House to worry, one staffer said, so he's

walking around trying not to worry."

Whatever his connection with Chapin, Segretti clearly had a contact somewhere in the White House. He had jumped into big-time politics in 1962, while still an undergraduate, working with Chapin and fellow USC man Ron Ziegler on Mr. Nixon's unsuccessful gubernatorial campaign. Segretti spent a year in England after leaving USC, picked up a law degree at Berkeley and in 1968 entered the Army for three years, ending up in the Judge Advocate General's corps in Vietnam.

Back in the U.S. in February of 1971, while still in the service, he was invited by a White House official to lunch at the Golden Table, a restaurant just down the street from the State Department. A former CIA operative was also present: the purpose of the lunch was to check out Segretti for a possible role in the political intelligence operation then being put together by Administration aides. The ex-CIA man seemed unimpressed, but Segretti was evidently hired anyway. For the last half of 1971 he waterbugged around the country—Portland, Ore., Albuquerque, N.M., New York City, Manchester, N.H., Knoxville, Tenn., Tampa, Fla., as well as Washington on several occasions.

Early this year Segretti evidently turned up in the Middle West with a supply of funds and authority to hire agents. One of his top recruits, NEWSWEEK's Nicholas Horrocks and Tom Joyce learned last week, was Charles Szhlik, 24, of Indianapolis, a former Young Republican leader and currently a state deputy GOP chairman. Szhlik told friends that Segretti, using the cover name Simmons, called Szhlik in early 1971 and offered him the name of Szhlik's friend Thomas Visny. (Visny, accord-

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continued

ing to Szihlik, had been hired by Segretti to run a campaign in Illinois (he died in a car crash earlier this month.) The two met for breakfast at the Howard Johnson motel in downtown Indianapolis, where "Simmons"—a short, shrimpy guy with heavy glasses, who looked like a chipmunk," Szihlik told friends—asked if Szihlik would be interested in projects such as disrupting political rallies or "planting people in Democratic headquarters and getting stationery from Democratic headquarters." The object, Simmons said, "is to swing the convention to McGovern . . . to literally destroy strong candidates like Muskie." McGovern was thought to be the weakest Democratic challenger for Mr. Nixon in the fall.

Szihlik agreed "for the fun of it" and was fitted out with cloak and dagger. Szihlik told friends that Simmons gave him two phone numbers where he could be reached, one in Los Angeles and the other in Alton, Ill., and a box number in Los Angeles as a mail drop. Simmons was never there to receive calls, Szihlik told friends, but he always got the word and called back. Simmons told his agent to recruit only close friends, and to maintain a single contact rule—each man was to know only the man who hired him. Money was unlimited, Simmons said, and he would cover all expenses with no vouchers necessary.

Simmons's plans were considerably more grandiose than anything his agents were able to deliver. Though it isn't known if he got his hoped-for disruption of rallies and discombobulation of campaign schedules, he did get a few piles of stationery and some secondhand dossiers—covering everything from bank loans to sexual peccadilloes—on Indiana's Democratic convention delegates. Szihlik and his sub-agents distributed phony posters sent by Simmons ("A vote for Muskie is a vote for busing") in the Indiana, Illinois and Wisconsin primaries in an effort to sabotage Muskie. But the Midwestern project did not go well. Simmons complained to Szihlik that Visny in Illinois was "bleeding him dry" with very small results. Szihlik himself began to feel doubtful about his role ("You're messing with the very political party structure of this country") but he held on long enough to collect a \$2,000 payoff "for expenses" from Simmons in Chicago in April. Szihlik did not know "Simmons" as Segretti until newspaper photos appeared last week; he has confided to friends that he will testify if subpoenaed.

GOP on Parade: Segretti apparently also dabbled with the notion of becoming a political infiltrator himself. A McGovern campaign worker in California disclosed last week that someone using Segretti's name, address and phone number appeared at McGovern headquarters in Santa Monica three days before the June 6 primary and volunteered to join a bicycle parade for the senator. According to the campaign worker's notes, the McGovernites called Segretti at his waterfront home in New York City and asked about a dozen times thereafter to ask him to canvass or distribute leaflets. On the few times he was home, he usually

he ever involved himself beyond that. While Segretti was allegedly operating under cover agents against the Democrats, other Republicans were operating in more traditional but no less deliberate ways to spike another set of rivals, George Wallace's American Party. Wallace, in early White House calculations, was seen as a substantial threat to Mr. Nixon, a drain of right-wing votes that could throw a close state contest to the Democrats. Accordingly, in southern California, where the American Party has considerable appeal, Los Angeles adman (and GOP functionary) Robert Walters told NEWSWEEK's Stephan Leshner that he hired mercenaries to go door to door a year ago trying to persuade American Party members to switch registration to either major party. Had they been able to reduce the American Party's registration to less than 11,000 (it was then 44,000), the party might have been dropped from the ballot. Then, after Wallace's shooting this year, his campaign director, Charles Snider, was invited to Washington by William France (a former Wallaceite now tied in with John Connally's Democrats for Nixon) and offered what Snider called "a rather responsible position in government" on the understanding that he would abandon Wallace. Snider later called an American Party leader named William Shearer and told him he could "write his own ticket" as a Republican—especially if his own party decided not to name a Presidential

candidate.

Polls: Whether the issue of political espionage was the reason the two weeks before Election Day remained to be seen. A Louis Harris poll released last week found that 62 per cent of the voters dismiss the Watergate affair as "mostly politics" and that a 50-25 majority does not believe that "White House aides ordered the bugging." But the Harris poll was taken before the latest revelations of political sabotage and before the Segretti-Chapin link was disclosed. And last week some Republican campaigners were plainly running slightly scared. "It could cost Nixon California," groaned one anxious GOP man recently returned from the field, "and it could cost us the Northeast."

Given the apparently enormous Nixon lead, it would seem to require a massive turnaround of public opinion for the espionage scandal to throw that much political weight. The Democrats hoped that perhaps the Watergate hunt might still bag bigger game. With the telephone connection established between Segretti and Chapin, it would not be impossible for the chain to jump one link higher to Haldeman. Belling the President would be something else again—though Mr. Nixon has already had to make at least one adjustment. A few months ago, an awed White House insider said, "There isn't anything that goes on in the White House that the President doesn't know about." That's one boast the GOP isn't making any more.

THE WHITE HOUSE OLD-BOY NET

As the Kennedy Administration bore the brand of Harvard, so the Nixon White House carries the unmistakable stamp of the University of Southern California. An extraordinary old-boy net links the campus in Los Angeles with the current staff at 1600 Pennsylvania Avenue. White House praetorians John D. Ehrlichman and H.R. (Bob) Haldeman were USC classmates back in 1946. Presidential press secretary Ron Ziegler and his advance man, Tim Elbourne, were fraternity brothers at USC's Sigma Chi chapter. Another of their classmates (1961) was Michael Guhin, who is now an aerospace adviser for the National Security Council. And the same old-school ties bind the President's personal appointments secretary, Dwight Chapin, USC class of '63, Haldeman's assistant, Gordon Strachan, '63, and Donald H. Segretti, also '63—the man Federal agents have fingered as a political espionage agent for the GOP. Through Haldeman, both Chapin and Ziegler made their way to the J. Walter Thompson ad agency—and later to the White House.

Chapin, Segretti, Guhin and Ziegler were all big men on campus. They were members of the campus service organization called the Trojan Knights, among whose duties was guarding Tommy Trojan, the campus statue, before the big football game each year. Chapin also was a member of a campus political club, a group called Trojans for Representative

Government; Guhin was its president, and Segretti its successful candidate for the student senate. Among TRG's covert activities: ripping down campaign posters of opposition candidates, stealing opposition leaflets, stuffing ballot boxes and packing the student court so as to quash any complaints that were brought against them.

But the opposition always seemed to do them one dirtier—and therein, perhaps, lay a lesson for the future. "We spent a lot of sleepless hours trying to keep the opposition from playing dirty tricks on us," says another Chapin classmate, California lawyer Lawrence R. Young, who first reported the link between Segretti and the White House. "We always got trounced. And maybe that was it. Maybe they learned that playing it straight doesn't win elections."

Unraveling the Tangled Web Around Watergate

STATINTL

By Arthur Siddon

WASHINGTON—When five men were arrested inside the Democratic National Committee headquarters here last June 17, Lawrence O'Brien, then national committee chairman, immediately seized on the incident as a major political issue.

But even O'Brien himself probably did not know at the time that he had stumbled on an incident that would develop links to two former cabinet officers, top officials of President Nixon's reelection committee, and a host of White House aides.

The episode, which at first looked like a bungled attempt to bug the Democratic headquarters, became known as the Watergate Caper, named after the posh apartment-hotel-office complex in which the committee had its offices.

As the investigation into the matter proceeded, investigators were led into what appeared to be a well-planned and well-financed case of political espionage.

O'Brien called it "the biggest political blunder of Richard Nixon's career."

Despite allegations by O'Brien and Democratic Presidential candidate Sen. George McGovern that Nixon is personally responsible for a wide-ranging political espionage and sabotage campaign, the questions of who was behind it and why remain unanswered.

To date, here is the way the Watergate Caper has shaped up:

June 17—At 2:30 a. m., a security guard in the Watergate found doors taped so they wouldn't lock and called police. Five men wearing rubber surgical gloves and carrying bugging and photographic equipment were surprised in Democratic committee offices and arrested. The men also had walkie talkies and \$5,800 in \$100 bills.

The five men later were identified as: James McCord, 53, a former agent of both the Federal Bureau of Investigation and the Central Intelligence Agency who was then chief security man for the Committee for the Reelection of the President and a security consultant for the Republican National Committee.

Bernard L. Barker, 55, a Miami real estate man who was involved with the CIA in the Watergate investigation. Barker is a Cuban-born American.

Eugenio R. Martinez, an employe of Barker's in Miami. Cuban-born, he fought with Fidel Castro's guerrillas but fled Cuba when Castro took power.

Frank A. Sturgis, 37, a self-described soldier of fortune, who once served in Cuban army intelligence and oversaw gambling operations for Castro before fleeing Cuba.

Virgilio R. Gonzales, a locksmith who arrived in the U. S. before the Castro revolution.

Two of the men were found to carry address books listing the name of E. Howard Hunt Jr., 51, a former CIA employe who had been a consultant to Charles W. Colson, White House special counsel.

June 19—McCord is fired by both the Nixon reelection committee and the Republican National Committee. Ronald Ziegler, White House press secretary, calls the episode a "third-rate burglary attempt."

June 20—United States Attorney Harold Titus announces a federal grand jury will investigate the case.

June 21—O'Brien and the Democratic Party file a \$1 million damage suit against the five defendants and the Committee for the Reelection of the President. The suit is later revised to ask for \$3.2 million.

June 24—Investigators say the \$5,800 in \$100 bills found on the defendants was withdrawn May 8 from Barker's bank account in Florida. They say it was part of \$89,000 deposited in the account April 24 in four checks from a Mexican bank.

June 25—O'Brien writes a letter to Nixon asking a special prosecutor be appointed.

June 28—G. Gordon Liddy, 42, chief counsel for finances and contributions for Nixon's reelection committee, is fired for failure to cooperate with FBI agents investigating the case. A former FBI agent himself, Liddy had been a member of the White House staff working on an antimarijuana program before joining the campaign committee.

July 1—John Mitchell, former attorney general, resigns as chairman of the Nixon campaign committee, citing his wife's pregnancy as the reason.

Aug. 1—Investigators learn a \$25,000 check earmarked for the Nixon cam-

aign was deposited in Barker's Florida bank account. The check had been made out to Kenneth H. Dahlberg of Minneapolis, midwest finance chairman for the Nixon campaign.

Dahlberg said the check represented a contribution and that he had given the check to Maurice Stans, former secretary of commerce and now finance chairman of the Nixon campaign.

Aug. 2—It is learned Stans gave investigators the following explanation concerning the check:

He received the check from Dahlberg on April 11 and turned it over to Hugh W. Sloan Jr., campaign treasurer. Sloan reportedly gave the check to Liddy as finance counsel, and Liddy allegedly exchanged the check for \$25,000 in cash. It also was learned Sloan resigned from the committee in mid-July.

Aug. 10—It is disclosed federal investigators found the existence of a \$250,000 special security fund in the Nixon campaign committee.

Aug. 17—Clark MacGregor, who took over as head of the campaign committee when Mitchell resigned, says Liddy apparently spent campaign money without authorization. He claims no such money has been spent since he took over.

Aug. 19—MacGregor says a committee investigation of the break-in has absolved all top White House and committee officials from involvement.

Aug. 20—The General Accounting Office says it found violations in the handling of \$500,000 in campaign contributions by the Nixon committee. It said several contributions made before April 7 were not included in the committee's report.

Aug. 25—It is revealed that the \$25,000 that appeared in Barker's Florida account came from Dwayne Andreas, a Minneapolis soybean oil tycoon who was one of Hubert Humphrey's key backers in the Democratic primary. Marvin L. Rye, Minnesota commissioner of banks, said Andreas received a federal bank charter the week of

Corruption in The Campaign

We haven't heard any mighty shout in this campaign to "throw the rascals out." Are we resigned to rascality as a way of life? Along with the White House staff, do we think chicanery is not worth dignifying by indignation? Early this summer, a former Intelligence operative, a Democrat, casually suggested to a McGovern staff member that they set up an undercover anti-Nixon apparatus. The suggestion, which got nowhere, was made after E. Howard Hunt's name had surfaced in connection with the bugging of the Democratic national headquarters. As had Hunt, the proposer of anti-Nixon espionage had worked for the CIA in the days when the agency was up to its elbows in domestic power struggles in foreign countries, secretly countering Communist dirty tricks with some of its own. The CIA intriguers did not regard themselves as corrupt, but as fighting for the right. If they got the right results and didn't get caught with their hand in the till, they felt they had done their duty well.

What is unnerving about the series of domestic scandals over this past year and a half is that they so resemble the "fight-fire-with-fire" operations of the spy artists, and that the Republican campaign begins to look like "not just gutter politics," in James Reston's words, "but guerrilla war. . . ."

Start with the milk price boost of 1971. On March 12, the then secretary of agriculture, Clifford Hardin, announced that to keep down inflation, the government would not allow an increase in milk prices that year. In the following two weeks, national dairy organizations gave \$35,000 to reelect Republicans in 1972, sent a delegation to meet the President and the secretary of agriculture; on March 25, Secretary Hardin reversed himself, raising prices to a level that would bring at least \$140 million in additional revenue to the milk industry. In July, the milk organizations gave another \$125,000 to the Republicans, parceled out in checks of \$2500 to 50 dummy fund-raising committees.

A year later, in March 1972, a Senate hearing on Attorney General-designate Richard Kleindienst brought to light another coincidence. The international conglomerate IIT found itself in an awkward bind in the spring of 1971 because the Justice Department had decided—after months of threatening—to divorce IIT from the Hartford Fire Insurance Company. IIT spokesmen approached Attorney General John Mitchell, his assistant Kleindienst, antitrust prosecutor Richard

McLaren, White House aide Peter Flanigan and other officials. Whether or not they came to any discreet agreement we do not know; we do know the Justice Department rescinded its antitrust suit, the Republican convention organizers won a promise of a loan from IIT—something between \$100,000 and \$600,000, depending on whom you believe. Possibly incriminating papers in the IIT Washington office were shredded. Illegal? Not proven. Suspicious? Certainly.

This autumn the Agriculture Department (USDA) stepped back into the spotlight. The grain sale to Russia, engineered by USDA, brought sudden profits to the six largest grain shippers. The farmers themselves had not been told that their crops were valuable this year; most were paid normal prices for their harvest. There's nothing remarkable in wealthy agri-

businessmen getting shifting that took place while negotiations were in progress was remarkable. Businessmen and officials changed jobs as follows: 1) an assistant secretary of agriculture quit the government to become vice president of the grain firm that later had the largest sales to Russia; 2) he was replaced at USDA by a former executive of another grain firm involved; 3) another USDA official left to become the Washington agent for yet another of the grain firms, 4) replacing a man who had quit the firm to work at USDA five months before. The vice president of a fourth grain firm quit a month before that to work at the White House. Conflict of interest? An insulting question, according to the administration.

Then we come to the wheeler-dealing of the President's reelection committee. The friends of the President contributed \$10 million to his candidacy before April 7; we'll never learn their names because the committee has stood by the letter of the law, which requires only that contributions given after April 7 be revealed. An audit last month by the General Accounting Office (GAO) caught one unhappy man—Dwayne Andreas—who missed the deadline and now will be remembered as that "close friend of Hubert Humphrey" who wanted his \$25,000 gift to the Republicans to remain anonymous. The GAO also found that the reelection committee had accepted \$100,000 from a Mexican bank, a gift from some wealthy Texas Democrats who sent the money through Mexico to assure anonymity.

A campaign with a \$40 million budget—like the Republicans'—must be paid for; the President isn't supposed to use federal money for campaigning; that is why his public appearance in Philadelphia last week was nonpolitical. The readiest source of big money is big business. According to *The Washington Post*, about \$700,000 of the Republicans' money was kept in a special cash fund controlled by the campaign manager to finance emergency spending and "security operations" within the Committee to Reelect the President. The man who headed the committee until July 1 was John Mitchell; the man on the committee's payroll in charge of security was former CIA agent James McCord. McCord and four men hired by him or his bosses were arrested last June 17, carrying spying devices and crisp \$100 bills provided by the committee, just after they had broken into Democratic national headquarters. They, along with two former White House aides, were indicted last month for conspiring to steal documents and bug the phones of the Democratic National Committee. According to police, their mission was to install or remove radio transmitters that would allow them, as spies for the Republicans, to eavesdrop on conversations between Democratic campaign planners.

Initially the President tried to play down the significance of the incident as a "third-rate burglar attempt." Two officials who may have known more dropped from sight. John Mitchell quit as director of the committee and moved to New York. Hugh Sloan, the committee treasurer who supposedly signed the money over to McCord and another man arrested in the break-in, quit about the same time. When asked about the case on August 29, the President said, "no one in the White House staff, no one in this administration presently employed, was involved in this very bizarre incident." Presently? Bizarre?

In the absence of an official explanation, reporters poked around and discovered that the espionage last June was not the first. According to a confession by a man named Alfred Baldwin, the men caught in Democratic headquarters had been spying on the office for at least the three weeks Baldwin worked on the job. Baldwin said that he'd been asked by McCord to monitor bugged phone conversations, and that he, Baldwin, hadn't been arrested because he was across the street at the time, listening on a walkie-talkie. Other sources said that Baldwin sent transcripts of the conversations he monitored to executives on the Committee to Reelect the President and the White House staff.

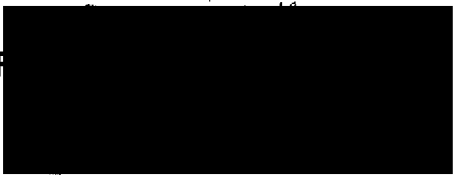
New research by *The Washington Post*, *The New York Times* and *Time* magazine adds plausibility to the charge that the White House was more deeply mired in this dirty business than suspected. Referring to "sources in the FBI and Justice Department" the *Post* said on October 10 that at least 50 agents had been employed by the Republicans in their "offensive security" campaign against the Democrats. Eight people have told the *Post* and *Time* magazine that a man named Donald Segretti solicited their help for Nixon in disrupting the campaigns of Democratic candidates. A former Treasury Department lawyer, Segretti is a friend of Nixon's appointment secretary, Dwight Chapin, who with Segretti graduated from the University of Southern California in 1963. According to *Time*, the President's personal lawyer, Herbert Kalmbach, supplied Segretti with \$35,000 from the reelection committee's funds. Another classmate of Segretti's at USC has said under oath that Segretti claimed his ex-

penses were paid from "a trust account in a lawyer's name . . . a high placed friend of the President," and that "Dwight Chapin was a person I reported to in Washington." A lawyer in Tennessee has said that when he was asked to join the undercover team, Segretti outlined for him a plan of attack in which they would issue false press releases to embarrass Democrats Muskie and Kennedy, sabotage rallies by inviting people at the wrong time, and generally wreak havoc with Democratic schedules in any "legal" way possible. One of the victims of this campaign—Senator Edmund Muskie—said when he learned of the *Post* stories that they "suggest a political opposition which is ruthless and unprincipled." He released a detailed list of sabotage incidents that plagued his campaign, including the forging of a letter, and asked for some response from the President.

At least seven White House or reelection committee aides, now employed, have been named in connection with the scandal; none is talking, though most have denied the accusations. Segretti can't be found. The seven men indicted for breaking into Democratic headquarters are awaiting trial, but the judge has said it won't begin until November 15, the week after the election. Representative Wright Patman (D, Tex.), chairman of the House Banking and Currency Committee, tried to launch an inquiry, but was voted down 20-15. The FBI has concluded its investigation of the break-in without stirring up enough evidence for more indictments. The administration considers the case closed.

If this were an Eric Ambler thriller, a fantasy about a few who burgled, bugged, sabotaged, forged, and used official position to favor business friends, we could relish it. It isn't. And it isn't the corruption of a few we need worry about; it is the apathetic response to that corruption. For that signifies the corruption of the country.

WASHINGTON POST
26 OCT 1972



Shriver Urges a Law On Political Sabotage

By Mary Russell
Washington Post Staff Writer

STATINTL

BROWNSVILLE, Texas, Oct. 25—Democratic vice presidential candidate Sargent Shriver today asked that the Federal Campaign Expenditure Act be amended to make "spying, subversion or sabotage" in a political campaign a crime.

He also asked for an amendment to the Voting Rights Act to provide injunctive relief as well as triple damages and costs for any candidate or campaign committee victimized by sabotage.

He asked for issuance of a prompt presidential executive order requiring "a full report on any such activity in political campaigns this year."

Shriver again struck at the use of former CIA agents by President Nixon's re-election committee, calling it a "frightening and deplorable development in our free system of government."

"No man who is trained by our country in the techniques of espionage can be permitted to feel that the same work can be performed to undermine vital institutions of our society," he said.

Shriver called for the legislation while campaigning in Texas, where he repeatedly charged that Republicans together with former Texas Gov. John Connally, who is heading Democrats for Nixon, are waging a "smear campaign" against George McGovern on issues such as amnesty, welfare and abortion.

Shriver told an audience of about 2,000 at an outdoor rally at the Denton County courthouse today that he was tired of "super patriots who were never in a battle" criticizing McGovern on his amnesty position.

He claimed that McGovern's stand on amnesty was the same as President Nixon's. He said McGovern would not grant amnesty until the war is over, "the prisoners are brought home and the veterans are taken care of. It is only that President Nixon has not done."

"George McGovern did not sit in some supply depot playing poker while the war was going on," in reference to President Nixon, who Shriver claims learned to play poker while he was on duty with the Navy.

Shriver was not as tough on Connally as he had been the day before in Chicago when he called him a "turncoat," but today he labelled Connally a "plutocrat who belongs with the millionaire Republicans".

Shriver said he talked to former President Johnson on the phone this morning. When asked why Johnson was not campaigning for the ticket, Shriver said, "Johnson's not well enough to do it. He'd love to campaign for us but he only feels well in the morning. In the afternoon he doesn't feel very well and often returns to his bed. Otherwise I'm sure he'd be out on the hustings for us."

Paper Is Told To Show Data On Watergate

By BARRY KALB
Star-News Staff Writer

The judge in the Watergate break-in case has allowed the defense to subpoena from The Los Angeles Times any existing records of an interview the newspaper published with a former employe of the Nixon re-election committee who said he took part in the affair.

The interview, which appeared on Oct. 5, quoted Alfred C. Baldwin III as saying that he monitored telephone calls to and from Democratic National Committee headquarters while in a motel across the street, and named some of the men indicted in the case as participants.

Baldwin, who was employed as a security officer for the committee, has stated in an affidavit filed with the court that he has no written or recorded record of the interview, but Chief Judge John J. Sirica of U.S. District Court allowed the defense to subpoena any existing records from The Times.

Times Editor William Thomas, reached in Los Angeles, said he had only received preliminary word of Sirica's ruling and could not yet comment fully. However, he said, "the reaction will be what it has been. As in the past, we'll continue to oppose any effort to subpoena our source materials, and that goes for this case and any other case."

Change of Venue

The ruling came during a day-long hearing on motions, during which Sirica denied defense motions for a change of venue, for dismissal of the indictments, and for a variety of other matters.

Meanwhile, the U.S. Court of Appeals turned down an appeal of Sirica's ruling that the trial begin on Nov. 15. Although the defense said it is considering a further appeal, its arguments yesterday were based on the promise that the trial would begin on that date.

Defense attorneys argued long and hard for the change of venue, citing the extensive publicity the case has received in this area. They also argued that the predominately Democratic registration of District Citizens would make it impossible for the seven defendants, who have been linked with the White House and the Committee for the Re-election of the President, to receive an impartial trial.

Would Do Wonders

But Sirica denied the motions, saying the real test of whether the publicity has prejudiced the defendants will come when prospective jurors are polled prior to the trial.

Henry B. Rothblatt, attorney for four of the defendants, again suggested that the federal court in San Juan, Puerto Rico, would be the ideal place for the trial.

To this Sirica replied, "I don't intend to go out of town to try the case. I'll try it right here." Only the U.S. Court of Appeals, or his health — he is suffering from an ailing hip — could force him to change his mind, Sirica said.

Rothblatt allowed as how the weather in San Juan would probably do wonders for the judge, but Sirica was unmoved.

The defendants are E. Howard Hunt Jr., former FBI and CIA agent and White House consultant G. Gordon Liddy, who held similar positions; James W. McCord Jr., former head of security for the re-election committee and the Republican National Committee; and Bernard L. Barker, Virgilio Gonzalez, Eugenio Martinez and Frank R. Sturgis, all active in anti-Castro circles in Miami.

Classified Material

The latter five were arrested inside Democratic National Committee headquarters in the Watergate complex on

June 17, bringing the case to public attention for the first time.

Sirica left for later a full hearing on whether articles taken from Hunt's former office in the Old Executive Office Building, and presumably used as evidence in the case, should be returned to him.

The government said in court papers that John W. Dean III, special counsel to the President, took the materials from Hunt's safe on June 19, and later turned them over to law enforcement officials. Dean, the government said, knew Hunt had quit on March 29 and wanted to make sure he had held no classified material in his office.

But William O. Bittman, Hunt's chief attorney, said in court yesterday that Hunt was in his office "on an almost daily basis after March 29," and that Dean's action therefore amounted to an unlawful seizure.

Appeal Expected

Meanwhile, the U.S. Attorney's office is expected to appeal today a D.C. Superior Court judge's refusal to order GOP fundraiser Maurice H. Stans to appear as a witness in the Oct. 30 trial of Watergate defendant Barker in Miami.

A source in the U.S. Attorney's Office, which is acting on behalf of the Miami prosecutor, here said that the government would file its appeal in the court of appeals sometime today, "as soon as we get the papers prepared."

Judge Paul F. McArdle last night issued a brief written opinion stating his reasons for orally ruling last week that "it was not necessary" for Stans to appear as a witness.

McArdle supported Stans' contention that he is not a material witness in the trial of Barker who is accused of misusing his notary public seal in cashing a \$25,000 check that had passed through the Committee for the Re-election of the President.

STATINTL

NEW BELFORD, MASS.

STANDARD-TIMES

Approved For Release 2001/03/04 : CIA-RDP80-01601

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'Spying' on the C

Another insider's tell-all book has been written about a government agency that, it is to be presumed, was naive enough to expect a certain degree of loyalty from its employes.

Patrick J. McGarvey claims he has written about the Central Intelligence Agency, with which he spent three years, as a service to the public. He wants to "shed some light on the myth that the CIA is an efficient well-run machine capable of almost any act of intrigue."

But why did McGarvey call the book, "CIA—The Myth and The Madness," when most of the content is not about the CIA at all but about other intelligence setups, notably in the Defense Department? This violence to fairness suggests that royalty checks, not civic-mindedness, motivated the author.

As for the CIA's comeuppance from a one-time operative, it seems the agency actually purloined the sputnik from under the noses of its guardians, and dismantled and photographed it before returning same to the exhibition chamber. So what? Small return, we would say, for the priceless nuclear fission secrets the Soviet

Union gained by the more devious and scurrilous method of bribing U.S. citizens.

The book details how Director Richard Helms of the CIA has telephones of subordinates tapped, how stiff are the penalties for leaving around a single scrap of paper and how armed guards patrol CIA corridors in darkness. There are some who may believe such precautions especially necessary in view of McGarvey's flight into print with data from the boss' files.

McGarvey thinks the CIA is an inept "morass." A former FBI agent-turned-author thinks the FBI is inept. Congressional hearing rooms have no trouble getting a Vietnam veteran to denounce the services (and one, John F. Kerry, is capitalizing on his expose by bidding for Congress in Massachusetts' 5th District).

Isn't it possible, we wonder, that these services and these agencies are doing their level best to serve the nation and its people and that the best available brains and integrity—including loyalty—are sweating at the task?

There are deficiencies, it goes without saying, and errors, and misjudgments. The CIA is especially vulnerable to a critic, since it doesn't discuss its successes or its errors. (Although it is worth noting that the agency deleted only 100 lines from the manuscript McGarvey submitted under a secrecy pact he signed when hired, and which he appears to be violating in spirit if not in letter.)

But too many critics like McGarvey seem to have forgotten that in appraising what happens in war, or in intelligence work, one must start with the basic premise that war is hell and spying is a dirty business. Criticism of a high-level supersecret agency like the CIA that does not document incompetence at the top, or venality, is no public service, and may well be a disservice.

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

CHARLESTON, W.VA.

MAIL

OCT 25 1972

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Shriver Says McGovern Has Not 'Given Up' On West Virginians

STATINTL

(From Yesterday's
Late Editions)

By RICHARD GRIMES
Of The Daily Mail Staff

Democratic vice presidential nominee R. Sargent Shriver told the Charleston news media that it does not follow that he and Sen. McGovern have given up on this state because both recently canceled appearances here.

He also said in a telephone interview from Chicago with local newsmen that people trained by the Central Intelligence Agency for work in Germany and Russia are being employed by the White House to carry off a "comprehensive, calculated espionage" of the U.S. political system.

"It's like a settling from The Godfather," he said, referring to the Watergate affair and subsequent charges.

In other matters, Shriver said the Kennedy family is rendering financial support, as well as campaigning support, to the McGovern ticket and he mentioned Mrs. Rose Kennedy, Sen Edward Kennedy, and Ethel, widow of Robert Kennedy. But, he said he didn't know amounts.

He also said that some blacks may support President Nixon, but most don't. He said only those blacks in high-pay-

ing jobs, or hired by the government would find the Nixon administration favorable.

Speaking about West Virginia, Shriver said the fact that he and McGovern have canceled could mean "we don't have to go back there."

"We have a good chance to win there," he said.

"I don't intend to forget West Virginia," he added.

Shriver rapped what he called President Nixon's refusal to disclose the source of \$10 million in campaign funds.

All other candidates, Democrats and Republicans, have made such disclosures and Shriver said "It is insulting to the American people" that Nixon won't.

He quoted Nixon's speech at Wheeling in 1952 when, as a candidate for vice president, he said it was not a question of the legality of an \$18,000 Nixon fund then under attack, but a question of whether it

was moral or immoral.

The same Nixon statement applies to today's GOP funds, Shriver said.

With respect to Watergate, he said that the man sitting in the office next to the President is connected with the incident and he says the reason people didn't warm up to the issue when it first came up was because they couldn't believe the White House would do such a thing.

He said that CIA agents were told never to practice in this country, but now the people who were trained in that field have been employed to destroy a political party.

He said FBI reports now concur with what has turned up in print.

He then recalled how Sherman Adams was chased from the White House during the Eisenhower administration for receiving a vicuna coat. And remember, he said when Eisenhower met then Sen. Nixon in West Virginia and asked him to "come clean as a hound's tooth about a secret \$18,000 fund he had?"

"That's how people felt about morality in government then. Now, they drop six and eight million dollars on the White House doorstep," and Nixon thinks it is all right, he said.

White House Bugging Inquiry Began 2 Days After Arrests

STATINTL

By AGIS SALPUKAS
Special to The New York Times

WASHINGTON, Oct. 24 — The White House made its first move to investigate the Watergate bugging only two days after five men were caught in the headquarters of the Democratic party on June 17, according to papers filed at United States District Court here today.

The papers give one of the first glimpses into the activities of John W. Dean 3d, legal counsel to the President, who was asked by Mr. Nixon to investigate all leads that might have involved any present members of the White House staff in the bugging.

On Aug. 29, President Nixon said at a news conference that the investigation indicated that "no one in the White House staff, no one in this Administration, presently employed, was involved in this very bizarre incident."

The court papers were filed today with Judge John J. Sirica, chief of the Federal district court, by United States attorneys who are prosecuting the case. They are answers to motions filed by the defense lawyers on behalf of the seven men indicted in the bugging.

In answer to a motion by E. Howard Hunt Jr., a former White House aide indicted in the case, it was disclosed that Mr. Dean received information on Monday, June 19, that Mr. Hunt was possibly linked to the Watergate break-in.

The same day, the papers filed today said, Mr. Dean ordered Bruce Kehrli, a staff secretary to the President, to go to Mr. Hunt's former office in Room 338 of the old Executive Office Building "to retrieve

whatever documents were there."

According to the papers, Mr. Dean wanted to find out if Mr. Hunt had turned over all classified papers and files to the White House after he ceased being a consultant to the White House on March 29.

Mr. Hunt had been hired to review the Pentagon papers to determine which could be declassified. He also worked in the field of narcotics importation.

Mr. Kehrli and an assistant to Mr. Dean, Fred Fielding, had Mr. Hunt's safe opened in the presence of a Secret Service agent and the papers and articles were moved to Mr. Dean's office.

On June 20, Mr. Dean sorted through the material and found classified matter "most of it relating to the Pentagon papers."

Black Attache Case

There was also a black attache case that was opened by Mr. Dean, which contained "a large amount of electronic equipment, as well as written matter, pamphlets and instructions booklets relating to electronic equipment."

Mr. Dean put the items in a cardboard box and they were turned over to the Federal Bureau of Investigation.

The papers filed by the United States Attorney's office argued that the judge should deny Mr. Hunt's motion that the seized articles and papers be returned to him. Mr. Hunt's lawyer argued that they had been "improperly seized" without a search warrant.

A hearing on all the motions, which include several to dismiss the indictments, will be held tomorrow.

The answer to Mr. Hunt's motion to return the materials also brought out that Mr. Hunt was in Washington for two days after the break-in and that he was questioned by the F.B.I. on the same day the five men were arrested.

In another development, Frank Mankiewicz, Senator George McGovern's national political coordinator, called for an immediate and comprehensive investigation by the Justice Department of what he termed "a clandestine campaign of bribery and espionage and sabotage financed with secret Nixon campaign funds."

Mr. Mankiewicz released at a news conference here the text of a letter to Attorney General Richard G. Kleindienst citing "13 serious charges" against the Republicans, including violations of the campaign finance laws and the granting of favors by the Nixon Administration in return for large contributions to the President's campaign.

Among the instances listed on the letter, signed by Mr. Mankiewicz and delivered yesterday, were the following:

"An Administration promise to retain weak rug flammability standards, which was followed by a \$94,580 contribution from a carpet company executive.

Evident relaxation of air pollution standards in the case of the Bunker Hill Company, a subsidiary of the Gulf Resources and Chemical Corporation, "which is a strong Nixon contributor."

"The unusually quick granting of a Federal bank charter" to a Minnesota businessman, Dwayne Andreas, after he gave \$25,000 to the Nixon campaign.

Kleindienst Pressed

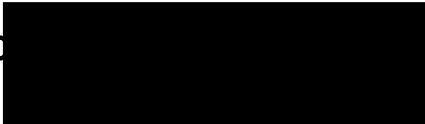
The Mankiewicz letter also pressed Mr. Kleindienst to act on a number of possible Republican violations of the Federal Election Campaign Act of 1971, reported to the Justice Department by the General Accounting Office on Aug. 26. The department has said only that the G.A.O.'s charges are "under review" by its Criminal Division.

Mr. Mankiewicz said that Senator McGovern would use a half-hour of prime television time (7:30 to 8:00 on the American Broadcasting Company) tomorrow night for a speech "on the subject of corruption in the Nixon Administration."

He also disclosed that recent reports of Republican-related efforts to disrupt and confuse the Democratic Presidential primary campaign had prompted the McGovern organization to set up a "ballot security system" on Election Day to ensure that voters were protected from intimidation at the polls and that vote tallies were not tampered with.

Gary Hart, the Senator's campaign manager, who appeared with Mr. Mankiewicz, released the partial results of a door-to-door canvass by McGovern workers that, he said, showed that "in areas we feel we should and must win, the race is still very much undecided."

WASHINGTON STAR
24 OCT 1972



SHRIVER SUGGESTS BANNING CIA AGENTS FROM POLITICS

STATINTL

AURORA, Ill. (AP) — Sargent Shriver is proposing that former CIA agents be legally and permanently banned from American political campaigns.

The Democratic vice-presidential candidate repeatedly has attacked the Nixon administration for what he has called the "ominous" introduction of the techniques of espionage and sabotage into the current campaign.

Several former CIA agents have been implicated in connection with the break-in and alleged attempted bugging of Democratic national headquarters.

Shriver gave a preview of his proposal to several persons who had been unable to fit into a filled-to-capacity school auditorium in Aurora Monday night.

He said that while he was head of the Peace Corps he barred former CIA agents from the agency on the grounds their presence would be misunderstood by host governments, and that they might subvert the purpose of the Peace Corps.

STATINTL

Bug Suspect Tied to Scheme**U.S. Censorship Plan Bared**By Bob Woodward
and Carl Bernstein

Washington Post Staff Writers

Rep. William S. Moorhead (D-Pa.) said yesterday that he has uncovered a secret contingency plan for national censorship involving Watergate bugging defendant James W. McCord Jr.

Moorhead, chairman of the House Foreign Operations and Government Information Subcommittee, said that an investigation of McCord shows that he participated in the drafting of a so-called "National Watchlist" as part of the censorship plan.

"As part of a censorship program which will be put into effect in a national emergency," Moorhead said, the Watchlist would be used as a guide to "information the censors will look for as they open letters, monitor broadcasts and question travelers."

"I fear that this National Watchlist may . . . include the names of 'questionable' individuals, such as those collected during Army surveillance activities, and also collect similar types of information about American citizens," Moorhead said in a statement.

In other matters related to the Watergate investigation:

- Newsweek Magazine said that a deputy state Republican chairman in Indiana was recruited as a Nixon undercover operative by Donald H. Segretti, who federal sources say was recruited by White House aides to engage in sabotage and spying activities against the Democrats.

- Time Magazine said that Jeb Stuart Magruder, one of two deputy directors of the President's re-election committee, "played a key role in the Watergate case" by authorizing the withdrawal of secret funds for political intelligence gathering, even though he may have approved the expenditure without knowing about the Watergate bugging.

The censorship plan involving McCord was being prepared by a special military reserve unit of the Office of Emergency Preparedness, according to Rep. Moorhead.

McCord, a former agent for the FBI, CIA and former security chief for President Nixon's re-election committee, was a member of the military unit as a reserve lieutenant colonel in the Air Force until he resigned in February.

McCord was one of five men arrested June 17 in the Watergate bugging incident and has since been indicted on charges of conspiring to eavesdrop on Democratic national headquarters.

"When men like James McCord are involved in political espionage and also are responsible for the official collection of information through a censorship system," Moorhead said in a prepared statement, "I have no doubt that the official National Watchlist will pinpoint individuals slated for political reprisal."

The Associated Press reported yesterday that the Office of Emergency Preparedness said the special reserve unit's duties were to prepare "computer procedures for compiling a watchlist," but that "no actual watchlist is maintained by the unit."

Moorhead said he began his inquiry into the reserve unit after a June 20 story in The Washington Post saying that McCord was a member of the unit. At that time sources inside the unit said its purpose was to develop a list of radicals and prepare contingency plans for censorship of the news media and U.S. mail during a war.

In addition to the Watergate bugging, it was revealed in September that McCord was involved in investigating syndicated columnist Jack Anderson and had prepared a two-page "interim report" on Anderson's business and social relationship with Anna Chennault, a member of the Republican National Finance Committee.

In citing what he called "disturbing facts," Moorhead said that a copy of the National Censorship Plan shows that it could be instituted by the President during a limited war such as is now going on in Vietnam.

Moorhead said this contradicts testimony by government officials earlier this year before his Subcommittee that "implied that all of their plans were pointed toward a censorship system for use only in the event of a nuclear attack."

He supported this contention by quoting from a chapter in the plan, saying that censorship would be considered in "limited war, or conflicts of the 'brush fire' type, in which United States forces are involved elsewhere in the world on land, sea or in the air."

"The time has come," Moorhead said, "for a full study of both the plans and practices (for censorship) and, as Subcommittee chairman, I will initiate such a study immediately, asking formal questions of the censorship planners in preparation for full-scale hearings in the next Congress."

He said the existence of the 15-member reserve unit which meets monthly in the annex to the White House offices raises the following additional "smelly questions":

- Why are military intelligence personnel given responsibility for censorship planning?

- What sort of information, and whose names, will be put on the National Watchlist?

- What other facts about the censorship system have been hidden from the Congress and the public?

Meanwhile, Newsweek Magazine reported today that a deputy state Republican chairman in Indiana was recruited as a Nixon undercover operative by Donald H. Segretti, who federal sources say is an agent provocateur hired by the White House to engage in sabotage activities against the Democrats.

Newsweek identified the Indiana GOP leader as Charles Szihlik, 24, and quoted him as telling friends that the object of the Nixon forces' sabotage campaign was "to swing the convention to McGovern . . . to literally destroy strong candidates like Muskie."

Newsweek said Szihlik's work included compiling dossiers on Indiana's Democratic convention delegates, "covering everything from bank loans to sexual peccadillos."

Szihlik's purported statement about the object of his activities is the latest indication that the Nixon forces' sub rosa campaign may have been undertaken — at least in part — to help Sen. George McGovern win the Democratic nomination. McGovern reportedly was viewed by White House strategists as the easiest Democratic opponent for President Nixon to run against.

According to information in FBI and Justice Department files, a "basic strategy" of the Nixon re-election campaign was to disrupt the Democrats during their primaries to such an extent that the Democratic Party could not reunite after choosing its Presidential nominee.

According to Newsweek, "Szihlik and his subagents" distributed posters saying "a vote for Muskie is a vote for busing" in the Indiana, Illinois and Wisconsin primaries. But other activities aimed at disrupting campaign rallies and throwing campaign schedules into disarray were unsuccessful, according to the magazine.

Segretti reportedly told a friend that one of his "contacts" for spying and sabotage activities was Dwight Chapin, President Nixon's appointments secretary. Segretti hired Szihlik early this year, according to Newsweek.

The magazine said Segretti used the "cover" name "Simmons" in his dealings with Szihlik—the

STATINTL

More Fumes from the Watergate Affair

This kind of activity has no place whatever in our electoral process or in our governmental process. And the White House had no involvement whatever in this particular incident.

SO Richard Nixon told a White House press conference last summer, just after the first revelations of the Watergate affair. But some incriminating connections soon were made. Two of the seven men indicted for breaking into the Democratic National Headquarters last June to plant bugging devices had served for a time as White House consultants. The money that financed the espionage operation was traced to the Committee for the Re-Election of the President. Now TIME has learned that information in the Justice Department's files establishes a direct link between the White House and a Los Angeles attorney named Donald H. Segretti, who was paid more than \$35,000 from the C.R.P.'s funds to subvert and disrupt Democratic candidates' campaigns this election year.

The department's files state that Segretti, a 31-year-old registered Democrat and a former Treasury Department lawyer, was hired in September 1971 by Dwight Chapin, a deputy assistant to the President, and Gordon Strachan, a staff assistant at the White House. Chapin is the President's most trusted aide-de-camp and acts as a liaison between Nixon and his giant staff. For his services, Segretti was paid by Herbert Kalmbach, Nixon's personal attorney who has handled such matters as the acquisition of Nixon's estate at San Clemente, Calif. Segretti's recompense included a \$16,000-a-year salary plus expenses. From Sept. 1, 1971, to March 15, 1972, Kalmbach gave Segretti more than \$35,000, including one payment of \$25,000 in cash. The money came from a C.R.P. fund that was kept in the safe of Maurice Stans, chief political fund raiser for the President. Chapin and Strachan did not respond to efforts to reach them for comment.

It was a record of telephone calls between E. Howard Hunt, apparently one of the chief movers in the Watergate operation, and Segretti that first put investigators on to the scent. Next they discovered that Segretti went to Miami to meet with Hunt, one of the two former White House consultants indicted in the Watergate affair. The meetings occurred at the time the Watergate bugging scheme was being planned. The Justice Department investigators, under the command of Assistant Attorney General Henry E. Petersen, did not pursue the Segretti connection.

Segretti divulged to Justice Department officials only the bare outlines of his mission. It seems that he was hired

among other things, to disrupt the primary campaigns of Democratic candidates. On one occasion, he said, he went to California to harass candidates with telephone calls and feed them false tip-offs. He also arranged to have embarrassing questions put to the Democrats at their public appearances. The Department of Justice learned that in 1971 Segretti asked a former Army officer friend to infiltrate the George Wallace campaign and work as an informant.

An assistant attorney general of Tennessee, Alex B. Shipley, has said that Segretti approached him last year and tried to hire him to disrupt Democratic campaigners. "It wasn't represented as a strong-arm operation," said Shipley. "He stressed what fun we could have." As an example of the trouble he might cause, Shipley was told that he could call the manager of a coliseum where a Democratic rally was to be held. He could represent himself as the candidate's field manager and report some threats from hippies or other troublemakers, asking that the rally be moved up to, say, 9 o'clock, thus ensuring that the coliseum would be padlocked when the candidate arrived at 7.

Know Nothing. As the fumes of Watergate continued contaminating the atmosphere of the election year, there were other hints of "fun." The Washington Post reported last week that a letter to New Hampshire's *Manchester Union Leader* accusing Edmund Muskie of a racial slur against French Canadians may have been written by Ken W. Clawson, deputy director of White House communications. A Post reporter, Marilyn Berger, claimed that Clawson told her that he had written the note, which said Muskie had condoned the epithet "Canuck," an insult to New England's French Canadians. The letter, published over the signature of a "Paul Morrison" in the *Union Leader*, helped to precipitate Muskie's famous "crying speech," when the candidate shed indignant tears and thus damaged his image of stability. Clawson last week declared: "I know nothing about it."

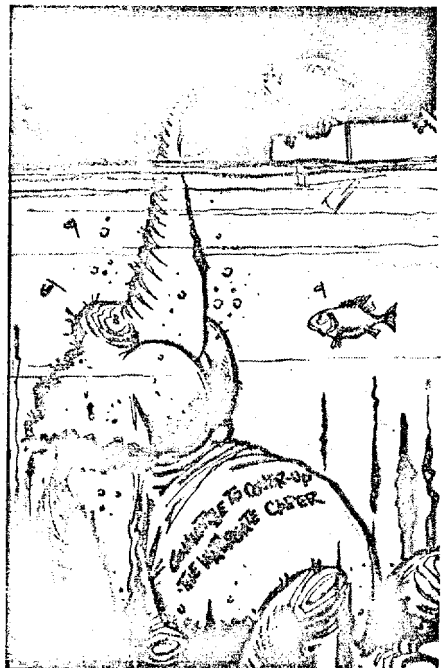
Last week Edmund Muskie charged that his presidential effort was plagued by a "systematic campaign of sabotage," although he did not specifically accuse the Republicans. Sometimes, he said, embarrassing campaign material was sent to constituents in "Muskie" envelopes. Once, before the Florida primary, a flyer was distributed on Muskie's stationery accusing Senators Hubert Humphrey and Henry Jackson of illicit sexual activities.

TIME has also learned that Bernard Barker, the former CIA agent who led the raiding party into the Watergate, recruited nine Cubans from Miami in early May and assigned them to a task

Daniel Ellsberg, the man who released the Pentagon papers to the public. Barker flew the Cubans to Washington first class, showed them a picture of Ellsberg, and told them: "Our mission is to hit him—to call him a traitor and punch him in the nose. Hit him and run." The site chosen was outside the Capitol rotunda, where the body of J. Edgar Hoover was lying in state. The idea was to denounce Ellsberg, who was holding a rally on the steps, and start a riot. As it turned out, the "riot" ended after a brief flurry of punches, most of which landed on Ellsberg's bodyguard.

It is difficult to tell just what effect

CONRAD—LOS ANGELES TIMES



"...Four more weeks!...Four more weeks!..

the Watergate affair and other episodes of political sabotage will have upon the presidential election: It may be that the entire issue of dirty tricks will only linger vaguely in the air and then be swept aside in a Nixon triumph. Texas Democrat Wright Patman, chairman of the House Banking and Currency Committee, failed last week in his repeated efforts to open a congressional investigation of Watergate.

With that, Edward Kennedy, as chairman of the Senate Subcommittee on Administrative Practice and Procedure, took the first steps to open an investigation of his own. Late last week, the subcommittee's Democratic majority approved Kennedy's plans to subpoena witnesses in an inquiry not only of Watergate but also of other political espionage. Whether the investigation could be mounted soon enough—or would uncover enough beyond what is known—to stir an apparently indifferent public remained a question.



Mike Lien—New York Times

Muskie and the "Canuck" letter: Dirty tricks?

Watergate: Very Offensive Security

For months, Watergate watchers have pondered the question of precisely what the raiders were seeking—and why. Last week, an answer finally began to take shape. The predawn raid on the Democratic National Committee headquarters, it appeared likely, was only part of an elaborate Republican campaign to sow strife and confusion throughout the Democratic Party—a clandestine operation extending beyond petty snoopering into the arcane and disturbing realm of political sabotage.

Perhaps as many as 25 GOP agents—some of them former CIA and FBI men highly skilled in the esoteric arts of electronic surveillance, psychological warfare and "dirty tricks"—are believed by Federal investigators to have been involved. One of their alleged recruiters came to light last week when a young Democratic attorney charged that he had been propositioned by a former Treasury Department employee to take part in Republican espionage. And investigators have concluded that their undercover activities, antisepotically dubbed "offensive security," may have extended to forging letters under candidates' letterheads, leaking damaging items to the press, seizing confidential files, disrupting campaign schedules and poking into the private lives of Democratic campaign workers.

One goal seems to have been the disruption of the Democratic National Convention in Miami Beach last July. Some of the evidence seized in the Watergate break-in, Newsweek has learned, strongly suggests the national committee raid was directed, at least in part, at that objective. When James W. McCord,

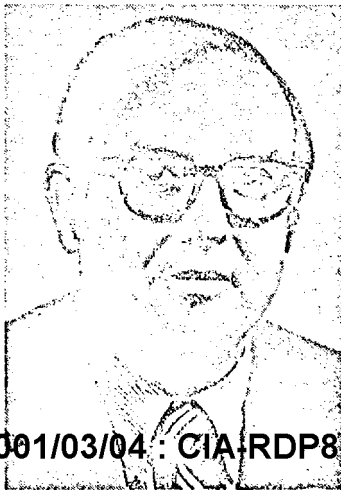
the alleged ringleader of the Watergate Five, was arrested inside DNC headquarters, he was carrying documents that could have been used to foment an embarrassing convention fracas. Among the Democratic papers McCord had picked up: a sheaf of applications for college press passes, a DNC memo on housing and accreditation of college press representatives, and a staff memo on housing and other arrangements for several other youth groups. "It was a complete package," a source close to the investigation told NEWSWEEK's Nicholas Horrocks, "enough material to forge college press credentials." Explained a former CIA agent: "The psy-war opportunities were endless. You pass off bogus tickets to a bunch of young people;

you've got a mini-riot when they try to get in—and with media coverage, you've supported a thesis of party disarray."

Even if that alleged GOP scheme miscarried, the Democrats suffered more than their share of mysterious fiascoes during the campaign year—and some of them, in the light of last week's reports, do indeed bear suspicious signs of political sabotage. The celebrated "Canuck" letter published in the Manchester Union-Leader before the New Hampshire primary, implying that Sen. Edmund Muskie had slurred Americans of French-Canadian descent, is a case in point. The letter was one of the causes of Muskie's famous tearful outburst against the Union-Leader, which in turn may have contributed to his disappointing showing at the polls. Now there is increasing reason to believe the letter was a hoax, the work, perhaps, of a White House aide.

Author: The letter was signed by one Paul Morrison, of Deerfield Beach, Fla.—but Morrison has never been found. Subsequently, someone calling himself Harold Eldredge, of Fort Lauderdale, Fla., wrote the paper, claiming that a Boston Democrat had paid him \$1,000 to fabricate the letter—but neither Eldredge nor the Boston Democrat has ever turned up either. Last week, Washington Post correspondent Marilyn Berger reported that White House Deputy Director of Communications Ken W. Clawson had told her flatly, "I wrote the letter." Clawson denied the story, and Muskie, furious by the President himself.

News of the alleged letter hoax prompted the Democrats to blame an en-



Clawson: Ghost writer?

tire spate of campaign misfortunes upon GOP saboteurs. Doubtless some of the tales they told simply involved the usual unexplained foul-ups of any campaign, and some of the pranks may have originated with rival Democrats. But Frank Mankiewicz, George McGovern's political director, listed ten specific acts of alleged sabotage, some of which he said "must have come from the Republicans." Among them: a phone call from someone claiming to be campaign aide Gary Hart to AFL-CIO chief George Meany, peremptorily ordering Meany to come to New York for a meeting with McGovern -- Hart denies making such a call; another call to CBS's Walter Cronkite from someone who said he was Mankiewicz, thanking Cronkite for leading the network's newscasts in McGovern's favor evidently in the hope that Cronkite would admit favoritism--instead, Cronkite called Mankiewicz and discovered the hoax; and still another call to CBS last week from someone claiming to be McGov-

ern's TV buyer, asking to cancel the candidate's Vietnam talk--the network checked back with McGovern headquarters and the ruse failed.

memos to the press and stolen polling data from his files, and that a charter flight bound for Portland, Ore., had somehow been rerouted to Salem--thus throwing a whole day's campaigning into disarray.

COD: The most elaborate incident involved a Muskie fund-raiser at the Washington Hilton back in April. According to James Goodbody, Muskie's finance chairman, \$300 worth of liquor, a \$50 floral arrangement, cakes from the Watergate pastry shop and 200 steaming pizza pies--all unordered--arrived COD. A dozen African diplomats were invited by people posing as Muskie aides, and chauffeur-driven limousines were ordered up to deliver them. And two magicians--one of whom had flown in from the Virgin Islands--materialized with instructions to entertain the children. There were, of course, no children present.

At one stage, the GOP "offensive security" network contemplated--and then rejected--enlisting a computer in its

network of alleged saboteurs to light.

According to the attorneys, as reported by The Washington Post, Donald H. Segretti, 31, a former Treasury Department lawyer with whom they had served in Vietnam, approached them in mid-1971 to work for the Nixon re-election campaign as undercover agents. In return, they said, Segretti promised the lawyers "big jobs" in Washington after the President's re-election. One of the three, Alex B. Shipley, now an assistant attorney general for the state of Tennessee, said Segretti told him the work involved political espionage and sabotage of Democratic primary campaigns--and might require false identification papers. Segretti wanted no strong-arm tactics, Shipley emphasized. "He stressed what fun we could have."

Segretti, Shipley said, wanted him to recruit five more agents, but to keep their names to himself. Segretti said he would keep his source of funds secret, too. "How in hell are we going to be taken care of if no one knows what we're doing?" Shipley asked. Shipley says Segretti replied: "Nixon knows something is being done. It's a typical deal: don't-tell-me-anything-and-I-won't-know."

'Fiction': The attorneys said they turned Segretti down. Segretti, for his part, has testified before a Federal grand jury but has been no more forthcoming in public than to scoff, "This is all ridiculous," and a spokesman for the Committee for the Re-election of the President called the Post's story "a piece of fiction." Curiously, however, just after the Watergate raid, Hunt and Liddy flew to California and met with Segretti.

Still another lawyer, Lawrence R. Young, 31, of North Hollywood, Calif., said in a sworn affidavit to the Post that Segretti had come to him "in a panic" after the Watergate incident and said "he felt he was being used." Young and Segretti had been undergraduate friends at the University of Southern California; both were also friends there of Dwight Chapin, now 31 and deputy assistant to the President and a member of the White House palace guard. According to Young, Segretti said that "Chapin was his contact at the White House." Young also swore that Segretti told him he was being paid "by a very close friend of the President who is an attorney."

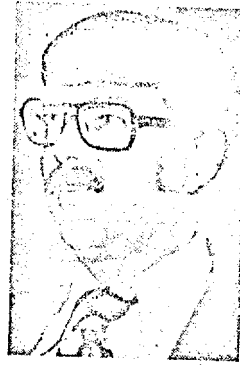
Whether any of the week's stories would build political espionage into a major campaign issue remained to be seen--so far, according to the polls, the electorate has remained remarkably unexcited about the whole Watergate affair. Sen. Edward Kennedy, chairman of a Senate Judiciary subcommittee, last week ordered a "preliminary inquiry," complete with subpoena power, into the snooping and sabotage charges. He declined to commit himself to hold public hearings before Nov. 7, but the Kennedy investigation now seems the last chance for the extraordinary ramifications to get a public airing before Election Day.



Segretti



Mankiewicz: Hoax call to Cronkite



Shipley

Muskie weighed in with his own charges of sabotage designed to discredit himself and other Democrats. A poll showing that 51 per cent of the interviewees considered Sen. Edward Kennedy unfit for the Presidency was mailed to Democrats in Muskie envelopes last year, the senator reported. Another spurious Muskie mailing just before the Florida primary, he said, had accused Senators Henry (Scoop) Jackson and Hubert Humphrey of sexual misconduct. And in the New Hampshire campaign, Muskie complained, Manchester residents were awakened by middle-of-the-night phone calls from people claiming to represent the Harlem-for-Muskie Committee and touting Muskie for his efforts on behalf of black people. Muskie further charged that the New Hampshire voters had leaked confidential campaign

cause. In February 1971, Administration officials invited a former CIA operative and computer mathematician to meet with them to discuss the possibility of developing a sophisticated computerized intelligence bank of personal data on political friends and enemies. The specialist said he explained that "scientific methodology" could be used to store data so people could be "leaned on." With dirty linen available on demand, he told NEWSWEEK last week, "it is conceivable that key people could be persuaded to repudiate a candidate they had been supporting"--a prospect so unsavory that the mathematician's firm backed out.

Not long afterward, a variety of offensive security groups came into being. A White House intelligence unit including E. Howard Hunt and G. Gordon Liddy, two of the men indicted in the Watergate affair, formed up that summer. The Watergate team itself was put together in the fall. The unit was made up of young attorneys who first brought the

Two Linked to McCord Security Squad

By PATRICK COLLINS
and JOSEPH VOLZ
Star-News Staff Writers

An Air Force officer who was on active duty and a retired CIA employe were members of an undercover security force operating at the Nixon campaign headquarters under the control of Watergate bugging suspect James W. McCord, it has been learned.

The security force apparently had a different responsibility than that of the political espionage team also directed by McCord, which was charged in the June 17 break-in at the Democratic National Committee offices.

The security squad was not on the committee payroll and was paid in advance — often in cash — by McCord, who was chief security adviser for the Nixon re-election committee, until being fired after his arrest inside the Democrats' Watergate offices.

The Air Force officer on the squad has been identified as Lt. Col. Alfred L. Green, now retired. The ex-CIA employe is William Shea, who heads the firm which took over McCord's operation.

'McCord's Men'

Committee sources say the men worked at night on the second floor of the campaign headquarters where G. Gordon Liddy, former finance committee counsel also charged in the bugging case, had his office.

Also on that floor were two large safes, one containing a \$350,000 secret cash slush fund from which it has been alleged "political espionage" activities were financed.

The security squad members carried no committee identification and were known to committee workers only as "McCord's men."

One of the men on the squad said his duty was to check backgrounds of committee employes and research left-wing organizations which were felt to pose a threat to Nixon's re-election.

Beyond this little is known about the duties the men performed. It is understood that McCord identified the men to some campaign officials as "building guards."

Active Duty

Green was on active duty last spring when he was working for McCord.

He served as the chief logistics officer for the Armed Forces Radio-Biological Institute in Bethesda, Md., before retiring in July.

Green denied that he worked for McCord or the re-election committee. "That's wrong," Green told a reporter, "I never worked for McCord. He is just a good friend of mine. Just leave me out of this. I don't want my name involved."

A committee spokesman first said Green had not worked at the committee, but later, after checking with campaign officials, said that Green had worked there as a guard last spring. The spokesman said Green was paid for his work by McCord.

Green could not be reached for comment on this statement. He told a reporter earlier that he "may have stopped by" the committee a couple of times "But I don't remember why I went down there."

The committee spokesman said that he had been told that "McCord had these men working for him and they would fill in when the regular guard staff couldn't make it."

Other sources at the committee said Green and his associates were mystery men. They said people working closely to Green often called him by a code name "Green Label."

Navy Capt. Myron Varon, commander of the radio-active research center, said he was "unaware" of Green's activities with McCord.

"I don't know if there is anything wrong with that," Varon said. "And if he was doing it, he was doing it on his own time because he worked here during the day."

Varon said Green was a logistics officer in charge of the center's modern electronic equipment and the closed-circuit television supply.

The military generally discourages officers from taking an active duty role in politics, but a spokesman for the Air Force said he "didn't think" that working as a guard in a campaign office was of any regulation.

The investigation of the Watergate bugging case revealed that McCord had purchased a sophisticated electronic receiver for the eavesdropping equipment planted in the Democratic offices. It also showed that McCord had bought several closed-circuit television sets.

But Varon said that Green had no technical knowledge about electronic equipment. "He just handled the paper work involved," Varon said. "Green is not the type of guy who would get involved in any complicated operation . . . I can see him doing guard work."

Nocturnal Security Force

He said Green served as a supply officer for an air base in Vietnam before coming to the center three years ago.

Green retired July 1 when he was passed-over for a promotion to the rank of colonel.

After his retirement, Green began working with Security International, the firm which took over McCord's business last month.

The head of Security International, Shea, also was a member of McCord's nocturnal security force.

In addition to Shea, the team included Louis James Russell, former top investigator for the House Un-American Activities Committee, and Alfred Baldwin, a former FBI agent who has admitted monitoring bugs implanted in the offices of the Democratic National Committee.

Although Baldwin has admitted that he spent his nights in the Howard Johnson motel — across the street from the Watergate — listening in on the Democrats, Shea and Russell have offered different versions of their activities in the weeks before the break-in.

Shea has told friends he was spending evenings working on burglar alarm systems. And Russell has told The Star-News that his main function was guarding the finance committee headquarters.

"The Good Times"
On the night of the break-in, Russell decided to go down to the Howard Johnson's to get a

snack. He said he went there because he had a "sentimental" attachment to the place.

"I used to go with a girl who had her hair done at the Watergate," Russell said, "And we'd go over to the Howard

Johnson's for dinner afterwards. I went there that night to think about the good times we had."

Russell said he is still working for McCord helping him with his legal defense. McCord and six others including the Nixon finance committee counsel and E. Howard Hunt, an ex-White House consultant, were indicted Sept. 15, on charges of conspiring to bug the Watergate.

Russell was questioned by the FBI but he did not testify before a grand jury which spent months investigating the case.

A Nixon re-election committee spokesman, when asked, acknowledged that both Russell and Shea had worked at the committee, but were paid by McCord.

Guards at the Nixon Re-election Headquarters receive \$3.50 an hour.

Shea and his wife Terry, who worked as a secretary for McCord for about a year, live in an expensive home in Potomac. Green is building a home near the Sheas.

Shea declines to discuss McCord or Security International with newsmen. He told The Star-News: "If you don't leave me alone I'll get you and your newspaper in a lot of trouble."

Just why the Nixon committee did not pay these men as it did the rest of the guard force is unclear. Most GOP security guards have been named in the committee reports of expenditures to the General Accounting Office.

But in the case of this secret security force, the committee lists only one payment to McCord associates, for \$1,091 and dated April 17.

There is no record of a reimbursement to McCord for Russell, who worked full time at the committee from late in May until the June 17 break-in.

Continued

20 OCT 1972 STATINTL

Watergate Case Grand Jury Still Holding Secret Meetings

By PATRICK COLLINS and
JEREMIAH O'LEARY
Star-News Staff Writers

The grand jury that indicted seven men in the Watergate bugging case has been meeting secretly since the indictments were handed down and it is believed the jury is investigating new charges linked to the Watergate case.

Shortly after the seven men were indicted Sept. 15, Henry E. Petersen, chief of the Justice Department's Criminal Division, said the case was closed and the investigation into the incident had been concluded.

However sources close to the investigation told the Star-News today that the grand jury which probed the Watergate case had had several sessions since the Sept. 15 indictments.

Normally, the U.S. attorney recalls a grand jury on a case only when new evidence has been discovered.

Sources close to the investigation said the jury may be examining several incidents related to the Watergate bugging case.

Among the charges the jury may be probing is the accusation that the Nixon re-election committee supported an organized band of political saboteurs who were assigned to disrupt the Democratic primary and sabotage the campaign of Democratic presidential nominee Sen. George McGovern.

Sources say the jury may also be looking into the charges by the General Accounting Office that the Finance Committee to Re-elect the President committed about a dozen "apparent" violations of the federal campaign spending laws.

Listed in those violations, reported in a GAO audit last August, was a \$350,000 cash slush fund which was located in the private safe of Nixon's chief fund raiser, Maurice Stans.

It is believed that some of

the money used by the Watergate seven came from Stans' safe.

Recently, sources in the Justice Department have said that any investigation into violations of the campaign spending law would be delayed until after the election.

A third reason for the jury meetings, sources say, is the speculation that one of the defendants in the case has agreed to cooperate with the government.

Till now there has been no indication that any of the seven men indicted have been willing to talk about their involvement in the case.

The government has only one inside witness — Richard Baldwin, a former FBI agent who says he monitored transmissions from bugs implanted in the phones of the Democratic National Committee.

Investigators associated with the case said it would be impossible "to take the case any further" unless we can get one of the leaders to talk.

The three most prominent men charged in the case were G. Gordon Liddy, former counsel to Nixon's finance committee, James McCord, security advisor to the Nixon re-election committee, and E. Howard Hunt, a former White House consultant.

Meanwhile, Stans failed to appear in Superior Court today for extradition proceedings in the Florida trial of Watergate defendant Bernard L. Barker.

Listed to Appear

The former secretary of commerce had been listed to appear this morning in assignment court before Judge Paul McArdle, a routine proceeding for the designation of a judge to hear Florida's request to extradite Stans to Miami as a witness in the Oct. 30 trial.

When Stans did not appear during the first two hours of the session, newsmen called the Nixon campaign committee for an explanation. Press spokesman Powell Moore said he had contacted Kenneth Par-

kinson, Stans' attorney, and was told that Stans did not appear in court because he had not been served with a subpoena.

Until that day no raid had come closer than five miles to the center of Hanoi during the current bombing campaign under rules originating with the White House and the secretary of Defense and passing down through the military chain of command.

It has been confirmed by a high ranking Pentagon official that Defense Secretary Melvin R. Laird cleared the Gai Lam yard as an eligible target less than two weeks before the raid took place.

Five days before Navy F-4s and A-7s from the carrier Midway set out to hit the yard

Oct. 11, Air Force fighter bombers raided three of the anti-aircraft missile sites that ring the city.

In the raid of October 6, according to Saigon military command's routine report, the Air Force pilots hit five SAMs within five miles of the city to the south, four more nine miles southeast of the city and a tenth five miles northeast of the city — within two miles of the Gai Lam yard.

The only official acknowledgement of the incident to have come from the military before today had suggested that the legation was hit by a North Vietnamese SAM that missed its target and "could have impacted on the ground."

Members of the police department's fugitive squad, which serves all out of state witness subpoenas, had attempted to serve Stans at his home in the Watergate complex twice on Tuesday, but he was not there.

On Wednesday, the U.S. attorney's office made arrangements through Stans' attorneys for Stans to be served yesterday.

However, the time of service was unclear, court sources said. Stans' attorneys came to Stans' apartment at 6:30 p.m. and 9:13 p.m. yesterday but Stans was not there.

Court sources said there was just a misunderstanding as to the time and that Stans was not attempting to evade service.

Superior Court Judge Paul McArdle was to hold the hearing for Stans this afternoon. He signed a special appearance order prepared late this morning by the U.S. attorney's office after consultation with Stans' attorneys.

Miami State Atty. Richard E. Gerstein, informed of Stans' failure to appear this morning, commented, "This is really black humor when it is necessary for Washington police fugitive squad men to go out looking for one of the President's highest confidants. It would be easier to locate one of the high-ranking figures of organized crime."

Moore told reporters only that Stans had been here everyday this week but one and had been available anytime for service of the subpoena. But neither Stans nor his attorneys could be reached to clarify the situation.

Book says CIA stole Sputnik briefly in '58

Washington (AP)—The Central Intelligence Agency stole the Soviet Sputnik to examine it minutely while it was on a world tour in 1958, says a new book by a former intelligence agent.

Patrick J. McGarvey, in "CIA—The Myth & the Madness," a book critical of the agency, relates:

"The Sputnik display was stolen for three hours by a CIA team which completely dismantled it, took samples of its structure, photographed it, reassembled it and returned it to its original place undetected."

CIA review required

The country where this occurred, Mr. McGarvey said, was among the things in about 100 lines the CIA cut out when he submitted his manuscript to the CIA. Review by the CIA was required under his secrecy agreement signed when he joined the agency, he said.

Other things Mr. McGarvey says he is revealing for the first time include:

1. Intelligence bickering nearly provoked Chinese Communist entry into the Vietnam war in 1966.

2. Richard Helms, director of central intelligence, taps the phones of his subordinates.

3. The FBI tried to enlist the CIA in an attempt to "scandalize" Stokely Carmichael, the black civil rights activist, in Hong Kong during his travels in 1967.

4. The ill-fated Pueblo mission and capture by North Korea was unnecessary since

all the targets it was working against were already adequately covered by other intelligence sources.

The CIA had no comment on Mr. McGarvey's book. And in giving him the go-ahead, the agency wrote Mr. McGarvey if any claim is made that the CIA "in any way approves your book or confirms the accuracy of any information contained therein, it will be officially denied and we will consider what other action may be appropriate under the circumstances."

Mr. McGarvey is a 14-year veteran in intelligence, three years with the CIA, the rest with the Army's National Security Agency and the Defense Intelligence Agency between 1955 and 1969.

He served in intelligence assignments in Korea, Japan, Taiwan and Vietnam.

Battling with 2 authors

Mr. McGarvey's book is one of three new books on the CIA but the agency is battling with authors of the other two who did not present theirs for clearance.

The CIA tried to block the publication several months ago of "The Politics of Heroin in Southeast Asia" by Alfred McCoy, which accused the CIA of heavy involvement in drug traffic in that area. The book was published over CIA protest.

Last spring, the CIA won a federal court injunction to block publication and speeches by a former high-ranking intelligence official, Victor Marchetti. He is now appealing to the Supreme Court.

STATINTL

STATINTL

BOULDER, COLO.

CAMERA OCT 20 1972

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S - 16,535

President Should Clarify Watergate

I have just read with deep concern the account in Saturday's Camera of the Watergate conspiracy, as described by one of the conspirators, Alfred C. Baldwin III. It seems to me that the cavalier attitude of the Republican Party, including its chief, Richard Nixon, that this episode is none of their affair, or a mere peccadillo, or just "dirty politics, as usual," or even a plot of the Democrats (Agnew), should fill everyone in America, of any party, with alarm.

Armored cars, pistol-packing ex-FBI and CIA agents, the most sophisticated electronic equipment, including walkie-talkie and TV surveillance apparatus, the secrecy even among the conspirators, the easy cash, all add up to something very like the ruthless gangsterism that characterized Hitler's rise to power and destroyed all political parties in Germany, but one. Those guns described in the article were only to kill

people; those armored limosines were only to escape in unlawful flight. The money, electronic equipment, the planning were all dedicated to manipulating the American electorate, to defeating fair play and decency in democratic debate, to undermining the Constitution, which instructs us in the two-party system.

I do not like to question the integrity of the President of the U.S. If I must have him as President for another four years, as seems likely, I would like to believe in him, to have faith that even though I disagree with him he is an honorable man. I call on him to clarify now the responsibility in this conspiracy, to make public amends where possible, to take steps to assure the public that the Republican Party will never again indulge in these gestapo tactics, and to repudiate publicly all of the rascals involved.

LENORE STEWART

921 Fifth St.

Kleindienst suspects news leak in ranks

By MARK MONDAY

Atty. Gen. Richard Kleindienst told a news conference in San Diego last night that it appears someone in the Justice Department is leaking information to the news media. He has not found out who it is.

When he does, he intends to ask for the person's resignation.

In a news conference in the Hilton Hotel Kleindienst also:

—Defended the government's investigation into the Watergate bugging case.

—Said his department is not investigating press charges that a presidential appointments secretary is linked indirectly with a figure in the Watergate bugging case.

—Discounted reports that the Central Intelligence Agency is linked with traffic in hard drugs from Southeast Asia.

—Urged California voters to defeat the marijuana-decriminalization initiative, Prop. 19.

—Skirted a question as to what the federal government would do if the initiative were passed.

Kleindienst held the conference before addressing the California Narcotic Officers Assn. at the Hilton.

He told the law officers his department is proposing stricter legislative restrictions on the granting of bail and parole, and mandatory jail sentences for sellers of heroin and cocaine.

Asked if there was any indication that persons in the Justice Department are leaking information on the Watergate bugging case to the press, Kleindienst responded: "If you mean do I recognize (information) when I see it in the newspaper, yes."

Kleindienst suggested the press "curb its temptations" to get and print such con-

fidential FBI files from the Justice Department.

"Much of what you see in an FBI file is rumor, hearsay and unsubstantiated gossip," he said.

The attorney general said that, in the course of investigations, law enforcement officers have to rely on people giving them leads and information which may be only rumor.

He said that if people are reluctant to assist law-enforcement officers because their comments and rumor may be disclosed by the press, "law enforcement will be set back a long way."

Kleindienst denied there is any footdragging in the investigation or prosecution of the Watergate bugging case, in which Democratic party officials have charged that high-level Republicans were involved in an effort to spy on Democratic campaign planning.

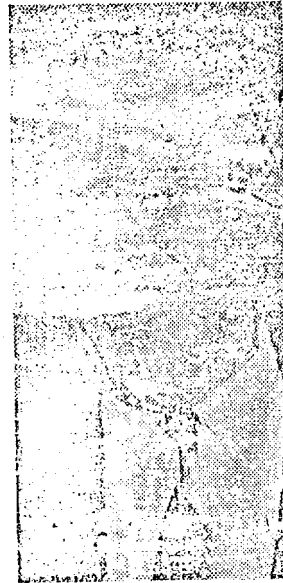
He said FBI agents and U.S. attorneys involved in the case are career professionals and largely Democratic party oriented.

He added that he has taken an oath of office which he will not fail to uphold.

Kleindienst said the best indication that the case is being well handled and that there are no political cover-ups is that no one has leaked any such information to the news media.

Asked if any of his agencies are investigating newspaper reports that presidential appointments secretary Dwight L. Chapin is linked with a figure in the Watergate bugging case, Kleindienst said "it hasn't come before my department. No one has alleged anything is wrong."

The New York Times has reported that Donald H. Segretti, a California lawyer who has been linked to allegations of political sabotage, had 28 calls charged on his phone



RICHARD KLEINDIENST

credit card to the White House office of Chapin, Chapin's home and to E. Howard Hunt Jr., a former White House consultant charged in the Watergate case.

Kleindienst also discounted reports in a recently published book that the CIA is linked with the production and transporting of hard drugs in Southeast Asia.

He termed the charges "incredible" and said they didn't deserve an answer. "The CIA is not in the business of fostering people who engage in narcotics traffic," he said.

Of the California marijuana initiative, he said he is "absolutely, unequivocally 100% opposed" to the idea.

He said that he could not imagine the President proposing it at the federal level.

Kleindienst said "everyone agrees" marijuana is dangerous, that most of the nations in the world ban it and that "you just can't compare it to alcohol."

The initiative would re-

move criminal penalties from the possession for private use of marijuana for those persons 18 or older. The initiative affects only state law and not federal laws dealing with possession of marijuana.

Asked what the federal government would do to enforce its marijuana laws should the initiative pass, the attorney general said it "presents a pretty difficult question. There is a question of concurrent jurisdiction. I hope that the people of California will not present that problem to the United States."

U.S. at MIDWINTER

By CONRAD KOMOROWSKI

Nixon's silence

Democratic Vice Presidential candidate Sargent Shriver challenged Nixon's silence Tuesday on the Watergate bugging of national Democratic Party headquarters and the evidence that has piled up of Republican corruption, sabotage, spying and other misdeeds.

This is one part of the enormous mass of corruption and political gangsterism of the Nixon Administration in which an election campaign is conducted like a war.

This grim war of political gunslinging procedures, CIA cloak-and-dagger methods, and FBI police state style has the stench of incipient fascism about it. It has its antecedents in the Nixonite political knife-wielding to stifle dissent in federal circles, the varying forms of repression of peace, civil rights, democratic and left political activities, ranging from infiltration, widespread electronic surveillance, provocation to actual physical extermination, as in the methods used against the Black Panthers.

It was the Nixon Administration and the Justice Department of John Mitchell, then Attorney General, Richard Kleindienst, then Deputy now Attorney General, and Robert Mardian, then head of internal security for the Department of Justice and now a top figure in the Committee to Re-Elect the President (CREEP), that worked out the scheme to break up the May Day 1971 peace demonstration in Washington by unconstitutional mass arrests which netted 13,000 prisoners, many of whom were herded into a specially constructed concentration camp. Indeed, Nixon has a reason for silence.

Ultra-right plot

The Nixonites have brushed aside the exposure of their sabotage, spying and burglary activities in the election campaign as "political pranks," in the phrases of John D. Ehrlichman, Nixon's top adviser on domestic matters, on Sunday.

Referring to the Nixonites, Democratic presidential candidate George McGovern said Tuesday in San Antonio, Texas, that "These ambitious men will apparently stop at nothing to preserve their power."

He said that they had conspired "to forge letters, impersonate officials of various Democratic campaigns, incite riots, issue phony press releases in the name of others, withhold evidence from a grand jury, illegally enter the offices of the opposition party, steal private files and unlawfully wiretap the private conversations of Democratic officials."

The list is damning, but the Nixonites have gone further. They established a conspiratorial network which has sought to poison public opinion. This network operated in a style and on the principles of the CIA seeking to subvert a foreign government.

Among its exploits, which include the plot to compromise Sen. Edmund Muskie in the primaries, particularly in New Hampshire, was the plot to destroy Sen. Thomas Eagleton, when he was named the Democratic vice presidential candidate, by planting what is now generally regarded as false charges concerning alleged drunken driving.

Nixon has something to hide and that is why he has campaigned mainly by proxy, utilizing dozens of "surrogates." His press conferences are severely limited also, obviously to avoid searching questions.

19 OCT 1972

White House: No Spy Director Here

McCord Office Next to Muskie's

By Karlyn Barker
Washington Post Staff Writer

James W. McCord Jr., one of seven men indicted in the Watergate bugging incident, apparently leased a K Street office next door to Sen. Edmund S. Muskie's campaign office last spring while Muskie was candidate for the Democratic presidential nomination.

At the time McCord was the security coordinator for the Committee for the Re-election of the President.

The co-owner and an employee of an optician's office on the ground floor of the building at 1908 K. St. NW said McCord rented the second floor office there in May or June of this year.

The building's landlord refused to discuss the matter but confirmed that a man named McCord leased the office.

The building is attached to the one next door, at 1910 K St. NW, which served as Muskie headquarters from January, 1972, until the last week in July when it became the main office for the presidential campaign of Sen. George McGovern.

McCord, a former CIA employee and FBI agent, has been linked to one other spying incident in addition to the Watergate, where he was arrested June 17. Federal investigators say that while he was employed by the President's re-election committee McCord conducted an investigation of columnist Jack Anderson, apparently to learn where the columnist was getting information critical of the Nixon administration.

A spokesman for Muskie said Tuesday that "everything we had to say (about campaign plans) was being said" at the K Street headquarters. "The senator went in there frequently to make

phone calls to political leaders and discussions about whether we would stay in the race and what we might do in Miami took place there."

Leonard M. Gatti, landlord of the 1908 K St. building, said yesterday that it was his understanding that the second floor space "was to be used as an accounting office." Gatti said

he never met the renter in person.

Gatti refused to discuss the circumstances of the lease agreement or the duration, saying only, "A man pays his rent. He get a key."

The Washington Post was told that McCord intended to use the office on K Street as a Washington branch of McCord Associates, Inc., a security firm he had opened in Rockville in the spring of 1971.

Paul Pattyson, co-owner of an optician's office below the one rented through Gatti, told The Washington Post Tuesday that it was James McCord who rented the office a few months after January when it was vacated by a landscape firm.

"I know it was him. He got mail here that had to be returned to the post office because he never picked it up," said Pattyson.

Pattyson said he was called by Gatti "in May or June, I think, and told the office had finally been rented—by a James McCord.

Maria Musgrave, an employee of Pattyson, said she once "loaned a key to get into the upstairs office" to a man who said he was James McCord. Miss Musgrave was unable to identify McCord from photographs yesterday.

She said she saw the man only once, at night.

She said there was no evidence that anyone used the office during the day because the mailmen and gasmen could never find anyone there.

"I had to let the gas people in to read the meter," she said, adding that the upstairs office showed no signs of being either renovated or occupied when she last saw it—before the present tenants moved in.

Jean Ballosi, owner of the Owl and Tortoise Restaurant around the corner from 1908 K St., said she leased the second floor office there about a month ago.

"It looked just like a landscape firm (that left in January) with maps and charts still on the walls," she said, "but I've completely redecorated it now."

Renting a room near the target of a surveillance operation is a standard bugging technique. The rented room is used as a monitoring post. In it, signals transmitted by radio transmitter bugs planted in the room under surveillance are picked up and recorded.

There is no evidence that McCord rented the K Street office for bugging purposes or that the Muskie headquarters were bugged.

STATINTL

CHARLESTON, W. VA.

GAZETTE OCT 18 1972

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Editorials

Roads From Watergate: How Far Do They Run?

With many of his associates hip-deep in the slime of Watergate, it is becoming increasingly difficult to believe President Nixon is unaware of the extralegal activities undertaken in his behalf.

If it is difficult to excuse the President, it is well-nigh impossible to assume that highly placed Republicans very close to Mr. Nixon have no guilty knowledge in connection with the mounting evidence of immorality and crime.

Many of the roads from Watergate lead directly to the Committee to Re-Elect the President, which was headed by former Atty. Gen. John Mitchell up until the day his wife, Martha, began publicly to denounce some of the dirtier and more frightful aspects of the political world into which she had been thrust.

Mrs. Mitchell's sallies ceased being funny, or newsworthy. She was whisked from view. Simultaneously, her husband resigned from the committee. It is interesting to note that the hasty retreat of the Mitchells followed upon the capture of the Watergate adventurers.

The disappearance of the Mitchells has done wonders to stifle public interest in the Watergate affair. The names that now pop up daily in connection with the words.

But they are important names, nonetheless, in a Republican administration that assumes a virtuous face whenever political espionage is mentioned.

One such name is Dwight L. Chapin.

Who is Dwight L. Chapin? He is the President's appointments secretary, a man who meets almost daily with Mr. Nixon.

Now comes Lawrence Young, a California lawyer, to tell us in a sworn statement that he was told by a client, Donald H. Segretti, that "Dwight Chapin was a person I reported to in Washington."

Who is Donald H. Segretti? He is a man who has been identified by federal investigators as one of 50 undercover operatives engaged since 1971 in a mammoth spying and sabotage offensive by Nixon aides against Democratic presidential candidates.

Segretti, the same federal investigators assert, was paid for his activities from a secret cash fund kept in the office safe of former Secretary of Commerce Maurice Stans, finance chairman of the Nixon campaign.

The sordid case has many ramifications. The California lawyer also swears that Segretti said he, Segretti, received political sabotage and spying assignments from E. Howard Hunt.

Who is E. Howard Hunt? He is a former CIA agent and a former White House aide who was among seven men indicted in the Watergate bugging case.

The White House piously declares its innocence, but regardless of the angle from which the case is viewed the White House winds up smack in the middle of

it. If the public seems unconcerned, it is a tribute to the propaganda efforts of the Grand Old Party.

If Mr. Nixon is totally unaware of the activity of his troops in the field, his indifferent reaction suggests that he is, at best, amoral, and that his "law and order" rhetoric is comically hypocritical.

We don't care for the unsavory people with whom Mr. Nixon has surrounded himself. We hope the American voters will be shaken into a determination to look closely at evidence of political foulness that would do credit to 19th century European despots.

The voters would do well to rid themselves of the vicious and un-American political apparatus deliberately organized for the sabotaging of the American system of selecting national leadership. The way to rid themselves of the apparatus is to rid themselves of the cynical Republican administration which fostered it.

As incredible disclosure follows upon disclosure, Sen. George McGovern stands out in sharp contrast. The best saboteurs and spies Republican money could buy have been able to bring against McGovern only the most trivial accusations. The most damning of these is that George McGovern sometimes changes his mind on the issues.

If Republican espionage has demonstrated the depths to which the Nixon team can stoop, it also has been the ironic means by which George McGovern's virtues have been affirmed.

STATINTL

JERSEY CITY, N.J.

JOURNAL

OCT 1 8 1972

E - 86,224

Slugging

Now there are only 20 days until election. Both sides have teed off on the media. Both sides are shouting foul. It has been too long a campaign. Tempers are thinning. But the campaigners are much more impressed with their own charges against each other than the voters are.

It should not be forgotten that the public has been conditioned for a long time to look upon cloak-and-dagger stuff as entertainment. One cannot watch "Mission Impossible" week after week, with the electronic genius Greg Morris bugging rooms and installing one-way mirror windows, without getting to take such things as a matter of course. The reaction to Watergate was less that it was unethical than that it was done clumsily; Greg never is inept.

A pro-Nixon, CIA-type counterforce was as logical a development as "The Man from U.N.C.L.E." in view of the pro-McGovern street revolutionary types which published a detailed outline of how to wreck the Republican convention in Miami and the organizers who utilized McGovern telephones to round up recruits for an anti-Nixon demonstration on the West Coast.

And who wrote the "Canuck letter" which a New Hampshire newspaper ran without checking; causing Senator Muskie to weep in a Manchester street, will be argued for a long time. It certainly sabotaged Muskie but whom did it help? Nixon? Or McGovern?

The point is that skulduggery goes on in all political campaigns—even in local campaigns although not on so sophisticated a scale. Certainly it is not the way to run an election campaign but the way Americans run all aspects of an election campaign may not be the best way, either. The telltale is that both sides are shouting "Foul!" and undoubtedly both are right.

The 1972 campaign might make a better TV mystery series than some of the stuff the tube is showing.

Segretti Is Linked to Calls To White House in Spring

By STEVEN V. ROBERTS

Special to The New York Times

LOS ANGELES, Oct. 17—Donald H. Segretti, the man identified in news reports as a key figure in a campaign to sabotage Democratic political activities, has been linked

to a number of telephone calls made last spring to the White House and to the home and office of a man indicted in the Watergate bugging incident.

Some of the calls were made from his home telephone and others were charged to his credit card.

The New York Times has learned that at least 28 calls were made to the White House; to the home of Dwight L. Chapin, a close aide to President Nixon, and to the home and office of E. Howard Hunt Jr. Mr. Hunt, a former White House consultant, has been indicted in connection with the break-in June 17 at the headquarters of the Democratic National Committee at the Watergate complex in Washington.

News reports have alleged that Mr. Chapin and Mr. Hunt served as Washington contacts for Mr. Segretti, a 31-year-old lawyer who several persons have said tried to recruit them for political espionage.

Mr. Segretti denied the initial reports concerning his involvement in an espionage campaign but could not be reached for comment on the new information.

Spokesmen for the White House and the Committee for the Re-election of the President have denounced the press for printing articles based on what they call "hearsay" and "innuendo," but they have neither denied nor rebutted the material that has been published.

Mr. Chapin and Mr. Hunt could not be reached today. Ronald L. Ziegler, President Nixon's press secretary, said that he had "no knowledge" of the calls to the White House and "no idea" why they had been made.

The Times has learned that at least six calls were made to the White House from Mr. Segretti's phone or were billed to his credit card—one in April and five in June, the last on June 23. In one instance, an unlisted number in suburban Maryland was called. A woman who answered that phone to-

day confirmed that it was Mr. Chapin's home.

Two Calls to Home

On at least 19 occasions from March to June, the unlisted number of Mr. Hunt's office at Robert R. Mullen & Company, a Washington public relations firm, was called from the Segretti phone or were billed to him. Two calls were placed in that period to Mr. Hunt's home in Rockville, Md.

It was not known who participated in any of the telephone calls.

The calls to Mr. Hunt's home and office stopped shortly before June 17, the night five men were arrested in the offices of the Democratic National Committee at the Watergate complex. Mr. Hunt was not among those arrested that night, but he was immediately dismissed by the Mullen concern, for which he worked as a writer. He was later indicted for conspiracy in the case.

Mr. Hunt worked as a consultant to the White House in 1971 and 1972 mainly on domestic affairs. The White House has contended that he last worked there on March 29; some sources say he worked through June. At least two of the calls from the Segretti home to Mr. Hunt's phones were placed before March 29.

The Times has not been able to learn about any phone calls made from Mr. Segretti's phone before mid-March.

Last week, the Washington Post first named Mr. Segretti as an important operative in what it described as a broad campaign conducted by President Nixon's re-election committee to disrupt and harass Democratic candidates.

At least eight persons around the country have told The New York Times and other newspapers that they were approached by Mr. Segretti and asked to perform undercover work of various kinds. Most of them said they were not sure whom Mr. Segretti was working for, but several have said that he told them he was working for President Nixon's campaign.

This week Time magazine has reported that Segretti has been paid more than \$35,000 for his work. According to the magazine, Justice Department

files show that the money originated with the Committee for the Re-election of the President and was funneled to Mr. Segretti through Herbert W. Kalmbach, a California lawyer who has often represented President Nixon in his private affairs.

According to various accounts, Mr. Segretti's work included such activities as obtaining secret information about Democratic campaigns, planting false stories about rival candidates, distributing bogus literature, and generally fomenting trouble and discord among contenders for the Democratic Presidential nomination.

Classmates in College

Mr. Chapin and Mr. Segretti were college classmates at the University of Southern California in the class of 1963. While there, they joined in a campaign to overthrow the political powers on campus. Mr. Chapin also worked for Mr. Nixon's unsuccessful campaign for Governor of California in 1962 and apparently recruited Mr. Segretti to work in that campaign with him.

Mr. Chapin has served President Nixon as a personal aide and appointments secretary since the Administration took office. Lately he has concentrated on political activities.

Mr. Hunt had a colorful career as an agent of the Central Intelligence Agency and as an author of mystery novels before he went to work for the Mullen firm and the White House. Washington sources have identified Mr. Hunt as a prime organizer of the Bay of Pigs invasion against Fidel Castro's regime in Cuba.

After graduating from law school in 1967, Mr. Segretti spent four years as a captain in the Judge Advocate General's Corps, including a year in Vietnam. He left the service in September, 1971, and has lived in Los Angeles since then.

WASHINGTON STAR
18 OCT 1972

STATINTL



'No, sonny—I am not a CIA agent!'

BEST COPY

Available



Shriver Says 'Espionage' Uses CIA's Techniques

STATINTL

By Lou Cannon

Washington Post Staff Writer

BUFFALO, N.Y., Oct. 16—

The Nixon administration is using CIA tactics on American citizens, Sargent Shriver charged today.

In a reference to recent developments in the Watergate burglary case and to the CIA background of some of the defendants, Shriver said:

"They're perpetrating against the American people the same techniques that America used against the Russians . . . they're burglarizing in the middle of the night, implanting electronic bugging devices, forging letters, bribing people and then sending covert information, it appears, right up into the office of the White House, the President's office itself . . .

"This is the introduction into the life of the people of America of covert, subversive activities of the type that have only been permitted outside the United States. That devil is coming back to corrupt us

here, and I say the American people will not tolerate it."

Shriver's speech, wildly cheered by a partisan crowd of 400 that jammed the Check-towaga (Erie County) town hall, was described by one of his aides as a calculated effort to make people think of the Watergate issue in terms of its "Big Brother" espionage effects on the American people rather than as simply an issue in which one politician does dirt to another.

The Democratic vice presidential candidate himself emphasized this point and took cognizance of the fact that many voters have dismissed the Watergate affair as simply being typical of American politics.

But Watergate is different, said Shriver, "in a very serious and ominous way" because it shows that CIA techniques which have been developed to counteract the Russians, the techniques of "espionage, bribery, cajolery, falsification of records, disinformation" are

now being used against Americans.

"That's the most un-American development that's happened, certainly in my lifetime, and perhaps ever," Shriver said. He concluded his speech with a personal attack on President Nixon, whom Shriver compared to a "leopard that doesn't change its spots."

"He's still the same Nixon he always was," said Shriver.

"He may dress like a President, look like a President, talk like a President, act like a President, walk like a President—but it's still Nixon."

17 OCT 1972

STATINTL

The Washington Merry-Go-Round*Nixon Forces Accused of Dirty Tricks**By Jack Anderson*

Men in power don't relish having their cozy relationships exposed, and their sources of money bared, and their errors and embarrassments publicized.

It is not surprising, therefore that the Nixon Administration doesn't like this column. So the President's dirty tricks department tried to play a few tricks on us.

The dirty tricks operation, otherwise known as the "Offensive Security Program of the Nixon Forces," was established chiefly to bewitch and befoul Democratic presidential candidates. It was funded out of a secret, fluctuating Republican slush fund.

The Washington Post has charged that the dirty tricks included forging phony letters to embarrass the Democrats, leaking false information to the press, tailing family members of Democratic presidential candidates and throwing campaign schedules into disarray.

The Watergate incident—breaking into Democratic Party headquarters, tapping party leaders' telephones and stealing party documents—was part of this sordid operation.

In our case, the dirty tricks were pulled by political operatives and government gumshoes alike. Their objective, apparently, was two-fold: (1) to discredit the column by undermining our credibility;

and (2) to shut off our sources.

A host of investigators participated in the project. Government agents, watching through binoculars from a nearby knoll, staked out my house. With walkie-talkies, they directed waiting government security cars to tail me wherever I went. Sources inside the Justice Department provided me with the descriptions and license numbers of the cars. So it didn't take long to locate them lurking in hiding places near my home.

McCord's Report

The President's campaign security chief, James W. McCord Jr., joined in the investigation. In an "interim report" to the White House, he accused me of "close association with the operating arm of the Democratic Party." Ironically, a Democratic Party spokesman later accused me of close association with McCord's operation after we published an embarrassing memo from party files.

Sources inside the White House, meanwhile, warned us of attempts to discredit the column. Not long afterward, the Bureau of Narcotics and Dangerous Drugs called a press conference. We were tipped off that the bureau would challenge our story about Thailand's great opium hoax.

The Thai authorities with considerable whoop-de-doo staged a million-dollar opium

burning to dramatize how they were cooperating with the U.S. crackdown on drugs. We reported, however, that they really burned cheap fodder mixed with opium.

Nixon aides went to elaborate lengths to knock the story down. They prepared pages of refutation for the press, set up a movie of the opium burning and produced an "expert" to testify how wrong we were. Not only narcotics officials but White House and Justice Department aides were involved in the arrangements.

But thanks to our advance tip, my associate Les Whitten showed up at the press conference with a stack of secret CIA documents and detailed notes from other documents. He quoted evidence right from the government's secret files that the Thais had burned fodder instead of pure opium. An administration spokesman sheepishly admitted that Uncle Sam had paid a cool \$1 million for the ashes.

Air Force Attack

More recently, the Pentagon furnished the editors of Air Force Magazine with material for a blistering attack on us. They challenged our report about Air Force research on a laser beam that would explode the eyeballs of enemy soldiers at a distance of more than a mile. Blinded soldiers, the research noted, would be more of a burden to a fighting force than dead soldiers.

We based our story on a

copy of the actual study, which speaks more than five times of the violent effects of laser beams on eyeballs. Twice, the study cites "massive blast" effects; in another place, it tells of a "micro-explosion" in the eyes. The water fluids in the eyes, adds the study, would "rise to about 100 degrees Centigrade" — the boiling point.

Although we had a copy of the study, we also contacted two Air Force researchers at Wright-Patterson Air Force Base where the research was reviewed. They would confirm only that they had been involved in classified research on laser weapons.

Finally we located the physician-researcher, Dr. Milton Zaret, who directed the study for the Air Force. To make sure our story was absolutely accurate, we read it back to him word-for-word. He suggested a few minor technical changes, which we made.

After Air Force Magazine called our story false, we reached editors Claude Witze and John Frisbee. The attack on us was written by Witze who admitted he had never seen the study he accused us of misrepresenting. He also had never tried to reach the scientist who prepared it nor, for that matter, had he bothered to seek our side of the story.

"My understanding was that (the Pentagon version) was the whole package," said Witze. "I rely on them fairly heavily."

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17 OCT 1972

Approved For Release 2001/03/04 : CIA-RDP80-0160

STATINTL

GOP Hits

Post for

Hearsay

News Stories

On Sabotage

Held Malicious

By Carl Bernstein
and Bob Woodward

Washington Post Staff Writers

President Nixon's campaign manager, his press secretary and the Republican National Committee chairman made separate attacks on The Washington Post yesterday for its coverage of the Watergate bugging incident and an alleged Republican spying and sabotage operation against the Democrats.

The attacks, containing similar language, were made by Clark MacGregor, Mr. Nixon's campaign manager; Ronald Ziegler, the White House press secretary, and Kansas Sen. Robert J. Dole, the GOP national chairman. Their statements accused The Post of printing "hearsay," "innuendo" and "unsubstantiated" charges relating to the Watergate investigation.

Neither MacGregor nor Ziegler would respond to reporters' questioning about the specific allegations made in The Post's stories.

The attacks were in reaction to reports—carried first in The Post, then in the New York Times and Time magazine—that the FBI's investigation of the Watergate case had uncovered a spying-and-sabotage campaign against the Democrats, allegedly directed by top presidential aides.

In a prepared statement read to reporters, MacGregor mentioned only The Post by name and said . . . "The Post has maliciously sought to give the appearance of a direct connection between the

House and the Watergate—a charge The Post knows—and half dozen investigations have found—to be false."

In a statement issued last night, Benjamin C. Bradlee, executive editor of The Post, said: "Time will judge between Clark MacGregor's press releases and The Washington Post's reporting of the various activities of the Committee for the Re-election of the President.

"For now it is enough to say that not a single fact contained in the investigative reporting by this newspaper about these activities has been successfully challenged."

Bradlee added: "MacGregor and other high administration officials have called these stories 'a collection of absurdities' and The Post 'malicious,' but the facts are on the record, unchallenged by contrary evidence."

In the past week, The Post has linked the President's appointments secretary, another White House aide and the President's personal attorney to the alleged spying and sabotage campaign.

MacGregor read a three-page statement at the 5 p.m. press conference and refused to answer questions because of "the unusual developments of the past few days." His aides had said earlier that he would answer questions.

Referring to the Post's publication of the Pentagon Papers and the seven men who have been indicted in the bugging of the Democrats' Watergate headquarters, MacGregor said:

"While The Post itself openly and actively collaborated in the publication of stolen top secret documents of the government of the United States 16 months ago — today, it is faking shock and outrage at some obvious volunteers who were allegedly spying on (former Democratic national chairman) Larry O'Brien."

Returning to the comparison, he said at another point that "While each crime is reprehensible, which is the more serious? Stealing top secret documents of the government of the United States; or allegedly stealing Larry O'Brien's political papers?"

MacGregor accused The Post of "hypocrisy" and a "celebrated double standard (that) is then referred to 'unproven

charges by McGovern aides, of Sen. Muskie, about alleged campaign disruptions, while proven facts of opposition-incited disruptions of the President's campaign are buried deep inside the paper."

He cited fire damage and window-breaking incident at Nixon campaign headquarters in six cities and asked why The Post hadn't investigated them. The Post is investigating the incidents.

Earlier, at the daily morning White House briefing, Ziegler said, "I will not dignify with comment stories based on hearsay, character assassination, innuendo or guilt by association," adding,

"That is the White House position; that is my position."

Ziegler was asked if President Nixon is concerned about the increasing number of news reports containing charges of corruption and unethical campaigning by his administration. The press secretary replied:

"The President is concerned about the techniques being applied by the opposition in the stories themselves . . ." adding at another point: "The opposition has been making charges which are not substantiated; stories are written which have not been substantiated."

Ziegler said that the President continues to have "confidence in his staff," including Dwight L. Chapin, his appointments secretary. Chapin was named in accounts by both the Post and Time as a "contact" for Donald H. Segretti, whom federal investigators have identified as one of more than 50 Nixon undercover operatives engaged in sabotage against the Democrats. The Time account also said Segretti had been hired by Chapin and another White House aide, Gordon Strachan.

Sen. Dole's attack on what he called "political garbage" printed by The Post and other unnamed publications was made before an audience of black Republicans in Washington.

"Thus far, there have been enormous headlines about political disruption and very little proof," he said. "In the final days of this campaign, like the desperate politicians whose fortunes they seek to save, The Washington Post is conducting itself by journalistic standards that would cause mass resignations on

principle from the QuickSilver Times"—a local underground newspaper.

Sen. Dole, MacGregor and Ziegler all sought to tie The Post's reporting to Sen. George McGovern's presidential campaign, charging—in Dole's

words—that "given the present straits in which the McGovern campaign finds itself, Mr. McGovern appears to have turned over the franchise for his media attack campaign to the editors of The Washington Post." Dole too referred in his speech to the Pentagon Papers and at one point referred to "George McGovern and his partner-in-mudslinging, The Washington Post."

At MacGregor's press conference yesterday, Clark Mollenhoff, a reporter for the Des Moines Register and Tribune and a former special assistant to President Nixon, was angered that MacGregor would not answer questions.

"What credibility do you have?" Mollenhoff interrupted. "What documents have you seen? Because if you can't tell us, you have no right to stand there."

MacGregor replied: "That will be a matter you will have to determine in consultation with your editors." He then read his three-page statement, two pages of which were devoted to The Post.

When he finished, he walked from the conference room with reporters shouting questions at him.

Mollenhoff got into a dispute earlier this month with Ziegler about what Ziegler said concerning the Watergate bugging being financed by Mr. Nixon's re-election committee.

Mollenhoff quoted Ziegler in a front page story on Oct. 6 as saying: "There is no question but that the money came from the committee."

Ziegler later denied making the statement, and Mollenhoff said he wouldn't back away from the story "one bit."

Although there have been reports linking Nixon campaign funds to the bugging, Ziegler's alleged statement would have been the first official acknowledgement that the Nixon committee financed the eavesdropping.

The seven men indicted in the Watergate bugging include

STATINTL

M - 174,906

S - 204,225

OCT 16 1972

Nixon Aide Was Contact In Sabotage, Paper Says

From Observer Wire Reports

WASHINGTON -- President Nixon's appointments secretary was linked to the alleged political sabotage of Democratic campaigns in separate stories Sunday by Time Magazine and the Washington Post.

Time said Justice Department files showed that Dwight L. Chapin, 31, deputy assistant to the President, hired Donald H. Segretti, a Los Angeles lawyer who once worked for the Treasury Department, "to subvert and disrupt Democratic candidates' campaigns."

The magazine said Nixon's personal lawyer, Herbert Kalmbach, paid Segretti more than \$35,000 from Sept. 1, 1971, until March 15.

The Post said that Lawrence Young, 32, a California lawyer said in a sworn statement that Segretti told him: "Dwight Chapin was a person I reported to in Washington."

The Post quoted Young as saying that Segretti told him he got his assignments from E. Howard Hunt Jr., former CIA agent and White House aide who was one of seven men indicted in the alleged bugging of the Democratic National Committee.

DeVan L. Shumway, a spokesman for the Nixon committee, disclaimed the Post article as "a piece of fiction."

Time said the Justice Department began its current investigation involving Segretti based on a record of telephone calls between Segretti and E. Howard Hunt, one of two former White House consultants indicted in connection with the break-in last June in the Democratic National Headquarters at the Watergate complex in Washington.

The investigators later discovered that Segretti went to Miami last spring to meet with Hunt before the Watergate incident, Time said.

Presidential aide John D. Ehrlichman said Sunday that published reports purporting to link Nixon's appointments secretary to a political spying and sabotage operation were "hearsay about four times removed."

The presidential campaign has entered the "mud month," said Ehrlichman as he responded to questions about a story in Sunday's Washington Post that appointments secretary Dwight L. Chapin served as a contact in an operation aimed at the Democrats.

Ehrlichman said he had no knowledge of the purported undercover sabotage campaign so that "I can't affirm or deny" any Chapin role. But said it appeared to him it was an instance of "a lot of changes" and not much proof.

Ehrlichman was interviewed on ABC's TV-radio program "Issues and Answer."

Both Time and the Post said that Segretti's salary came from a secret cash fund of \$350,000 to \$700,000 kept in the office of former Commerce Secretary Maurice N. Stans, now finance chairman for the Committee to Re-elect the President.

In another report, Newsweek magazine said the goal of the Watergate raid was to create a mini-riot at the Democratic convention by issuing fake press passes.

The magazine quoted a source close to the investigation as saying that when James W. McCord was arrested in the Watergate building he was carrying a sheaf of

applications for college press passes.

The White House said Sunday it had no comment on the reports.

The Post said Chapin issued a reply to its story through the White House press office saying: "As the Washington Post reporter has described it, the story is based on hearsay

and is fundamentally inaccurate."

The newspaper said that in Miami Beach, 10 days before the Republican National Convention, presidential aides briefed Segretti on what to tell a grand jury looking into the matter and assured him that federal prosecutors would ask "easy questions."

16 OCT 1972

Mr. Nixon's unpleasant duty

Assurances from the Republican national campaign committee that the Watergate bugging incident was an isolated case of bad judgment on the part of a few overzealous partisans are no longer acceptable. Neither is further silence on the subject from the White House. The matter must not be left to fade into the distance on bland assurances that an investigation has been made and on a few lower-echelon individuals sacrificed as scapegoats.

Investigating news reporters have turned up too much evidence that demands further explanation. The daily emerging picture is one of an unprecedented political espionage setup, financed by campaign contributions (including \$100,000 which the FBI has indicated was a carefully disguised illegal contribution from a Texas corporation via a Mexican bank). The spy system is apparently staffed by professional former FBI and CIA men, and has sent regular reports of Democratic campaign activities to top staff echelons of both the White House and the Committee to Reelect Richard Nixon.

These allegations and more appeared in an interview given the Los Angeles Times by Alfred Baldwin III, a former FBI agent, who told of monitoring wiretaps for three weeks at the Watergate Democratic national headquarters. Mr. Baldwin also told of being paid hundreds of dollars in crisp new bills by James McCord, security chief for the Nixon campaign committee. The payments were for his wiretapping surveillance, and for acting as bodyguard for Martha and John N. Mitchell, after the former attorney general had left the government. He tells of being given a snub-

nosed .38 police special, although he had no permit to carry a gun, and of being assured by Mr. McCord that if questioned by police Mr. McCord would take care of it.

Such stories blazoned across the front pages of nationally distributed newspapers, if without foundation in fact, would bring forth instant lawsuits for libel. Instead there is silence. Mr. Nixon claims to have investigated the Watergate matter more thoroughly than he went into the Hiss case years ago. Yet it took the newspapers to bring out details of a political fifth column operation dealing in sabotage, theft of confidential files, publication of a forged letter that contributed to the wrecking of Sen. Edmund Muskie's bid for the presidential nomination, and spying on Democratic candidates and their families.

The combined novelty and insidiousness of this departure in political campaign tactics makes it incumbent on President Nixon to come out and publicly denounce and renounce them. Success in sweeping this affair under the rug would be a failure for the American political system, the machinery of which has known all too much corruptive tampering. Public cynicism and apathy, already too apparent, would be fostered and the working of the democratic system further eroded by a whitewash.

Harry Truman, who had his own problems on a smaller scale with five percenters, once observed of the presidency that "the buck stops here." As head of his political party, the President must now accept that burden. He is under obligation to the people and to his party to speak out frankly, to give a full accounting of the whole affair, and to state precisely how he plans to correct it.

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

Except for a famous bugging ...

By Sherwood D. Kohn

STATINTL

The Watergate is a world unto itself

WASHINGTON: On the sixth floor, police caught five clumsy conspirators, reputedly linked with the Republican party, trying to bug Democratic National Committee headquarters. On the seventh floor, Martha Mitchell raised hell by telephone. On the 14th, thieves burglarized the penthouse owned by Rose Mary Woods, President Nixon's private secretary. And in United States District Court, a group of apartment dwellers—claiming to speak for some half-dozen members of Congress, several Cabinet officers, the directors of the Voice of America, the Agency for International Development and the United States Mint, at least one ambassador and the president of the National Academy of Sciences—filed suit. They alleged that their luxury housing in the same building, the most expensive in town, was afflicted with faulty kitchen appliances, cranky air-conditioning, temperamental plumbing and a plethora of damp flaws in walls, windows and ceilings. In short, the sound and fury emanating from the site of all these goings-on has often involved prominent or powerful personalities, has usually been highly audible, and has frequently received attention in the press.

There is only one place in the world, outside of fiction, where such a pretentious *pot-au-feu* of news and newsworthy people could simmer so richly and continuously in such a compact vessel: Washington, D.C.'s Watergate complex. The six-year-old, \$78-million, five-building cluster of ostentatious high-rise apartment, office and hotel units is anchored on the Potomac River bank next to the John F. Kennedy Center for the Performing Arts, just upstream from the ceremonial steps that inspired the development's name.

It is not quite complete today, a dozen years after Italy's giant, 114-year-old conglomerate, the Società Generale Immobiliare, first approached the Washington architectural firm of Fischer and Elmore about developing the old Washington Gas Works property in Foggy Bottom. The Watergate was the first complex built under the District of Columbia's Article 75, an

innovative zoning ordinance designed to encourage urban redevelopment in general and combined living/commercial areas in particular: places that would interact with the city but take the agony out of urban living.

The Watergate has indeed eased city life for some 1,500 affluent Washingtonians, among them about a dozen Senators and Representatives; the Postmaster General; at least two Cabinet members; the Treasurer of the United States; the Directors of the Census and the Mint; a pride of ambassadors, judges and other high-ranking Government officials, and several millionaires. Almost everything they might require for effortless sustenance is available on the premises. There are four swimming pools—one of them indoors—a health club, three psychiatrists, an internist and a dentist. The Watergate's sunken mall easily accessible to all the building, and soothed by the sound of water pouring down a graduated series of concrete dishes, features a wide variety of shops, as well as a Safeway supermarket, a limousine service, travel agency, bank, two restaurants and a small post office that looks, rather surprisingly in these surroundings, just as sterile and pale green as any post office in the United States.

Only two of the buildings—Watergate East and West—are devoted almost exclusively to cooperative apartments; the Watergate Hotel and Office Building form a totally commercial unit, and the newest building, Watergate South, is divided into office and residential sections. Underlying the totality is a network of walkways, tunnels, corridors and malls where people can shop, eat, park their cars, reach any portion of the agglomerate without surfacing, and almost invariably—get lost. "The Watergate is built like a rat maze," says columnist Art Buchwald. "If you walk out of a door inside the building, you're trapped."

...tive and a Democrat in a bastion where the tone is set by Republicans, says that the Watergate is decadent; that the people who live there are prisoners of their own defenses. And indeed, there does seem to be a Marienbad, "La Dolce Vita" quality about the place, a feeling that is heightened by the labyrinthine design; by the sunken walkways, tiered fountains, striated arcs and captive gardens; a Villa d'Este turned to stone, the Andrea Doria's superstructure cast in concrete.

It's unsettling. Once disgorged into an empty hallway, visitors are likely to feel a little desperate. In the curving beige corridors that run through the south and east buildings of the 10-acre development, you can see little more than four doors at a time, and if you're looking for the elevator, there is nothing to tell you which way it lies. And of course you've forgotten which way you came from. Is this what it's like to be eaten by a snail? You have the feeling that you could wander the carpeted halls endlessly and never find the elevator. And what if the elevator doors look just like the apartment doors? Could you pass by them without noticing what they are?

Thank God. The elevator doors are marked by shoebox-shaped ashtrays mounted on the wall. At last. A way out. Past the peephole-pierced beige doors discreetly labeled Long, Morse, Chennault, DiSalle, Lasky, Dole, Auchincloss, Smathers, Muzak in the elevator. The glass eye of the TV camera staring down at you. Could you hide in a corner, make a face at the lens? Will the desk clerk stop you on the way out and frisk you, check your hands to see if they're bloody? Could you get away with murder at the Watergate? After all, thieves have done pretty well there, despite magnetic clocks, guards, alarm tape and electronic surveillance. Or would the monitor pick up your guilty look? Nameless, vague, unjustified, paranoid guilt.

Could you wander the 7-

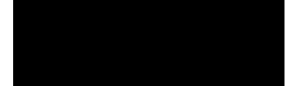
Sherwood D. Kohn is a Washington-based freelance who cannot afford to live in the Watergate.

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resident Ole Sand, a National Education Association execu-

11 OCT 1972

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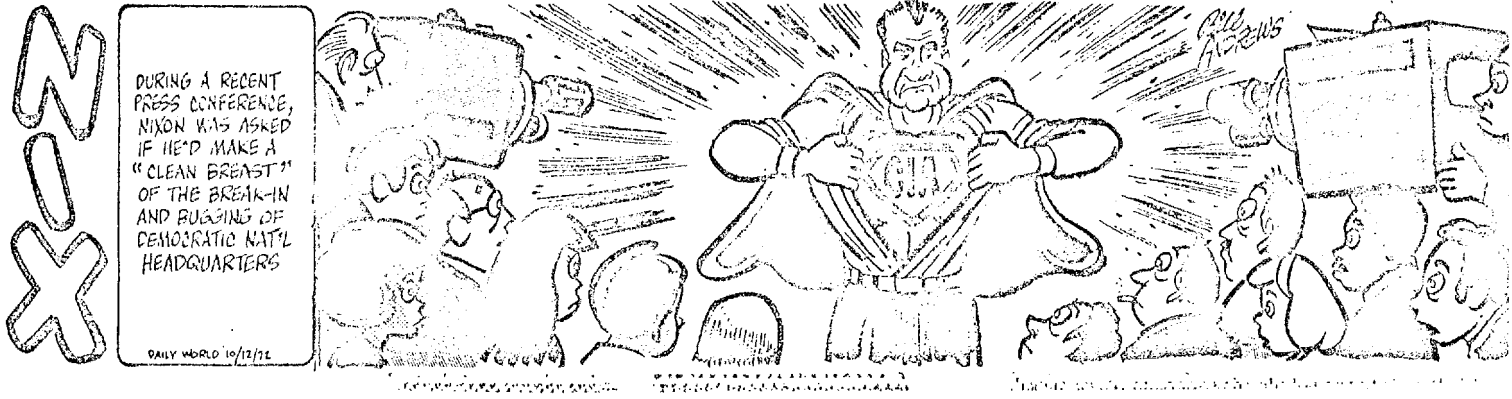
 *Editorials*

These two incidents are part of an embracing pattern of capitulation to Nixon, without a fight, on the crucial issues of war and social programs.

The situation is far more serious than the Democrats' defection from even partisan politics, let alone from the public welfare.

The ongoing revelations since the Watergate exposure indicate that the Nixon Administration has organized a large scale secret political-police operation outside the Government structure, directed from the White House, financed by tens of millions of dollars contributed to Nixon's bagmen by the richest people in the nation and using the resources of the Central Intelligence Agency, the Department of Justice, and the Federal Bureau of Investigation.

The purpose of this operation has been to coerce the opposition into inaction, to encourage the abstention of anti-Nixon voters.



12 OCT 1972

A Sinister Affair

STATINTL

The Watergate affair has taken an astonishing and profoundly disturbing turn.

At first, it seemed that the men arrested for burglarizing and "bugging" the offices of the Democratic National Committee in the Watergate Building in Washington, D. C., were engaged in an ugly but isolated act of political espionage. But investigative reporting by The Washington Post and other newspapers has now uncovered a complex, far-reaching and sinister operation on the part of White House aides and the Nixon campaign organization. This operation involves sabotage, forgery, theft of confidential files, surveillance of Democratic candidates and their families and persistent efforts to lay the basis for possible blackmail and intimidation.

For more than a year, a secret fund existed in the Nixon headquarters which financed these "special activities" and to which only certain key officials had access. Many hundreds of thousands of dollars in cash flowed through this secret fund. Dozens of people, including numerous ex-F.B.I. and ex-C.I.A. agents, were employed in this clandestine work. High-ranking officials including some still employed at the White House and at the Committee to Re-elect the President received copies of the confidential reports prepared by these agents on the basis of their wiretapping and their surveillance of leading Democrats.

A notably dramatic episode involves a letter which surfaced in the New Hampshire primary last February. It stated that Senator Edmund S. Muskie, while campaigning in Florida, had made a derogatory reference to Americans of French-Canadian background. The letter never seemed plausible on its face but, played up by the scurrilous Manchester Union Leader, it weakened Mr. Muskie among French-Canadian voters in that city.

It is now asserted that this letter was forged by a White House staff member in a deliberate effort to weaken Mr. Muskie, then the front-running Democratic candidate. The staff man has denied the allegation, but Senator Muskie is surely right that this serious charge and the many others which have come to public knowledge in recent weeks demand a personal response by President Nixon. The veracity and integrity of the President's staff and campaign organization are at stake.

Much of the public has reportedly taken the attitude up to now that there is nothing particularly unusual in the Watergate affair. It cannot be reiterated too strongly that, on the contrary, such practices are unprecedented in American politics. No national party and no incumbent Administration have ever set out in this systematic fashion to invade the privacy, disrupt the activities, and discredit the leadership of the political opposition. These are ambitions and police-state tactics which have no place in a democracy.

12 OCT 1972

Watergate Suspects Say Phones Tapped, Ask Trial Shift

STATINTL

By BARRY KALE
Star-News Staff Writer

The seven men charged in the Watergate bugging case have filed a mountain of motions asking, among other things, for a change of venue and revealing that three of the defendants feel they are being bugged or followed.

The motions, which roam all over the legal lot and weigh over five pounds altogether, include one by former White House aide E. Howard Hunt Jr. requesting time to study the feasibility of polling District residents to determine the effect of pre-trial publicity.

The change-of-venue motion charged that publicity has been so voluminous and prejudicial that a fair trial is impossible. Included as evidence were several hundred pages of photo-copied newspaper articles on the bugging of the Democrats' headquarters.

The other six men charged are James W. McCord Jr., former security chief for the Committee for the Re-election of the President; Bernard L. Barker, Virgilio Gonzalez, Eugenio Martinez and Frank Sturgis, all active in the Miami anti-Castro movement, and G. Gordon Liddy, like Hunt, a former White House aide, FBI and CIA agent.

Hunt's attorneys asked to file three motions under seal, but this was denied by U.S. District Court Judge John J. Sirica, who is presiding over the case.

Deadline for Answers

The prosecution filed no motions by yesterday's deadline, but must now answer each defense motion by Oct. 28.

The government is expected to oppose vigorously some of the defense motions, including requests for the grand jury testimony of Douglas Caddy, who has represented both Hunt and Liddy, and of Alfred C. Baldwin III, who has revealed his part in the bugging.

In one motion, Liddy, Hunt and McCord charge they have been subjected to electronic eavesdropping and personal surveillance.

Hunt says he was speaking to his chief counsel, William O. Bittman, last Sept. 22 when he "heard someone on the line make the statement, 'that's Bittman.'"

At the time, Hunt's affidavit says, "no one was on any of the telephone extensions in my home."

Frequent Intervals

McCord, an expert on electronic eavesdropping equipment, says he has used a device on his home and business phones to detect wiretaps.

"The device utilized . . . indicated that a tap exists, or has existed, at frequent intervals subsequent to my arrest in connection with the instant indictment," his affidavit says.

Liddy complains of two cases in which he was personally followed, and outlines how he shook his tail.

One day in September, his affidavit says, Liddy was traveling west on the George Washington Parkway in a four-wheel-drive vehicle, when he saw two men tailing him in a standard American sedan.

Liddy "broke the surveillance by undertaking a series of maneuvers on the aforesaid parkway capable of being performed by a four-wheel-drive vehicle and (Liddy) travel-sedan, the net effect of which was to have the surveilling vehicle and (Liddy) travelling at 180 degrees from each other."

On Oct. 10, the affidavit says, Liddy was walking near 18th and H. Streets NW when he again felt he was being followed. He adopted a "standard counter-surveillance technique," which included passing his destination, then ducking into a movie theater. He was followed by two men who sat down in front of him.

Near Collision

They all left after about 40 minutes, the affidavit continues, and Liddy again attempted to evade them. At one point, Liddy placed himself in a doorway near 14th and New York Avenue NW, and when the two men turned the corner they nearly collided with him.

He finally shook them when they went into a parking lot that extends from New York Avenue to H Street, the affidavit says.

In another motion, Hunt charges that federal agents broke into his office in Room 333 of the Old Executive Office Building between July 6, 1971, and last June, drilled open a safe and took notebooks of his.

The agents, Hunt says, had no search warrants. The motion asks that the items taken be turned over to Hunt's attorneys for inspection.

It is also revealed that two of Hunt's children and Hunt's wife appeared before the grand jury investigating the case on July 18 and July 19. Mrs. Hunt claimed the spouse's privilege not to testify against her husband.

Hunt, the motion says, never actually appeared before the grand jury himself, but did give a sworn statement to Asst. U.S. Atty. Earl J. Silbert in which Hunt pleaded the Fifth Amendment against self-incrimination.

According to letters attached to the motion, Silbert had agreed that Hunt need not appear before the grand jury. But in a letter to Bittman dated July 25, Silbert said the grand jury asked about Hunt and the transcript of his statement was made available.

The motion charged Silbert with impropriety, saying he had, in effect, compelled Hunt "to take the stand against his wishes."

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FBI Finds Nixon Aides Sabotaged Democrats

By Carl Bernstein and Bob Woodward
Washington Post Staff Writers

FBI agents have established that the Watergate bugging incident stemmed from a massive campaign of political spying and sabotage conducted on behalf of President Nixon's re-election and directed by officials of the White House and the Committee for the Re-election of the President.

The activities, according to information in FBI and Department of Justice files, were aimed at all the major Democratic presidential contenders and — since 1971 — represented a basic strategy of the Nixon re-election effort.

During their Watergate investigation, federal agents established that hundreds of thousands of dollars in Nixon campaign contributions had been set aside to pay for an extensive undercover campaign aimed at discrediting individual Democratic presidential candidates and disrupting their campaigns.

"Intelligence work" is normal during a campaign and is said to be carried out by both political parties. But federal investigators said what they uncovered being done by the Nixon forces is unprecedented in scope and intensity.

They said it included:

Following members of Democratic candidates' families and assembling dossiers on their personal lives; forging letters and distributing them under the candidates' letterheads; leaking false and manufactured items to the press; throwing campaign schedules into disarray; seizing confidential campaign files, and investigating the lives of dozens of Democratic campaign workers.

In addition, investigators said the activities included planting provocateurs in the ranks of organizations expected to demonstrate at the Republican and Democratic conventions; and investigating potential donors to the Nixon campaign before their contributions were solicited.

Informed of the general contents of this article, the White House referred all comment to the Committee for the Re-election of the President. A spokesman there said, "The Post story is not only fiction but a collection of absurdities." Asked to discuss the specific points raised in the story, the spokesman, DeVan L. Stumway, refused on grounds that "the entire matter is in the hands of the authorities."

Law enforcement sources said that probably the most serious act of sabotage was the fabrication—by a White

House aide—of a celebrated letter to the editor alleging that Sen. Edmund S. Muskie (D-Maine) condoned a racial slur on Americans of French-Canadian descent as "Canucks."

The letter was published in the Manchester Union Leader Feb. 24, less than two weeks before the New Hampshire primary. It in part triggered Muskie's politically damaging "crying speech" in front of the newspaper's office.

Washington Post staff writer Marilyn Berger reported that Ken W. Clawson, deputy director of White House communications, told her in a conversation on Sept. 25 that, "I wrote the letter."

Interviewed again yesterday, Clawson denied that he had claimed authorship of the "Canuck" letter, saying the reporter must have misunderstood him. "I know nothing about it," Clawson said.

William Loeb, publisher of the Manchester paper, said yesterday that although the person who signed the letter — a Paul Morrison of Doerfield Beach, Fla. — has never been located, "I am convinced that it is authentic."

However, Loeb said he is investigating the possibility that the letter is a fabrication because of another letter he received about two weeks ago. The recent letter, Loeb said, maintains that another person was paid \$1,000 to assist with the "Canuck" hoax.

B. J. McQuaid, editor-in-chief of the Union Leader, said earlier this year that Clawson had been "useful" to the paper in connection with the "Canuck" letter. Though McQuaid did not elaborate, he too said that he believed the original letter was authentic.

Clawson, a former Washington Post reporter, said yesterday that he met McQuaid only briefly during the New Hampshire primary while lunching in the state with editors of the newspaper.

He denied that he provided any assistance with the letter. Clawson said the first time he heard of the "Canuck" letter was when "I saw it on television" following the Muskie speech.

Immediately following his "crying speech," Muskie's standing in the New Hampshire primary polls began to slip and he finished with only 48 per cent

of the Democratic primary vote — far short of his expectations.

Three attorneys have told The Washington Post that, as early as mid-1971, they were asked to work as *agents provocateurs* on behalf of the Nixon campaign. They said they were asked to undermine the primary campaigns of Democratic candidates by a man who has been identified in FBI reports as an operative of the Nixon re-election organization.

All three lawyers, including one who is an assistant attorney general of Tennessee, said they turned down the offers, which purportedly included the promise of "big jobs" in Washington after President Nixon's re-election. They said the overtures were made by Donald H. Segretti, 31, a former Treasury Department lawyer who lives in Marina Del Rey, Calif.

Segretti denied making the offers and refused to answer a reporter's questions.

One federal investigative official said that Segretti played the role of "just a small fish in a big pond." According to FBI reports, at least 50 undercover Nixon operatives traveled throughout the country trying to disrupt and spy on Democratic campaigns.

Both at the White House and within the President's re-election committee, the intelligence-sabotage operation was commonly called the "offensive security" program of the Nixon forces, according to investigators.

Perhaps the most significant finding of the whole Watergate investigation, the investigators say, was that numerous specific acts of political sabotage and spying were all traced to this "offensive security," which

STATINTL

WALTER SCOTT'S Personality Parade

Q. I note in the Watergate caper, in which five men invaded Democratic National Headquarters, several former FBI and CIA men are involved. I thought the FBI and CIA hired men of high honor who believed in upholding, not violating, the law. All these years have I been living in ignorance?—Mrs. R.T.T., Chevy Chase, Md.

A. The FBI and CIA try to hire honorable men, but in the course of their activities, some agents learn to violate the law with impunity. Later when these men leave the FBI and CIA, they are hired exactly for that reason. In some instances the FBI and CIA hold their agencies above the law. When, last, for example, has Congress investigated the CIA or the FBI?

"Good God!"

By Bob Woodward

moaned E. Howard Hunt. Then he muttered "no comment" and slammed down the phone.

It was a balmy spring day, June 19, 1972. And Hunt, the former CIA operative and White House consultant, had just been informed that his name and home telephone number were in the address books of two of the five men arrested two days earlier at the Democrats' Watergate headquarters.

For Hunt that phone call, that rare June day, that sudden exclamation must now be an especially bitter memory. It was, apparently, the first he knew of any public connection between him and the Watergate bugging; three months later he was indicted by a federal grand jury for playing a part in that alleged conspiracy. By then he had lost his jobs, been hounded by photographers and reporters, been the object of considerable unkind speculation and joking, been plastered across front pages.

He was, in short, suffering the woes common to Washington figures caught up in the furies of a political scandal. If for no other reason, the sheer inelegance, the slipshod quality of the break-in and its aftermath must have rankled Hunt because, on the surface at least, he has a lot of dazzle—as do the heroes of his 40-plus novels, many of which are tales of suspense and spying. Now, associated not with a coup but with a calamity he has emerged reluctantly into the harsh limelight; he came out of a session of early testimony behind shades and beneath a straw hat, looking more like a Florida motel manager than a superspy.

But he has remained in many respects—as he wished—a Mystery Man, a Gatsby of the cloak-and-walkie-talkie set.

After Hunt's name was linked with the suspects, he abruptly dropped from sight. At one point 150 FBI agents were reliably reported to be searching for him here and abroad.

In July he re-surfaced and appeared before the grand jury. Repeated attempts to reach him directly or through his lawyer (William O. Bittman, a former Justice Department attorney who successfully prosecuted former Teamster chief James Hoffa) have been unsuccessful.

As of this writing in mid-September, Howard Hunt has maintained his no-comment posture—unflinchingly.

Bob Woodward is a writer on the Metropolitan staff of The Washington Post

Just a Few Fa

Everett Howard Hunt Jr. is 54 years old. He lives in a \$125,000 house in Potomac, Maryland. He is the father of four. He smokes a pipe. He is an only child. He plays jazz on the piano. He attended Brown University, graduating with a B.A. in 1940. He served in the U.S. Navy during World War II and was decorated. The CIA acknowledges that he was in their employ from 1949 until 1970. Before the Watergate affair he was a \$100-a-day White House consultant and a writer for the public relations firm of Robert R. Mullen & Co. Today he is neither. An unloaded .25 caliber pistol was found by Federal investigators in his desk at the White House. Friends call him urbane and witty.

The Past

"Someone would mention a country abroad, almost any country, and then Howard would start his 'I-served-there' routine."

—A Friend

According to Who's Who, Hunt served: Paris, attache American embassy, 1948-49; Vienna, 1949-50; Mexico City, 1950-53; The Far East, Uruguay, and the Defense Department as a consultant. "Howard always brought up the CIA, recalls the 'friend.'

"He was fascinated with his association with them and would bring it up in any conversation. He was never important at the CIA. He was never able to do all the things he thought up. I recall once he got down to the issue. Someone was talking about the slowness of government and Howard perked up. He said the CIA used to have guts but then it got bureaucratic and hierarchical. The CIA, he said, has lost its guts and that's too bad.

"Well," the friend continued, "I take that to mean they became responsible and wouldn't let him run wild." (A typically harsh comment from former Hunt friends with a stake in remaining politically alive.)

What was Hunt doing in all those places?

A State Department spokesman was asked if the embassy jobs and that title "consultant" had anything to do with a CIA cover.

"You'd never get me to say that out loud, but that's the net effect," the spokesman replied.

According to Hunt's associates, Hunt was a political conservative with right wing leanings.

The New York Times went so far as to quote sources who said that Hunt, using the code name "Eduardo," was in charge of the abortive Bay of Pigs invasion in 1961.

This is just not so, according to government sources and friends.

Hunt was never really in charge of much, they say, and though several compared him to James

Bugging Witness Tells Inside Story on Incident at Watergate

Baldwin Alleges That Before Arrests Memos Were Sent to GOP Committee Official Not Among Seven Indicted

BY JACK NELSON and RONALD J. OSTROW

Times Staff Writers

NEW HAVEN, Conn.—A participant in the bugging incident at Democratic National Headquarters has told The Times that he delivered sealed sets of eavesdropping logs to the Committee for the Re-election of the President less than two weeks before police closed in on the illegal operation.

Alfred C. Baldwin III, a key government witness in the case, said

Baldwin describes bugging of Democratic headquarters. Part 2, Page 7.

the logs were addressed to a committee official who is not among the seven men indicted last month in the incident. Baldwin said he could not remember the identity of the official.

Baldwin said he was instructed to deliver the logs in early June by James W. McCord Jr. McCord was security coordinator for the Nixon committee then and one of those indicted in the June 17 incident at the Watergate apartment complex in Washington, D.C.

McCord gave him the instructions from Miami, Baldwin said, after Baldwin had told him that he had recorded "some important conversations" while monitoring the wire tap on Democratic national headquarters.

Baldwin, 36, a former FBI agent and security guard for Martha Mitchell, spoke about his role in the bizarre case last weekend in more than five hours of tape-recorded interview with The Times. Baldwin monitored the telephone tap at the Democratic headquarters last May and June from a listening post in the Howard Johnson Motel, across the street from the Watergate.

Baldwin's attorneys, John V. Cassidino and Robert C. Mirto, urged The Times Wednesday not to print their client's interview or any stories based on it. They did so after being contacted by Earl Silbert, chief assistant to the U.S. attorney in Washington, D.C., on the government's case.

Silbert warned Cassidino that the government might consider its agreement not to prosecute Baldwin broken if he spoke out on the case and also said Baldwin might be held in contempt of court, according to Cassidino.

Seymour Glazer, the other main government attorney in the case, later read Baldwin's lawyers an order issued Wednesday by U.S. Dist. Judge John Sirica barring principals from making statements on the case.

Story Not Sold

Although there have been widespread reports that Baldwin was attempting to sell his story, he received no remuneration from The Times. His sole request was that he be permitted to tell the story the way he saw it.

In the interviews, Baldwin said he put the eavesdropping logs in an envelope, which he addressed to the official, taped and stapled and took to the Nixon committee offices seven blocks away.

"An elderly guard was on duty in the building and he took the envelope, recognized the name on it and said he would see to it that the official received it," Baldwin said.

Baldwin said he believed the eavesdroppers were interested primarily in information about Sen. George S. McGovern, Lawrence F. O'Brien, then Democratic Party chairman, and about Democratic political strategy.

Justice Department officials

involved in the investigation have said that the real motivation for the bizarre incident may never emerge.

But for Baldwin, the purpose was clear "at the outset." That was May 25 when McCord reassigned Baldwin from reporting on anti-Administration demonstrations to monitoring the phone tap. Baldwin said he kept logs on about 200 telephone conversations he had monitored over a three-week period.

McCord, Baldwin said, would leave his desk at the Nixon committee to visit the listening post once or twice a day. He said McCord, a former CIA agent, would often rewrite the logs in memorandum form when they disclosed elements of McGovern's strategy or of O'Brien's activities.

On the advice of his lawyers, Baldwin declined to give specifics on the conversations he monitored. The attorneys told him that he would be violating the federal wiretapping statute if he disclosed the contents of those conversations.

In the interviews, Baldwin dismissed published reports that the eavesdroppers sought to discover a link between the Cuban government and the McGovern-Democratic campaign efforts.

Although four of the five men arrested on June 17 were born in Cuba and all had been deeply involved in anti-Castro activities, Baldwin said he never heard the three defendants with whom he had contact mention Cuba.

In addition to McCord, those defendants are G.

Gordon Liddy, another former FBI agent and a White House aide and finance counsel at the Committee for the Re-election of the President, and E. Howard Hunt Jr., an ex-CIA agent and former White House consultant.

The Baldwin interviews shed new light on the politically charged case, which is unlikely to proceed in civil or criminal courts until well after the election.

Prospects for pre-Nov. 7 congressional hearings on the incident dimmed considerably Tuesday when the House Banking and Currency Committee defeated a motion to subpoena Baldwin and 22 other persons said to have knowledge about the case.

Chief among Baldwin's new disclosures were:

—Baldwin said that he saw electronic equipment, some of which was later used in the Watergate eavesdropping, stored in McCord's office at Nixon committee offices.

—Baldwin said he watched from across the street on May 25 as McCord entered Democratic headquarters and installed two wiretaps.

McCord was accompanied by at least one other person, perhaps two, Baldwin said, adding he was not close enough to identify anyone other than McCord. (The indictment alleged that the eavesdropping began on or about May 25.)

—The tap installed on the telephone of Spencer Oliver, coordinator of Democratic state chairmen, worked well. But the device planted on what the eavesdroppers believed to be O'Brien's telephone failed to transmit because it was too shielded by the building and office equipment.

—As a result, Baldwin said he was ordered by McCord to enter Democratic headquarters and

continued

An Insider's Account of the Watergate Bugging

BY ALFRED C. BALDWIN III

As told to Jack Nelson
Times Staff Writer

NEW HAVEN, Conn.—Across the street in the Democratic National Committee offices I could see men with guns and flashlights looking behind desks and out on the balcony.

It was a weird scene at Washington's Watergate complex. The men were looking for several persons, including my boss—James W. McCord Jr., who was security director for both President Nixon's Reelection Committee and the Republican National Committee.

A short while later McCord and four other men, all in handcuffs, would be led by police to patrol cars and taken to jail. And a White House consultant would rush into my motel room across the street from the Democratic offices and peer down on the scene before fleeing the area.

I had been using a walkie-talkie and acting as a lookout for McCord and his men, who were engaged in a bugging operation. For three weeks

Baldwin was a key government witness before the grand jury that indicted seven men in the Watergate case.

I had monitored conversations on a tapped phone in the Democratic offices.

My mission had been to record all conversations. McCord appeared to be especially interested in any information on Sen. George McGovern and the Democratic Party chairman, Lawrence O'Brien, and anything having to do with political strategy.

WHEN THE Committee for the Reelection of the President hired me for security work with Mrs. Martha Mitchell, nothing was said about eventual espionage missions involving electronic eavesdropping.

But then the man I worked directly under, Jim McCord, was not given to long explanations about anything. You would have to know McCord to understand what I mean.

Like myself, McCord is an ex-FBI agent. But he also served 20 years in the Central Intelligence Agency. He is one of those ex-CIA agents who do more listening than talking.

When he wants you to do something else, he just tells you. No buildup or anything.

When McCord was ready to switch me from protecting John Mitchell's wife to other security work, he simply told me that the President's reelection committee had other work for me. Contrary to some press reports, I got along fine with Mrs. Mitchell during the days I protected her. She is a vivacious person and I found working with her fascinating.

But I felt any work with the reelection committee would be fascinating and I like Jim McCord.

I NEVER questioned McCord's orders. I felt he was acting under orders and with full authority. After all, his boss was John Mitchell, the committee director and former attorney general of the United States. And his superior was President Nixon.

If that was not enough to impress me with McCord's authority and official standing, we were surrounded by former White House aides. McCord said were "on loan" to the committee.

My involvement with the committee began May 1 when McCord telephoned my home in Hamden, Conn. He had secured a resume I had filed with the Society of Ex-FBI Agents in New York and had reviewed it and several other resumes on file with this society. He felt that because of my age, background and marital status—I am 36 and single—I was best suited for the position.

He said they (the committee) needed someone immediately so I took a plane to Washington that night and registered at the Roger Smith Hotel where we met the next morning. He emphasized that although the job was temporary, it could be a stepping-stone to a permanent position after President Nixon's reelection.

WE WALKED a block down the street to the Reelection Committee headquarters at 1701 Pennsylvania Ave., a block from the White House, and McCord took me on a tour of committee offices on several floors. As different persons passed, McCord would say things like "that's and so, he's from the White House" or "there's another one who's on loan from the White House."

We went to the office of Fred LaRue to get approval for my employment and McCord said, "Mr. LaRue is over from the White House. He's John Mitchell's right-hand man."

LaRue was friendly enough, but very businesslike. McCord read some brief data he had jotted down on the back of an envelope: "Al Baldwin, ex-FBI agent, former Marine captain, law degree, taught police science . . ."

LaRue looked me up and down. I was in standard FBI dress—conservative suit, white shirt and tie and black, wing-tipped shoes. Our conversation was brief. I think he asked if I was prepared to travel and I said, "yes sir." He replied, "okay, that's fine."

MCCORD LATER issued me a loaded .38-smub-nosed police special and said, "you'll wear this." I had no permit or official identification and questioned whether I was authorized to carry it.

He handed me a card bearing his name and the name of the reelection committee and said: "You're working for the former attorney general and there's no way a policeman or any other law enforcement officer is going to question your right to carry that weapon. But if you have any problem, have them call me."

In McCord's office at committee headquarters I noticed extensive electronic equipment—walkie-talkies, television surveillance units and various other devices. The top to a fancy briefcase was open, exposing considerable electronic equipment. I was told it was a debugging unit.

McCord told me I would be accompanying Mrs. Mitchell on a trip to Michigan and New York. He issued me \$800—eight brand new \$100 bills—and said it was for food, drinks, tips and incidental expenses for the trip.

In Michigan, where Mrs. Mitchell attended several affairs, we were joined by LaRue. He mentioned to me at one point that the pistol I was carrying was a .38 Smith & Wesson.

continued

Gag Put On All in Bug Case

Talk Ban Could Apply to Press And McGovern

By Lawrence Meyer
Washington Post Staff Writer

The federal judge presiding over the criminal trial of seven men charged in the June 17 break-in at Democratic national headquarters in the Watergate issued a broad order yesterday prohibiting anyone connected with the case from making public statements about it.

The order, Judge John J. Sirica acknowledged, is broad enough that it possibly could apply to Democratic presidential candidate Sen. George McGovern and other political figures.

Sirica's order prohibits all law enforcement agencies, the defendants, witnesses, potential witnesses "including complaining witnesses and alleged victims, their attorneys and all persons acting for or with them in connection with this case" from making statements to anyone, "including the news media," outside of court.

Sirica, who was ill yesterday and signed the order at home, was asked in a telephone interview by a reporter if the order covered McGovern, who has discussed the Watergate case in speeches. Sirica replied:

"That's a good question. I tried to make it (the order) as broad as I could. I hadn't thought about it. I frankly hadn't given that a thought. I'll have to deal with that at some time I suppose, but I'd rather not answer that question now."

Sirica said that the order could conceivably result in a situation where "we get into the campaign and free speech and that business." But he said that he would not have to meet at the proper time. I have no comment. It

may be raised, it may never be raised."

Sirica went on to say that someone could raise a question about newspapers and other media discussing the case. "I think I better wait and answer that question if it's ever raised," Sirica said. "I don't think frankly I should go outside what I raised in that order. I think it's pretty broad. I don't know what you think about it."

The order came a day after the House Banking and Currency Committee voted 20 to 15 against holding public hearings on the Watergate bugging and alleged irregularities in President Nixon's re-election campaign financing.

It is considered highly unlikely that the criminal trial will begin before the Nov. 7 presidential election. U.S. District Court Judge Charles R. Richey, presiding over a \$3.2 million civil damage suit brought by the Democratic Party over the Watergate affair, announced two weeks ago that it will be "impossible" to begin that case until after the election. All depositions for the civil case have been stayed by Richey until the completion of the criminal trial.

McGovern issued a statement yesterday evening saying that he respects the rights of the seven men charged with the break-in, but adding, "I will not allow myself to be muzzled or intimidated by any politically motivated directive from Richard Nixon."

McGovern said that he had consulted with Democratic lawyers and concluded that Sirica's order does not inhibit "the right of candidates for public office to discuss the burglary and bugging of Dem-

ocratic Party headquarters. I intend to pursue and exercise to the full extent of the Constitution our First Amendment rights to conduct a political dialogue to inform the public about this act of political espionage as well as all other evidence of corruption in high places in the Nixon administration."

McGovern said, "It is a sad time for America when White House pressure can turn off a congressional investigation and when the Attorney General of the United States and his agents can enter into a political agreement with the seven men charged with the burglary and bugging of Democratic headquarters—an agreement that no one should be permitted to speak to the American people about these acts; who authorized and paid for them, and who received the information stolen from our headquarters."

Sirica's order was issued under a federal court rule that allows a judge in a "widely publicized or sensational civil or criminal case" to issue a special order at the request of either the defense or prosecution or on his own motion.

The order may cover "such matters as extrajudicial statements by parties and witnesses likely to interfere with the rights of the accused to a fair trial by an impartial jury . . . and any other matters which the court may deem appropriate for inclusion in such an order."

The motion requesting the order was filed by William O. Bittman, the lawyer for E. Howard Hunt Jr. Hunt, one of the seven defendants, is a former White House aide, as is G. Gordon Liddy, also a defendant in the case.

A notation on the bottom of Sirica's order indicates that Earl J. Silbert, principal assistant United States attorney, had no objection to the order.

Sirica, who holds his position as chief judge by virtue of seniority, was appointed to the U.S. District Court in 1957 by the late President Dwight Eisenhower. Sirica assigned himself the criminal trial of the seven defendants after Silbert, acting under another federal rule, requested that Sirica

appoint "the best available judge" to preside in the case.

In a related matter, Rep. Wright Patman (D-Tex.), chairman of the House Banking and Currency Committee, asked the General Accounting Office yesterday to open an "immediate investigation" into Republican campaign financial matters relating to the Watergate incident.

In a letter to Elmer B. Staats, head of the GAO—the investigative arm of Congress—Patman asked that he receive a "preliminary report in writing" by Oct. 26. Patman's request followed the rejection of an investigation by his own committee.

In yesterday's letter to the GAO, Patman asked that it investigate essentially the same matters that he had unsuccessfully proposed that his committee deal with in public hearings.

Those matters include the \$114,000 of President Nixon's campaign funds traced to the bank account of one of the Watergate suspects; the use of a Mexican bank to transfer the funds, and the unusual speed in granting a federal bank charter to a large Nixon campaign donor.

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← MOVEMENT →

STATINTL

Ellsberg, Russo sue

Pentagon Papers defendants Daniel Ellsberg and Anthony Russo filed suit Sept. 19 against 10 top federal officials whom they charged with illegal wiretapping. The suit was brought under the 1968 wiretap law which permits officials to use taps but also permits damage suits for unauthorized eavesdropping. The Ellsberg-Russo trial has been postponed indefinitely until the supreme court rules on their claim that the wiretapping interfered with their defense. The Justice Department admitted in July that an unnamed defense lawyer had been the subject of a tap placed "in the national interest." Cited in the suit are the heads of the Justice Department, State Department, Defense Department, FBI, CIA and other federal agencies. Damages demanded amount to several million dollars.

Was James McCord part of a CIA plot to cancel elections & smash radicals?

STATINTL

Radicals across the country are taking note of an increasing number of coincidences involved in the "Watergate Bugging Caper" that lead some to conclude that the attempted break-in at the Democratic Party headquarters was part of an elaborate plot to smash left-wing activists.

Coincidence, facts and some unconfirmed statements are all detailed in the August, 1972 edition of The Realist, available for 50 cents from The Realist, Box 379, Stuyvesant Station, New York, NY 10009.

Because of the length of the material in the Realist article, SPARK will concern itself only with the briefest outline of the plot and James McCord's involvement with it. Further information should be obtained from the Realist article.

There has been some evidence, some circumstantial and some coincidental, which point in the direction that James McCord may still have been employed by the CIA, and was on a CIA mission when he was arrested in the Watergate.

The plot, extremely simplified, is that the five men were part of a larger CIA plot headed by McCord and Bernard Barker (another of the five arrested inside the Watergate) that would have attempted to foment such violent disruptions at the Republican Convention that Nixon would have an excuse to declare martial law, cancel the '72 elections and arrest all militants and radicals.

The plot theory is based partly on testimony a year ago by Louis Tackwood, a former paid agent of the Los Angeles Police Department for 9 years who held a press conference and charged that LAPD was part of a remarkably similar plot to the one briefly outlined above.

In addition, those arrested in the case had extensive CIA contacts. The Watergate Caper figures fit into the plot described by Tackwood in numerous ways (see Realist article).

We only have space to concern ourselves with the direction they point toward.

James McCord, Jr., held three important jobs at the time of his arrest. (He was Chief of Security for the Committee to Re-Elect Nixon; the biggest contract a security agent could receive went to McCord Associates, selected by Secret Service agent Al Wong, to provide all security for the Republican Convention in Miami; McCord was a member of a special 16-man unit, concerned with plans and preparedness, which is part of the Executive Office of the President. This unit's purpose was concerned with radicals and contingency plans for the radicals.

Arrested with McCord were right wing extremists, violently anti-Communist intelligence agents. They were all planning to hold right-wing convention demonstrations. Each of these men would make McCord's job more difficult in Miami -- yet they were working together.

The plot advocates content that McCord's job on the 16-Man Contingency Unit on Radicals was to develop plans to insure the level of violence necessary for Nixon to declare martial law. They contend that his role as Security Chief for the convention and his arrest with the CIA-associated right-wing Cubans all fit into this role.

Continued

Kick Criminal Justice Program Off Campus Now!

McCord Recruited MC Student for Bugging Caper

The case of James McCord has revealed a further outrage in the Montgomery College-Rockville Criminal Justice program. McCord had recruited one of his students at MC to help him plant eavesdropping equipment in McGovern headquarters, then on Capitol Hill.

This violation of all academic principles -- liberal, conservative, radical or reactionary -- only further exposes the blatantly repressive nature of this program. It is clearly a program designed to train students to become criminals -- criminals like McCord, Mitchell and Nixon.

McCord is the former FBI agent, former CIA agent, Lieutenant Colonel in the Air Force Reserves, and former Security Chief for President Nixon's re-election committee who was one of five arrested inside the Watergate in an attempt to bug the Democratic Party's national headquarters.

This effort to recruit students at Montgomery College for police-state actions was revealed by the Washington Post September 19 in an article about McCord's Montgomery College activities: "At least one student was excited enough to agree to join McCord, 53, in a late May attempt to plant eavesdropping equipment in McGovern headquarters, then on Capitol Hill, according to a source close to the Watergate investigation. But the student failed to show."

It is heartening to know that the unidentified student thought better of going through with the act; however, it repulses a person to know that McCord used the classroom in an attempt to further his own fascist goals.

In another attempt to utilize the classroom and students for repression of people, he had one of his students -- who was also a pro-

fessional security man -- give a lecture on bugging. It was illustrated with slides and a handful of bugs, one student said.

The industrial and retail security course that McCord "taught" was a seminar that featured guest speakers from government and industry, including former CIA officials.

Two of the former CIA men who spoke to the class were William J. Cotter, assistant postmaster general for security, and George P. Morse, former director of protection and safety for the National Institutes of Health. In addition, he also brought in top brass from the Army, including Lt. Gen. Benjamin Davis, now assistant secretary of Transportation.

Besides being a proven pig and having brought other pigs in to teach the course, McCord was a terrible instructor. It should be remembered, however, that academic incompetence in Criminal Justice programs is widespread (see SPARK, Vol. I, No.5), and McCord is not an isolated case.

According to the Washington Post, "The notes of a student who took the course and review questions passed out by McCord suggest a dry, factual, statistical approach to the clandestine business. 'What were the total costs of crime cited by one recent news journal article?' one review question asks."

The absurdity of this type of questioning has caused nearly all college teachers across the country to drop it (although it is still a pervasive element in primary and secondary schools). The fact that

the total costs of crime cannot be measured, makes questions like this ludicrous. The only knowledge it

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The Flies of the CIA

Animals have for some time been pressed into service to aid the American war effort. The US Navy has trained dolphins, sea lions, and whales for underwater military rôles. Some reports have suggested that sharks, seagulls, and terns have also been used willy-nilly in defence of the fatherland. The military monthly magazine of the Algerian Armed Forces, *El-Djehel*, recently went one better. It claims that the CIA has recruited flies to which have been attached microscopic transmitters to act as spies.

These winged agents have, of course, the advantage of being able to penetrate innocently

to the innermost circles of the enemy's governmental and military establishments—or at least to the kitchens and dustbins. It is not recorded whether they belong to the post-DDT generation of insects. But it is known that they have a touch of the kamikaze about them, which even China's kill-a-fly-a-day drive (instituted as part of the National Programme for Agricultural Development in 1956) would not be able to beat. Our gallant fly heroes are able to fulfil their missions by continuing to transmit from beyond the grave, after being swatted. From this it may be safely assumed that we shall soon be seeing President Nixon awarding the widows of these selfless patriots transistorised Purple Hearts on the White House lawn.

THE GOVERNMENT IS WATCHING

Is there anything the police don't want to know

by Thomas Powers

STATINTL

Many Americans take their notions of life in a police state from George Orwell's *1984*, a bitter vision of unrelenting institutional malevolence. The state, Orwell feared, would intrude into every corner of life with the purpose of direct and total control. Every room would be wired for sound, every move scanned by cameras, every acquaintance a potential informer, every thought a potential crime. Orwell's vision was based on certain harsh realities: the Germany and Russia of the 1930s and 1940s, and the growing technology of surveillance available to policemen. He assumed, with reason, that police would do it if they could do it, and foresaw a time, quickly approaching, when nothing would be technically beyond them. Orwell was a man who brooded, working his thoughts over in his mind for years, and the visionary force of *1984* has left its readers with the assumption that the police state of the future must include midnight knocks on the door, interrogation by torture, and pistol bullets in the back of the head.

Much of what Orwell envisioned for the world is now fact, but veiled and muted fact, with the effect that even in this country police activity which would have seemed inconceivable in earlier decades now strikes many otherwise skeptical people as prudent watchfulness, at worst only trivial and overcautious, and perhaps even necessary. Everyone knows vaguely that the FBI keeps an eye on things, that local police departments watch radicals, that even the

Army for a while was keeping files on people it considered possible troublemakers. But the reality of this political spying has been so much less sinister than Orwell anticipated, so fumbling and occasional, that even those most concerned, its targets or "victims," if you will, have difficulty in maintaining their sense of alarm. Those in favor of this incessant watching argue lamely that one has nothing to fear so long as one has nothing to hide; and those who oppose it still speak more of future rather than present dangers in the use of police procedures for political purposes. Even this writer, when he began, thought other problems more urgent than political surveillance, and yet, when you begin to add everything up, not only what is known, which is plenty, but what is not known, which might be . . . anything . . . Well, let us not anticipate, but proceed.

Perhaps the best place to begin is with the experiences of a single organization, Vietnam Veterans Against the War, a group of several hundred activists and perhaps twenty thousand members all told, of whom very few had taken part in any sort of politics before joining VVAW. The group came to life in April, 1967, when six veterans found themselves marching together in a huge antiwar demonstration in New York. Its official existence has been fitful ever since, growing and subsiding more or less in time with the antiwar movement as a whole. Their best-known action was Operation Dewey Canyon III in

continued

Ellsberg Team Sues U.S. for Damages Over Wiretapping

By Sanford J. Ungar
Washington Post Staff Writer

Daniel Ellsberg, Anthony Russo and 17 of their attorneys and advisers in the Pentagon Papers case filed a lawsuit in federal court here yesterday, claiming they are victims of illegal government wiretapping.

Naming as defendants Attorney General Richard G. Kleindienst, his predecessor John N. Mitchell and the heads of

eight other federal agencies, they demanded hundreds of thousands of dollars in damages.

Similar to the civil complaint filed by the Democratic National Committee over the Watergate bugging incident, the suit is a strategic attack on the electronic surveillance that has postponed the Los Angeles trial of Ellsberg and

Russo on conspiracy, espionage and theft charges.

It is aimed at obtaining, through the "discovery" procedures of civil litigation, details on the wiretapping thus far denied to the defense

Prosecutors in the Pentagon Papers case have revealed to the courts that a defense aide was overheard on a wiretap of someone else's phone. As a "foreign intelligence" wiretap,

it was authorized by the Attorney General without a court order.

Supreme Court Justice William O. Douglas has halted the criminal trial pending a decision by the full Supreme Court next month whether to consider an Ellsberg-Russo appeal over the wiretapping.

But the defense staff still does not know who among them was overheard in the

surveillance, exactly when and under what circumstances.

Yesterday's lawsuit sought to get at that information by claiming that the government wiretapping in the case violated the First, Fourth and Sixth Amendments to the Constitution, as well as the Omnibus Crime Control and Safe Streets Act of 1968.

That act provided for the recovery of civil damages by any-

one who is the subject of illegal wiretapping not covered by a court order or legislative authorization.

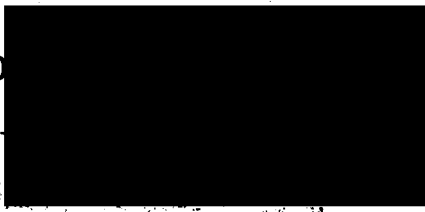
The Supreme Court has banned "national security" wire tapping without court order, but has left open the question of whether such surveillance may be conducted for alleged "foreign intelligence" purposes.

Along with the lawsuit, the 19 plaintiffs filed interrogatories yesterday, asking the FBI, the Secret Service, the Internal Revenue Service, the Central Intelligence Agency and other agencies to provide full details of any surveillance they might have conducted in which the plaintiffs were overheard since June 19, 1968, when the crime control act was signed into law by President Johnson.

Should they prevail in the lawsuit, each person wiretapped could be awarded damages of \$100 a day, up to a maximum of \$1,000. Ellsberg, Russo and their aides also demanded punitive damages of \$50,000 each.

The civil case was assigned to U. S. District Court Judge Thomas Flannery, formerly U. S. attorney for the District of Columbia.

STATINTL



A VIEW FROM WASHINGTON

Watergate Verdict: No Justice

By Russell Sackett

Newsday Washington Bureau Chief

Washington—Just about any noninvolved lawyer, and a few who are involved and not too uptight to talk about it, will concur in this opinion of the Watergate affair: Whatever else it is, the case is the solidest proof yet of the unevenness, if not the impossibility, of election-year justice.

In the blizzard of arrests, investigations, suits and countersuits, accusations and counteraccusations, briefs, intervenors and theories without end, where is the Watergate case? Well, the five men who were caught, with their surgical-gloved hands in the air, in the Watergate offices of the Democratic National Committee at around 3 AM on June 17 were indicted here Sept. 15 by a U.S. grand jury.

Indicted with the five were two former White House aides, G. Gordon Liddy and E. Howard Hunt Jr. Liddy, a former FBI agent, was financial counsel for the Nixon campaign committee until he was fired for refusing to answer FBI agents' questions regarding the Watergate affair. Hunt, a veteran of the CIA and a novelist, was an investigative consultant attached at one time to the office of presidential assistant John Ehrlichman. Liddy and Hunt are charged with entering the Democratic offices on the same night as the other five "with the intent to steal property." One thing is clear: The case is political.

The Democrats, who not surprisingly see it as a campaign issue, have been doing their utmost to push things along, all the while claiming that the Justice Department is dragging its feet and avoiding the real issue of who was behind the break-in at the Watergate.

Attorney General Kleindienst, who is in charge of federal investigations, has insisted that the Democrats are trying to make the Watergate a political issue. The Democrats counter that the attorney general is a Republican, a surrogate campaigner for President Nixon and a political creature. Both claims have considerable merit.

The matter of a political attorney general is constantly at issue in the break-in case. Kleindienst campaigned for Nixon in 1968 and even more strongly for Barry Goldwater in 1964. His predecessor, John N. Mitchell, was Nixon's '68 campaign manager. The practice is a good deal older than the Nixon administration. Robert Kennedy directed his brother's presidential campaign and served as his chief political consultant before becoming attorney general. And so on.

Frank Mankiewicz, political director for George McGovern, compared an investigation headed by Kleindienst to asking a fox who broke into the chicken coop and called for a special prosecutor. Campaign director, Camille Shaker, reportedly had to reply that such an appointment was "impossible."

"Who are you going to substitute for the FBI?" he asked. More rhetoric: The FBI would be as available to a special prosecutor as it would be to the attorney general.

Lawrence F. O'Brien, campaign chairman for McGovern, filed a damage suit against the Committee to Reelect the President; its finance chairman, former Commerce Secretary Maurice Stans, and assorted others—for \$3,200,000 at last reading. The amount of the suit is about as important as "list prices" in a discount house. The suit was intended to smoke out facts and figures, before the election in November, by taking testimony under oath in pre-trial depositions.

Stans countered with two suits of his own—one for \$5,000,000 against O'Brien and another for \$2,500,000 against O'Brien and his attorneys—charging libel and misuse of the courts for headline purposes. Again, the amounts and the specific charges were less important than the publicity they achieved.

Last week, in the wake of the federal indictment, Kleindienst took to television to speak with pride of his achievements: "One of the most intensive [investigations] that the Department of Justice and the FBI have ever been involved in . . . some 1,500 persons were interviewed, 1,800 leads were followed, 33 agents were involved, 14,000 man hours, 51 of the 59 FBI field offices were involved."

"And that," he told his interviewer, Elizabeth Drew, "is a great credit to justice in this country."

Nevertheless, the Justice Department investigation gave no answers to questions raised among lawyers concerning its deviation from standard prosecuting procedures in the Watergate case.

There was no finding, for example, concerning who instigated the break-in and alleged bugging of Democratic headquarters, or who financed it. None

—Continued on Page 13

received incomplete

26 SEP 1972



JOHN P. ROCHE

The Watergate 'Caper'

To anyone who has spent much time close to the center of a campaign, the so-called Watergate "caper" is a puzzlement. Like Inspector Maigret, one looks first for the motive.

Why bug Larry O'Brien's office? Everything that occurs inside the Democratic National Committee is public knowledge within about half an hour, and if anybody thinks that the real deals would take place there, he needs a good course in politics. The serious stuff is discussed in a Senate "hide-away," or in a living room in Chevy Chase, or even on the golf links.

Thus, for openers, it would seem that whoever laid this one, had an I. Q. problem. Now whatever you may think about President Nixon's other dimensions, one thing he does not have is an I.Q. problem. Moreover, if Mr. Nixon has "Hitlerian" tendencies (as some Democrats have absurdly suggested), the bugging would have been a real professional job — it would never have been turned over to that crew of incompetents. In short, I believe that the President was as shocked as the rest of us and I believe in his personal innocence.

HOWEVER, as the head of his party, Mr. Nixon has a professional obligation to keep his troops in line, and here — I suspect — is where the real problem arose. Partly this is because the Republicans have so much money they don't know what to do with it, and money draws marginal characters into politics like a massive magnet.

In 1954, when we were wallowing in green stuff, not a day passed without a dozen characters turning up with "projects," and there were always empire builders in the Democratic organization willing at least to listen.

Somehow or other, for example, we used to get advance texts of Sen. Goldwater's key speeches. The consequence of this was that before Goldwater had even opened his mouth, we had five speakers primed to reply. Maybe

he sent them over as a courtesy, but all I know is that when I innocently inquired how we got them, the reply was "Don't ask."

GOING BACK TO 1960, in both primaries and the general election the late Joseph P. Kennedy Sr. had an intelligence network that put the FBI to shame.

WITHOUT GOING INTO DETAILS on a matter that is currently in the courts, I have a hunch that the Watergate "caper" developed along the lines of the following scenario:

1. A group of men with intelligence experience approach a middle-level, but upwardly mobile member of the President's political apparatus. In effect, they tell him that they have reason to believe they can prove that Democratic Chairman Lawrence O'Brien is on the take, that is, that he is engaged in various private deals. It will take a little money, but they are sure they can bag O'Brien. For the record, I believe O'Brien is clean—but given the background of the men involved, my guess is that they would look for personal rather than political dirt.)

2. The political operative is queried as to how this can be done. He is told "Don't ask." He doesn't. Instead he meditates on what a feather it would be in his cap to get O'Brien in a suitcase, on how rapidly he would rise in the esteem of his superiors. True these guys want \$100,000 plus, but they must know their business, those CIA connections, and besides . . . what's \$100,000?

3. The political operative goes to the director of "Black Operations" and informs him that, with \$100,000, he can bring O'Brien down. "How? . . . " "Don't ask." He doesn't ask either, but digs up a miserly \$100,000. And the game is on . . .

As I said, I'm certain that the President knew nothing about the business, but his campaign staff seems to have recruited some pretty strange moss troopers. It is certainly his responsibility to clean house.

26 SEP 1972



Conspiracy on Watergate scandal

NEW YORK — The U.S. public may never learn the most important facts about the Republican plot to bug Democratic party national headquarters in the Watergate Office Building in Washington, D.C., the New York Post reported Monday in a story from Myrtle Beach, S.C.

Assistant Attorney General Henry E. Petersen, chief of the Justice Department's criminal division, who directed the "investigation" of the Watergate plot, told Federal prosecutors gathered at a national conference there that a three month "probe" had not revealed the "real reason" for the plot or the identity of other persons who may have been involved. He also said he expects that "the jail doors will close" behind the seven men indicted without their revealing what they know. Bernard Barker, one of the seven, a former CIA agent, has already said that; in this kind of business, the persons involved are ready to take the consequences without exposing the "higher-ups."

Petersen's statements leave unanswered such questions as how funds contributed to the campaign fund of the Committee to Re-elect the President got into Barker's Miami bank account after \$89,000 had been "laundered" by being passed through a Mexican bank account and other known facts which link the seven directly to the committee and the White House.

Bugs, milk, grain . . .

Not only have two former White House aides — former only because they were transferred to work on the Committee to Re-Elect the President — been indicted in the Watergate political spying scandal, but links lead directly to high officials of the White House and Administration. The links lead to the CIA, FBI, Department of Justice and the political underworld of counterrevolutionary Cubans, Mexican "connections" and other elements linked by their ultrarightist, fascistic political views.

One line leads from the Watergate scandal to the scandal of the \$10 million collected by the Republicans before the April 7 deadline when the new law which requires publication of the names of contributors and the amounts went into effect. Charges of irregularities have been made by the General Accounting Office (GAO) and are still being investigated.

Destruction of records to hide the Republicans' operations has been reported by the Washington Post. "Following the Watergate break-in, two of President Nixon's top campaign officials directed a massive 'house cleaning' in which financial records were destroyed and staff members were told to 'close ranks' in preparing a public response to the incident, according to sources," the paper reported (Sept. 20).

The two campaign officials were former Assistant Attorney General Robert C. Mardian, now political coordinator of the Nixon re-election campaign committee, and Frederick La Rue, a former White House aide, now special assistant to Craig McGregor, director of Nixon's campaign. According to the Washington Post's sources, Mardian and La Rue were instructed by John N. Mitchell, former Attorney General, former campaign manager, to take charge of "developing the committee's response," that is, covering up.

What the Nixonites did in this case was to take the police-state, fascistic type of operations, for which the CIA and FBI are notorious, into the democratic, political arena — just as the Nixonites have used such methods against the peace forces, workingclass leaders, dissenters and Communists. This marks a dangerous extension of developing police-state tendencies.

The Watergate bugging scandal, the \$10 million secret election fund and the favors promised in return for it are two aspects of the cesspool of corruption.

The ITT (International Telephone & Telegraph) scandal of the Spring is fresh in our memories, in which ITT pledged a huge sum of money put at the minimum at \$200,000 in return for favorable treatment in anti-trust action by the Justice Department, according to charges made by Jack Anderson, nationally syndicated columnist.

In this case, the corruption involved the Justice Department and reached the White House, also.

Another in the stream of scandals which victimize the masses of people and enrich those who already have too much is the big grain shell-out of 1972, whereby grain traders (not the farmers) benefited by an estimated \$132 million above the normal profit in the sale of wheat to the Soviet Union. The difference was the amount of the subsidy paid by the government on sales made abroad. It represents the difference between the domestic and world market prices.

The grain dealers benefited from inside information that a subsidy of what came to 47 cents a bushel would be paid for grain registered as sold during a period specified by the Agriculture Department. The National Farmers Union charged (Sept. 18) that the six private grain traders involved in the sale of the 400 million bushels of grain to the Soviet Union could have benefited by as much as \$100 million (another estimate is given above) by careful timing of their purchases and applications for government export subsidies.

The phone call which Carroll G. Brunthaver, assistant Secretary of Agriculture, admits was made was one way this information may have been gained. But the links between grain exporters and the Agriculture Department are very close, as witness the move made by Clarence D. Palmby from a post as Assistant Secretary of Agriculture to a top post with Continental Grain Company, one of the companies which sold wheat to the Soviet Union.

Palmby accompanied Secretary of Agriculture Earl Butz in April to Moscow for talks on U.S. credits for the purchase of grain. He protested he had not used any special knowledge he had. Whether he did or not is not the main issue. The Department of Agriculture serves the biggest monopoly interests in farming, not the rank-and-file of farmers. Under the Nixon Administration this prevailing situation has been swung even more to the benefit of the agribusiness interests.

THE NATION
25 Sept 1972

ZEALOTS FOR NIXON

GAUDY NIGHT AT THE WATERGATE

ROBERT SMERRILL

Washington

"Now this is the kind of thing you expect under a person like Hitler."
—Sen. George McGovern

Operating within the Republican Party is a relatively uncontrolled group of right wingers, the ideological heirs of the Joseph McCarthy Death's Head units (*Totenkopfverbände*) of the mid-1950s and of Goldwater's ill-fated *Putsch* in 1964. They do influence policy at the highest levels, but they have recently become much more restless and much more frantic to widen their sphere of influence as they unhappily watch President Nixon venturing off to Peking and Moscow and taking actions that they hardly recognize as coming from the Dick they thought they knew, but now aren't so sure.

They operate along the fine edge of fanaticism, and as is always the case in such an environment they sometimes fall off, not only to their embarrassment but to the extreme embarrassment of the very person they most want to influence. Such an event occurred in unforgettable style in the early morning hours, beginning between 2 A.M.

and 2:30 A.M. on June 17, in what is known as "The Night of the Corporals" (*Nacht der Korporalen*).

At about that hour the Washington police cornered five men inside the Democratic National Committee headquarters in the Watergate office building. They might have claimed they had come by to see former Chairman Lawrence O'Brien during the day and, falling asleep, had been locked in by mistake; but it's not likely that that story would have gone over with the cops, since the five were wearing surgeons' rubber gloves, were weighted down with eavesdropping equipment and burglary tools, and were armed with Mace. They also carried fifty-three \$100 bills—which, the experts say, is the denomination favored by the CIA in financing its covert operations.

Diligent newsmen later discovered that the five intruders were in fact only part of a group—the others got away—who had been flown in from Miami, whisked in a 1972 Chrysler to luxurious quarters in the Watergate Hotel and fed an elegant lobster dinner before being put to their *Spionieren* inside Democratic headquarters. The common denominator of the group was Cuba. Each of the five reportedly had been involved in some way in the disastrous Bay of Pigs invasion of 1961. Two of the intruders are worth special attention.

STATINTL

James W. McCord, 53, Texan, Baptist, Air Force reserve colonel, and for nineteen years an employee of the CIA before—the agency claims—he left it in 1970. McCord was security consultant to the Republican National Committee and to the Committee to Re-elect the President, the latter hiring him last January at a take-home salary of \$1,209 a month. He had an office in the committee's headquarters at 1701 Pennsylvania Avenue, kitty-corner from the White House.

Colonel McCord's Air Force reserve assignment (which they claim he quit four months ago) was to a special, secret fifteen-man squad which spent its time making up a list of "radicals" who presumably would be put in "camps" in the event of war; the unit also set up plans for censoring news and mail, and in other ways suppressing dissent during the next war.

Tad Szulc of *The New York Times* reported that two of the Watergate intruders were known to have connections with an extremist right-wing group of Cuban expatriates known as the "Ex-Combatientes Cubanos de Fort Jackson," about 800 strong, some of whom are committed to "direct action to combat what they viewed as left-wing causes in the United States." Szulc's sources also told him that these right-wing Cuban nuts had "some contact" with the military reserve unit to which McCord had at one time belonged.

The second of the Watergate Five worth special notice is Bernard L. Barker, 55, an American citizen born and raised in Cuba who served with Castro's forces before the revolution came to a head, but later fell out with the Cuban Prime Minister and moved to the United States; reputedly, he was the CIA's finance officer (*Schatzmeister*) in the Bay of Pigs organization, and since 1961 has been on the CIA's payroll. In an interview with Walter Rugaber of *The New York Times* (September 12) Barker portrayed himself as motivated by patriotism, not profit, and repeatedly stressed his fortitude under interrogation. Having resisted Nazi coercion (a bombardier in World War II, he was shot down over enemy territory), Barker expressed confidence in his ability to withstand American methods of questioning. Indeed, he so preened himself on his taciturnity under duress, agreeing proudly with Rugaber that he is no "squealer," that one is forced to the conclusion that he is choking back information that would rock the country and shatter the GOP.

Two of the Watergate Five were carrying little address books in which appeared the name E. Howard Hunt, Jr., and after it the notation "W. House" in one book and "W.H." in the other. Could that W., by any chance, stand for White? For twenty-one years, from 1949 to 1970, Hunt had been with the CIA—he was another of the key organizers of the Bay of Pigs thing, Barker. He then

Suit by Ellsberg group asks wiretap damages

Special to the Daily World

NEW YORK, Sept. 20—Charging illegal electronic surveillance had been used against them, Daniel Ellsberg, Anthony Russo, Jr. and 17 of their associates in the Pentagon Papers case have filed suit seeking almost \$1 million in damages from the federal government.

Named in the suit, filed yesterday in U.S. District Court in Washington, were 10 government officials, including Defense Secretary Melvin Laird, Secretary of State William Rogers, FBI director Patrick Gray III and CIA director Richard Helms.

David Rein, Washington counsel for the National Emergency Civil Liberties Committee, representing the plaintiffs, said the suit grew out of admissions by government attorneys in the trial of Ellsberg and Anthony Russo, Jr., in Los Angeles on July 21.

The wiretap in question is the same that halted the Pentagon Papers trial in Los Angeles after a jury was sworn, when the defense learned that the government had overheard through a wiretap either a defense lawyer or consultant in a conversation with an outside party.

Not approved by a judge

The suit charges that the wiretap was not approved by a judge. The Government claims that the tap was part of "foreign intelligence" work and did not need court approval.

Because the Government has not disclosed which agency planted the wiretap, or which lawyer or consultant was overheard, all lawyers and consultants for the defense sued the top officials of all Federal agencies that use wiretaps.

Plaintiffs in the suit, including chief defense attorneys Leonard Boudin and Leonard Weinglass, alleged that members of the defense team, except Ellsberg and Russo, "have been overheard by unwarranted electronic surveillance . . . from June 19, 1968, to the date of this complaint, and that such overheard conversations included matters relevant to the defense of Ellsberg and Russo."

Such eavesdropping, they said, violated the defendants' rights "to the effective assistance of counsel guaranteed by the Sixth Amendment," and their own rights to "freedom of speech guaranteed by the First Amendment and seizure guaranteed by the Fourth Amendment."

Ellsberg and Russo asked for \$50,000 each, to be paid jointly by the defendants. Each of the 17 other plaintiffs asked individually for \$50,000 punitive damages and \$100 per day of surveillance since June 19, 1968, or \$1,000, whichever is higher.

Former Senator Charles Goodell (R-NY) is also a plaintiff.

DAILY WORLD

20 SEP 1972



Watergate gang pleads 'not guilty'

WASHINGTON — An assortment of former White House aides and Nixon re-election campaign officials, former CIA and FBI operatives and counter-revolutionary Cubans pleaded "not guilty" yesterday to charges they conspired to spy on the national Democratic Party headquarters. Of the seven arraigned, five were arrested at gun point in the headquarters in the early hours of June 17, with bugging equipment in their possession. The two others are alleged to have been on guard outside.

Howard E. Hunt, who worked for the White House until March, on entering the courtroom said aloud to his attorney, "I've never even been in a traffic court before." Prosecuting attorney Earl Silbert said Hunt had traveled under an assumed name to New York and California when the FBI tried to question him about the case. Hunt spent 21 years working for the CIA and has underground contacts.

G. Gordon Liddy, a former White House aide who resigned his post to take the job of financial counsel for the Committee to Re-Elect the President, is a former FBI agent who wrote a movie still used by the FBI and police in training. In 1969 he was appointed assistant to the Secretary of the Treasury and worked on task forces on organized crime, drug abuse and explosives control.

At the White House, Nixon conferred with Republican congressional leaders Tuesday to assess the effects of the latest development, exposure of the upwards of \$350,000 secret fund for various kinds of political dirty work, the Watergate scandal and related issues. The Republicans continue to insist that the White House is in the clear, although the links extend right into the offices of high aides.

Watergate Data Destruction Charged

By Carl Bernstein
and Bob Woodward
Washington Post Staff Writers

Following the Watergate break-in, two of President Nixon's top campaign officials directed a massive "house-cleaning" in which financial records were destroyed and staff members were told to "close ranks" in preparing a public response to the incident, according to sources.

The two campaign officials were identified by the sources as former Assistant Attorney General Robert C. Mardian, now political coordinator of the Nixon re-election committee, and Frederick La Rue, a former White House counsel to the President and special assistant to the director of the Nixon campaign.

A spokesman for the Committee for the Re-election of the President said the committee would have no response other than to say that the sources of The Washington Post are "a fountain of misinformation."

The sources said the "house-cleaning" resulted after Mardian and La Rue were instructed by John N. Mitchell, then campaign chairman, to take charge of developing the committee's response to the bugging at the Watergate June 17.

The destroyed records, according to law enforcement

and Nixon committee sources, included the following:

- Memos describing wire-tapped telephone conversations of Democratic Party officials at the Watergate. The memos each began with the phrase "Confidential informant says," thereby making it possible that those who read them did not necessarily realize the contents had come from wiretapping.

- A list showing that three top Nixon campaign officials withdrew about \$300,000 from a secret fund earmarked for especially sensitive political projects — including intelligence gathering about the Democrats. The three officials, all ex-White House aides, are Jeb Stuart Magruder, deputy director of the Nixon re-election committee; Herbert L. Porter, scheduling director of the campaign; and G. Gordon Liddy, the former finance counsel of the Nixon committee. (Liddy was indicted with six other persons last week on charges of conspiring to bug the headquarters of the Democratic National Committee inside the Watergate.)

- As many as seven ledger books listing campaign contributors and the amount they gave before April 7, the effective date of a new federal election disclosure law requiring full public accounting of all contributions and expenditures. (Previously, it has been reported that these records were destroyed in April.)

According to sources, an integral part of the re-election committee's response to the June 17 break-in involved forbidding employees to talk to the news media without specific clearance—even to the extent of giving their job titles, in some instances.

Some employees, particularly those who were aware that documents had been destroyed in their offices, said they were offered advice from superiors on how to respond to inquiries from FBI agents and others investigating the Watergate case.

Other employees received unexpected promotions in the weeks following the break-in, according to colleagues.

Partly because of the destruction of records and other "House-cleaning" measures, it has taken three months for

many details about the case to come to light.

Spokesmen for the Nixon committee have not contested the existence of memos made from the alleged wiretapping at the Watergate, although several top campaign officials have denied receiving them. The memos, according to ex-FBI agent Alfred Baldwin, a self-described participant in the wiretapping operation, were sent to several top officials of the Nixon campaign and at least one White House aide.

As for the secret fund, spokesmen for the Nixon campaign organization have never described its purpose, except to say that it was used for legal ends. The existence of the fund, which apparently contained as much as \$700,000 at some points, was described by the General Accounting Office as an "apparent" violation of the new campaign disclosure law.

On June 19, the Monday after the Watergate break-in, several meetings were called to tell the committee staff that the Nixon campaign organization had nothing to do with the incident, according to sources.

At one such meeting, Liddy made a brief speech denying that any campaign officials had knowledge of the Watergate bugging, the sources said. He went on to describe James W. McCord, the Nixon Committee security coordinator arrested inside the Watergate, as a "bad apple" who had acted on his own authority.

Among those who participated in the destruction of committee records, according to Nixon campaign employees, was Robert Odle, the personnel director of the re-election committee.

Following the arrest of five persons inside the Watergate at 2:30 a.m. on June 17, sources reported, Odle spent virtually the remainder of the weekend moving from office to office inside the headquarters of the Committee for the Re-election of the President at 1701 Pennsylvania Ave. NW.

Some sources said Odle's weekend activities constituted an "inventorying" of what was contained in committee files, and that no records were accounted for. Mardian and LaRue returned from a West Coast trip on Monday, June 19,

Other sources, however, said that Odle removed records that weekend from McCord's office.

"Everytime Rob (Odlle) would go into McCord's office he would order everybody else out of the area," said one source.

Later, when the FBI began looking at committee records in its investigation of the Watergate bugging, it was Odle who directed investigators from office to office, according to several sources.

During the week following the break-in, said one source, "Mardian and LaRue went looking around for information that might be incriminating," including memos and "records of payments to people." By the time FBI agents arrived in the company of Odle, the relevant records had been destroyed, the sources said.

People known to have information about the destroyed records were advised by Mardian, La Rue and others "to stay away from certain areas" when being questioned by investigators, said another source.

Some employees who worked in offices where records were destroyed suddenly received unexpected promotions, including aides to McCord and employees in the finance division, several sources said.

"We were never told in so many words, 'Don't talk,' said a committee employee. "It was always, 'Hold ranks,' or, 'keep the ship together.'"

Steps were taken to insulate the Nixon campaign staff from the press. Sally Harmony, who had served as Liddy's secretary, became Odle's secretary and told a reporter: "I'm under strict instructions from the committee not to talk to anybody. You'll have to call the press office if you want to know anything."

Another employee of an office where records were destroyed complained of being followed recently to a luncheon appointment with an old friend who happened to be a reporter. The reporter expressed skepticism but that afternoon the employee phoned back to say a superior had questions about the lunch conversation.

19 SEP 1972

Watergate Figure Taught Course on Security

STATINTL

By Martha M. Hamilton

Washington Post Staff Writer

James W. McCord Jr., indicted Friday by a federal grand jury on eight counts relating to an apparent bugging attempt on Democratic national headquarters at the Watergate, spent 1971 teaching college students how to make buildings secure from intruders.

For two semesters, the former high-ranking CIA security official introduced students to law enforcement and criminal justice and "industrial and retail security" at Montgomery College in Rockville.

At least one student was excited enough to agree to join McCord, 53, in a late May attempt to plant cavedropping equipment in McGovern headquarters, then on Capitol Hill, according to a source close to the Watergate investigation. But the student failed to show.

The industrial and retail security course was a seminar, featuring guest speakers from government and industry, including former CIA officials, with McCord as moderator.

One session featured a lecture on bugging by a student who was also a professional security man. It was illustrated with slides and a handful of bugs, another student remembered.

Among other things, the course focused on "residential and multistory security" — how to protect buildings like the Watergate, according to a topic outline.

McCord didn't talk politics but came across as conservative nonetheless, a student said. "I got the impression he was a strict conservative. I don't think I ever saw him wear a colored shirt," said the student, who also said McCord seemed extremely competent in the security field.

"I was surprised that the gear he was supposed to have been picked up with was obsolete," he said. "I had the idea he could have gotten the most modern equipment."

McCord hinted at friends in high places but didn't name them, the same student said.

Ernest Evans, chief investigator for the Senate Select Committee on Small Business; Wilfred J. Garvin, assistant administrator for the Small Business Administration, now on leave on fellowship to Brookings Institute and William J. Cotter, assistant postmaster general for security, lectured the class in spring and fall of 1971.

A senior special agent in charge of training for the U.S. Bureau of Customs, someone from the Justice Department's Bureau of Narcotics and Dangerous Drugs, and James Rose, assistant administrator for crime insurance in the Department of Housing and Urban Development, also spoke.

Lt. Gen. Benjamin Davis, assistant secretary of Transportation, was listed as a scheduled speaker last fall, but didn't talk.

Most of those contacted who lectured McCord's classes said they speak to other student groups, training sessions or classes and were not going out of their way for McCord. None received a fee for his efforts, according to their own accounts.

Evans, a Democrat who helped put together the Senate committee's report on "The Impact of Crime on

Small Business," said he didn't know McCord before the former FBI and CIA agent got in touch with him about the course.

"It blew my mind when I found out he was involved in the Watergate business," Evans said. McCord was "a fantastically nice guy" who was trying to give his students a modern attitude about crime prevention, he said.

Cotter, who spoke to McCord's students once about mail and postal security, said he knew McCord when they both worked for the CIA. McCord worked in the CIA's security division for 19 years. The second time he was invited to speak to the class, Cotter turned the honor over to a subordinate, he said. "Frankly, the group didn't stimulate me," he said.

The notes of a student who took the course and review questions passed out by McCord suggest a dry, factual, statistical approach to the clandestine business. "What were the total costs

of crime cited by one recent news journal article?" one review question asks. "What special sales and profit problem does the sole proprietor-retailer in a ghetto area face from crime losses?" another asks.

McCord, who had degrees from the University of Texas and George Washington University (not Baylor, as earlier accounts have said) seemed committed to academic interests, according to George P. Morse, who also spoke to the course.

Morse, former director of protection and safety for the National Institutes of Health, who knew McCord only slightly from when he worked for the CIA, said he found it out of character for McCord to be involved in either the security consulting business or the Watergate affair.

McCord ran a security consulting business, McCord Associates, Inc., in Rockville, and coordinated security efforts for the Nixon re-election campaign before his arrest in June.

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18 SEP 1972

The Spies Who Came in For the Heat

Three months ago, the predawn raid on the Democratic National Committee headquarters inside Washington's elegant Watergate complex seemed little more than clumsy political derring-do pulled off by overzealous, aging and inept James Bonds. In the time since, the tangled affair has turned into the political hydra of the Presidential campaign. Each time Republicans have tried to smother the controversy, some fresh embarrassment has popped up to bring it back to life. And as the revelations continue to pile up, the Watergate affair has emerged as the most dramatic clear-cut disclosure of major political espionage in the history of U.S. Presidential elections.

It is a curious and instructive tale, offering rare glimpses into the back rooms of American politics and the antics of obscure soldiers of fortune embarked on a spy-thriller escapade. It features, in addition to the bizarre Watergate break-in, a special squad of White House investigators eavesdropping on the Administration's own telephone calls; a series of espionage coups against the Democrats involving electronic eavesdropping and photographs of documents from Democratic files; \$114,000 in GOP campaign contributions apparently diverted to one of a team of adventurers with CIA and anti-Castro connections; an intricate "money washing" operation aimed at hiding the identities of political donors by channeling funds through a Mexican bank; the secret transfer of \$25,000 in cash on a Miami golf course, and \$350,000 stashed—and apparently unaccounted for—in a Republican Party office safe.

The affair has been painfully embarrassing to the Administration on several counts. Besides the spying issue, it has focused attention on the whole Nixon campaign fund-raising operation—especially the \$10 million raised from big givers before the April 7 deadline under the new law that requires donors to be listed. It has also put the Administration into the position of having to investigate itself while resisting demands for a special independent inquiry.

The full scope of the Watergate caper itself will be charted only when indictments are returned and the case comes to trial—and even then some of its darker byways may never be illuminated. But for a period of weeks, a special NEWSWEEK investigative team led by Nicholas Horrocks and Evert Clark has been at work in Washington, Miami, Mexico City, Houston, Minneapolis and elsewhere—to try to stitch together the

multiple loose ends and to unearth details of the affair never before exposed. The team's report:

THE WHITE HOUSE 'PLUMBERS'

The four former CIA operatives and the Cuban locksmith arrested at gunpoint inside the Democratic National Committee headquarters were no isolated band of zealots. And the Watergate raid was by no means an isolated incident. As early as the summer of 1971, a small, tight, political intelligence team was forming up in the basement offices of the Executive Office Building next door to the White House. And its impact would soon be felt all across the 1972 election campaign.

The team was originally formed strictly as a pack of in-house watchdogs. In the fall of 1971, increasingly concerned about a rash of security leaks that began with the Pentagon Papers, Presidential assistant John D. Ehrlichman quietly tapped his able, aggressive deputy, Egil (Bud) Krogh, 31, to plug the leaks. Thus the White House "plumbing" crew was born. Presidential troubleshooter Charles W. Colson rang in an old Army-Navy Club friend named E. Howard Hunt, a retired CIA career spy, prolific pulp novelist and public-relations speechwriter, as a \$100-a-day consultant. From Treasury came G. Gordon Liddy, 42, a bright, ambitious former FBI agent and Dutchess County, N.Y., prosecutor with a flair for the dramatic (once, to make a point in a summation, Liddy fired off a pistol loaded with blanks in the courtroom).

The plumbers stuck to their assigned task—tracing leaks in the newspapers and eavesdropping on the phone conversations of White House staffers to detect signs of disloyalty. But as fall turned to winter and re-election strategy became a more urgent concern, Hunt's and Liddy's attention began to shift from internal Administration security to intelligence-gathering that might be used against the Democrats. They began carefully assembling potentially damaging dossiers on any and all possible Democratic Presidential and Vice Presidential candidates—and Hunt in particular launched a fresh investigation into Sen. Edward Kennedy's tragic automobile accident at Chappaquiddick.

At about the same time, the focus of the operation began to shift toward the newly formed Committee to Re-elect the President. In October, a husky, balding electronic eavesdropping specialist named James W. McCord Jr., 53, who had spent nineteen years debugging CIA installations, joined the committee as security coordinator. In December, Liddy himself moved over to the committee. In November, Hunt began a series of phone conversations with a Miami man he had known as a CIA contact during the Bay of Pigs preparations, 33-year-old Cuban-born Bernard L. Barker.

Barker, the moneyed son of a Cuban mother and an American father, began assembling a loosely knit team of his own from the Cuban community in Miami. From his own real-estate firm, Barker tapped Eugenio Martinez, a friend of fifteen years who, like Barker, had helped smuggle refugees out of post-Batista Cuba. Frank Sturgis, 49, (formerly Frank Fiorini), an ex-marine given to gun running and girls, joined him. And at Miami's Missing Link Key Shop Barker found a 45-year-old locksmith named Virgilio Gonzales.

To what extent GOP higher-ups knew of the team—and approved of its activities—is unclear. "I suppose it was a 'Do it, don't tell me how you do it' situation," said an insider. The full extent of the team's operations will likely remain a mystery, too. But by last spring a pattern of anti-Democratic espionage had begun to unfold in Washington.

On May 16, the law offices of the eventual Democratic Vice Presidential candidate, R. Sargent Shriver, and the party's credentials committee chief, Patricia Harris, across the yard from the Watergate, were broken into—though nothing appeared to have been stolen. There is no proof that the Watergate five were involved in this or any other break-in before June 17. But on May 26, five men checked into the Watergate Hotel under the same names that the Watergate Five were first to give to the police after their arrest.* They stayed through the Memorial Day holiday. While they were there, two attempts were made to break into the DNC.

On the night of the 27th, Lawrence O'Brien charged last week, some of the same people later arrested at Watergate made an abortive attempt to plant an eavesdropping device in Sen. George McGovern's pre-convention headquarters on Capitol Hill. O'Brien also charged that his own phone and another DNC line had been tapped for weeks before the raid, and monitored "on a regular daily basis" from Room 723 in the Howard Johnson Motor Lodge across the street.

Only a single hint as to the fruits of all this snooping has so far come to light. A fortnight ago, Michael Richardson, 29, who works in a Miami photo shop, told Miami authorities that two men came to his shop on June 10—a week before the Watergate arrests—with 38 frames of 35-mm. film to be rush-developed. The pictures, said Richardson, showed surgical gloved hands holding a series of documents against a shag rug. Some bore the DNC letterhead; some, the signature of Larry O'Brien. At least one, Richardson stated, appeared to be a dossier on a prominent woman Democrat—possibly Patricia Harris. Shown a random assortment of mug shots, Richardson unhesitatingly identified Bernard Barker and Frank Sturgis as the men who brought the film.

continued

A mysterious third man with red hair, he added, had come along with them to pick up the developed pictures.

While all this was going on, the Democrats--incredibly enough--took no steps to beef up their own office security despite evidence of break-ins. Democratic security, in fact, was virtually nonexistent--until the events of the early morning hours of June 17.

'YOU'VE GOT US'

It was just after midnight on a balmy summer night. James McCord, Bernard Barker and his three Miami teammates had registered in the elegant Watergate Hotel earlier in the day and had consumed a hearty lobster dinner in the Watergate Terrace restaurant. Wearing rubber gloves to guard against fingerprints, they jimmed a stairwell door, investigators say, and slipped quietly upstairs to the sixth-floor headquarters of the Democratic National Committee in the Watergate Office Building next door.

The intruders taped the door latches open behind them so they could go out and come back in again with ease. Someone filled cardboard cartons with papers from the DNC files, evidently intending to photograph them. Others slid back a ceiling panel in the office of the secretary to DNC chairman Larry O'Brien; investigators believe that they planned to remove for repairs an electronic bugging device they had installed earlier. And somewhere else in the darkened complex, Federal authorities have concluded, Howard Hunt and Gordon Liddy sat awaiting word from Barker's end that the mission was accomplished.

They never got it. The only message was a signal that the jig was up. While the raiders toiled, private security guard Frank Wills, 24, spotted the tape on the basement door and removed it. When he came back twenty minutes later and found the tape had been replaced, Wills called the police. Three cruising plainclothes men from the Capital's "mod squad" burst into the DNC with guns drawn. From behind a partition, one of the intruders shouted, "Don't shoot! You've got us." The police found, either in the five men's possession or in their hotel rooms, a kitful of burglary tools, two 35-mm. cameras, 40 rolls of unexposed film, three tear-gas pens, a radio transmitter-receiver, two bugging devices, a wig, and \$5,300 in freshly minted \$100 bills. Federal investigators believe that Liddy and Hunt fled the Watergate for the Howard Johnson Motor Lodge across the street, where they are thought to have maintained a monitoring station in

room 723. Barker and his crew were left holding the bag alone.

But not for long. Among the burglars' possessions, police discovered two small black address books listing the name Everette Howard Hunt, along with the notations "W.H." and "W. House." And eleven days after the arrests, Liddy was fired from the Re-election Committee by

its chairman, former Attorney General John Mitchell, for refusing to answer FBI questions about the raid. Over the next two weeks, both Re-election Committee treasurer Hugh W. Sloan Jr. and Mitchell himself resigned, both citing "personal reasons."

THE MONEY LAUNDRY

It was the 53 \$100 bills that opened up one of the first big leads. U.S. Treasury records showed that the bills had been part of a batch of crisp new hundreds that had been sent to Miami banks--including Republic National of Miami, where Barker's real-estate firm kept an account. And a check of Republic's photostats opened up a new dimension in the case.

On April 20, it turned out, Barker deposited four checks totaling \$89,000 that had been drawn on the Banco Internacional, S.A., in Mexico City, by a wealthy, 69-year-old labor lawyer named Manuel Ogarrio Daguerra. Through his son, Ogarrio repudiated the signature on the checks and denied any hand in the entire affair. But the "washing" of campaign contributions by funneling them through obscure surrogate "donors" to shield contributors demanding anonymity has long been a common campaign practice. And Ogarrio's name on the checks seemed more than coincidental. Until recently, his firm, Creel and Ogarrio, operated out of a suite of offices in the same building as the Banco Internacional branch from which the checks originated. And Creel and Ogarrio represented a number of prominent U.S. corporations--including Gulf Resources and Chemical Co., whose president, Robert H. Allen, happens to be the Texas finance chairman for the Re-election Committee.

Curiously, the day before the four checks were drawn, Gulf Resources and Chemical, which closed its Mexican operations in 1969, telephoned \$100,000 to the very same branch of Banco Internacional--to the account of a Mexican firm owned in part by Allen and Ogarrio's law partner. And the day after they were issued, Ogarrio's checks were personally carried to Washington by Allen's Republican colleague, Roy J. Winchester of Houston, the co-chairman of the GOP fund-raising drive for the entire Southwest. Winchester delivered the checks to committee treasurer Hugh W. Sloan Jr. The money originally came from four Texas Democrats.

THE DAHLBERG CONNECTION

The fifth check that Barker deposited was laundered, too. Two days before the new campaign spending law went into effect, prohibiting large anonymous donations, Dwayne O. Andreas, a Minneapolis-based soybean millionaire and longtime Hubert Humphrey supporter, phoned Kenneth Dahlberg, Mr. Nixon's Midwestern fund-raising chief, from his

Boca Raton, Fla., vacation home. He offered the Nixon campaign a strictly anonymous contribution of \$25,000. The money, Andreas said, would be left in a safety deposit box in Dahlberg's name at the Sea View Hotel in Bal Harbour. Dahlberg later claimed that he immediately phoned finance chief Maurice Stans in Washington to have the sum recorded--thus beating the disclosure deadline. According to Dahlberg, he arrived at the hotel on April 7--the deadline day--too late to pick up the money, and Andreas turned it over to him on a golf course two days later. Dahlberg said that he converted the cash to a bank check for safekeeping the next morning, then flew to Washington and handed it to Stans.

Stans told General Accounting Office investigators that he immediately gave the check to Sloan, and Sloan declared that he gave it, along with the four Mexican checks totaling \$89,000, to the committee's finance counsel, who was G. Gordon Liddy. Whatever Liddy then did with the checks, neither he nor anyone else has made clear. But a little more than a week later, Bernard Barker walked into Republic National Bank of Miami with all five of them. When a

bank vice president balked at accepting the Dahlberg check on the ground he could not verify the endorsement, Barker resourcefully--but probably illegally--used his power as a notary to authenticate the signature and deposited all \$114,000 in Barker Associates' account.

Over the next two weeks, Barker withdrew exactly \$114,000 in three separate drafts: \$25,000 on April 24; \$33,000 on May 1, and the final \$56,000 one week later. Meanwhile, Sloan told GAO investigators, he was trying to get the money back from Liddy--and having trouble doing it. Sloan said that Liddy finally returned the money (less about \$2,500 in what were said by Liddy to be check-cashing charges) around the middle of May--a full month after he had received it. Interestingly enough, on the day Barker made his last withdrawal his office made two telephone calls to Howard Hunt and one to the offices of the Re-election Committee in Washington. When he finally managed to get the cash

continued

back, Sloan said, he stashed it along with other funds in Stans's office safe. And on May 25, he related, he and Liddy personally walked the safe's entire contents—\$350,000—over to the First National Bank of Washington, counted the money out before a bank officer, and deposited it in the Re-election Committee's media account. As evidence that the money had been collected before April 7, Sloan could offer the GAO only a duplicate deposit slip bearing the notation: "Cash on hand prior to 4/7/72 from 1968 campaign Per Hugh Sloan." And Stans told the GAO he believed that all other records pertaining to the origin of the money had been destroyed after April 7.

Unimpressed, the GAO issued a stinging report charging the Re-election Committee with three "apparent" and two "possible" violations of the campaign-spending law and recommending a Justice Department investigation to determine whether there had been criminal violations as well. The Justice Department has yet to act on the recommendation. But the GAO report thrust the whole Watergate affair back into the spotlight just when public attention was beginning to wane.

THE FALLOUT

The Democrats have tried hard to make political mileage out of the case. But in the weeks since the raid, they have tasted anew the frustration of being the party out of power. A fortnight ago, Attorney General Richard Kleindienst pledged "the most extensive, thorough and comprehensive investigation since the assassination of President Kennedy." Except to answer direct queries from Washington, however, the FBI bureau in Miami was called off the case more than a month ago. At least one key witness—the Miami photo-shop technician—has yet to be called before a grand jury.

The indictments expected this week, will probably name seven persons, but it is unlikely that their trial will get under way before Election Day. A Federal law requires that major criminal trials must begin within 60 days of indictments—and the Republicans are in no hurry to advance the deadline. As a consequence, the Democrats' \$1 million civil suit against the GOP Re-election Committee is stalled too. Federal District Judge Charles Richey has ordered that all depositions must remain sealed pending the outcome of criminal proceedings, and has yet to rule whether the civil case may proceed at all before that trial. Meanwhile, the Democrats' attorney Edward Bennett Williams has taken testimony on the case from eight persons, including Mitchell last week. A surprise witness coming up: Richard Nixon's old campaign infighter, Murray Chotiner.

While the legal maneuverings continue, a number of investigations are still under way. Dade County Prosecutor Richard Gerstein, who first made public the five checks totaling \$114,000, is looking into possible violations of the Florida banking laws. Rep. Wright Patman's House Banking and Currency Committee is examining the money-washing operation south of the border. The Justice Department, at least officially, is still checking for criminal violations of the 1971 Federal Elections Campaign Act.

There are certainly enough unanswered questions in the case for them all. Who ordered the espionage campaign against the Democrats? How far did it go? And what was contained in the tapes and documents seized in the Watergate arrests (which the Justice Department refuses to reveal even to the DNC, their rightful owners)? What did Barker do with the \$114,000, and, if he did not return it, from what source was the amount made up in the Committee to Re-elect's coffers? Why should Maurice Stans keep so substantial an amount of campaign money as \$350,000 lying around in cash in an office safe? Who besides Dwayne Andreas are the GOP contributors so eager to keep their names secret? The Watergate saga continues—and promises to color the tone and temper, conceivably even the odds, of the Presidential campaign into which it so dramatically intruded.

*Curiously, several of these names weave through the pages of Hunt's novels, which are often set in the Miami-Cuba area. McCord, for example, first told police he was Edward Martin—the same pseudonym at least two of Hunt's characters adopted in fictional jams. In "Stranger In Town," a beautiful woman named Valdes reminds the hero of a girl named Jean. Martinez, when arrested, gave police the name Jean Valdes. The hero of a novel called "Dinner Run" is a man named Hank Sturgis.

WHO'S WHO IN THE WATERGATE AFFAIR

The cast of characters in the Watergate affair has come to assume the proportions of a Russian novel's. Here is a guide to some of the key figures:



Colson

CHARLES W. COLSON, 40, special counsel to the President, general White House troubleshooter and hatchet man, who recommended fellow Brown alumnus E. Howard Hunt for a \$100-a-day job in the White House plugging Administration leaks.

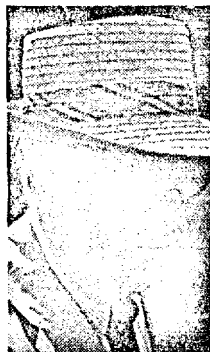
EGIL (BUD) KROGH, 31, Deputy Assistant to the President for Domestic Affairs and chief of the White House leak-plugging "plumbers."



McCord

E. HOWARD HUNT, 54, public-relations man, mystery novelist (some 45 titles), CIA operative (1949-1970), mid-level planner of the Bay of Pigs invasion. As a member of the "plumbers" unit, he had an ear on eavesdropping operations on White House staffers, and is believed to have been at the Watergate on the night of the break-in. Various described as "a very Foreign Service type who . . . knew how to operate" and "the dumbest son-of-a-bitch I ever worked with."

G. GORDON LIDDY, 42, ex-FBI agent, ex-Treasury official (eased out for excessive ardor in fighting gun controls), former colleague of Hunt's in the White House, former counsel to the finance arm of the Committee to Re-elect the President (fired for refusing to answer questions about the Watergate affair).



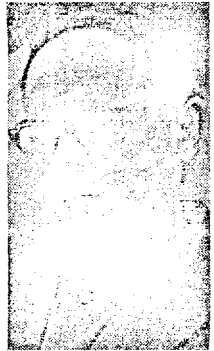
Hunt

KENNETH H. DAHLBERG, 54, millionaire hearing-aid manufacturer and chief midwest money-raiser for the Committee to Re-elect. Twenty-five thousand dollars in cash handed to him on a golf course by Humphrey supporter Dwayne Andreas dragged him into the affair.

MANUEL OGARRIO DAGUERRE, 69, Mexico City attorney with American corporate clients. His purported signature

appeared on \$89,000 worth of southwestern GOP campaign money channeled to Liddy and eventually to Barker.

BERNARD L. BARKER, 55, Cuban-born, Miami-based real-estate developer with a taste for intrigue. In Cuba he worked for the Batista secret police, in Miami he helped channel finances for the Bay of Pigs operation (under the nickname "Macho"). Probably the leader of the Watergate five, he made more than 40 telephone calls to Hunt and CRP offices the months before the raid, received \$114,000 in Republican campaign checks—and was arrested with four others at the Watergate on June 17.



Barker

JAMES W. McCORD, JR., 53, former FBI agent, nineteen-year security specialist for the CIA and "security coordinator" for the Committee to Re-elect. After leaving the CIA, McCord last year set up his own business, McCord Associates, Inc., whose first and only client was the Republican party—until McCord was arrested at the Watergate.



Liddy

FRANK STURGIS, 37, ex-Marine soldier of fortune with a string of aliases and a reputation as a braggart. He smuggled guns for Castro's rebels in Cuba, then switched sides and helped train anti-Castro guerrillas in Guatemala. Seven days before he was arrested at the Watergate, according to a clerk in a Miami photography shop, he and Barker brought in some intriguing film that suggested the extent of the espionage against the Democrats.

EUGENIO MARTINEZ, 49, former CIA operative involved in smuggling refugees out of Cuba, now a real-estate man in Barker's employ—and a member of his Watergate task force.

VIRGILIO R. GONZALES, 45, Cuban-born locksmith at Miami's Missing Link Key Shop, where he was unhappy and sought an opportunity for new and more adventurous employment with Barker.



Gonzales

Spy Funds Linked to GOP Aides

STATINTL

By Carl Bernstein and Bob Woodward

Washington Post Staff Writer

Funds for the Watergate espionage operation were controlled by the principal assistants of John N. Mitchell, the former manager of President Nixon's campaign, and were kept in a special account at the Committee for the Re-election of the President, The Washington Post has learned.

The Mitchell assistants, all of whom still hold policy-making positions on a high level in President Nixon's re-election campaign, were among 15 persons who had access to the secret fund of more than \$300,000 earmarked for sensitive political projects.

Included in those projects was the espionage campaign against the Democrats, for which seven persons—including two former White House aides—were indicted Friday by a federal grand jury.

It could not be learned whether the Mitchell aides, who include persons who once worked at the White House, knew that funds would specifically be expended for the purpose of illegal electronic surveillance. However, associates told The Post that the aides were aware that the money would be spent generally on gathering information about the Democrats.

Some of the Mitchell aides are among the persons named by a self-described participant in the Watergate operation as recipients of confidential memos based on the tapped telephone conversations of Democratic Party officials.

A spokesman for President Nixon's re-election committee, informed of The Post's story, said late yesterday afternoon that "there have been and are cash funds in this committee used for various legitimate purposes such as reimbursement for expenditures for advances on travel. However, no one employed by this committee at this time has used any funds (for purposes) that were illegal or improper."

sources, including investigators, other federal sources and officials and employees of the Committee for the Re-election of the President.

The \$300,000 fund also was used for travel and entertainment that campaign officials did not want known outside the campaign organization. One source said the money was finance chairman of the President's campaign. It is presumably the same money in part used for routine and legal intelligence gathering about Democrats.

The fund was kept in the safe of former Secretary of Commerce Maurice H. Stans, the chief Nixon fund-raiser. It is presumably the same money that the General Accounting Office cited in an Aug. 26 report as a violation of the new campaign disclosure law, because it had not been properly accounted for. The GAO, the investigative arm of Congress, said the fund contained \$350,000.

Sources said that Stans had no previous knowledge of the Watergate bugging—a position he has taken in public on numerous occasions, though he has not answered reporters questions directly.

Stans, according to the sources, was aware of the existence of the secret fund and knew that large amounts of money had been withdrawn in the names of Mitchell aides.

Only one accounting of the special fund—a single piece of lined ledger paper listing the names of 15 persons with access to the money and the amount each received—was maintained. It was purposely destroyed shortly before April 7, the date that the new campaign finance law requiring detailed accounting of election funds took effect, the sources told the Post.

A spokesman for the Nixon re-election committee denied late yesterday that such a list ever existed.

On the day it was destroyed the list showed that the largest individual sums of money were distributed to a handful of campaign aides closest to Mitchell, then still the President's campaign manager. It was from those aides that Nixon committee money was used for the espionage

campaign against the Democrats, according to sources.

Mitchell, formerly Attorney General, resigned as the President's campaign manager on July 1, saying it was because his wife, Martha, insisted he leave politics.

She said at the time that "I love my husband very much, but I'm not going to stand for all those dirty things that go on." The former Attorney General has repeatedly denied any knowledge of the Watergate bugging.

The Mitchell aides who received money from the secret account include individuals who reportedly were sent confidential memos containing information obtained from a tapped telephone at Democratic headquarters.

The names of those Mitchell aides also appear in an account of the espionage operation told by Alfred Baldwin, a self-described participant in the Watergate affair who has been interviewed by both the FBI and lawyers for the Democratic Party.

Baldwin reportedly was granted immunity from prosecution in the Watergate case, in exchange for telling the federal grand jury his version of the espionage conspiracy. He has described himself as a former FBI agent who was hired as a security guard for Martha Mitchell and subsequently was assigned to monitor conversations intercepted from the telephone of a Democratic official with offices in the Watergate.

Yesterday the FBI said the only agent who ever worked for the Bureau with the same name is Alfred C. Baldwin III, age 37, who was an agent from 1963 to 1966. Meanwhile, a spokesman for the Nixon re-election committee confirmed that an Alfred Baldwin "worked briefly" as a security guard for Mrs. Mitchell, though his name does not appear on the committee's payroll.

In his account to the Democrats, Baldwin said that one of the men indicted Friday in the Watergate case —James W. McCord Jr., the former security guard—sent memos and transcript of the bugged conversations to a

White House aide and several high officials in the Nixon campaign — including the Mitchell aides.

According to Baldwin's account, McCord brought him into the espionage operation as a wiretap monitor on May 10, or 11 and told him that he would be assigned the same task in Miami during the Democratic National Convention. Baldwin also said he was assigned by McCord to infiltrate Vietnam Veterans Against the War for the purpose of "embarrassing the Democrats" if the veterans demonstrated at the Republican convention.

The secret fund that supplied the money for Baldwin's Watergate activities and other aspects of the intelligence-gathering campaign was managed by the "political side" of the Nixon re-election committee—that part directly under Mitchell's control—but physically kept on the financial side, headed by former Commerce Secretary Stans.

In some cases, individual aides to Mitchell received nearly \$50,000 from the secret account. Except for ex-White House aide G. Gordon Liddy, the former finance counsel of the Nixon campaign who was indicted in the Watergate Friday, no other officials of the finance operation are known to have obtained money from the account.

The actual distribution of money from the fund to the intelligence operation was de-

continued

Bugging Case Again Blasted By McGovern

By JOSEPH VOLZ
Star-News Staff Writer

Sen. George McGovern charged yesterday that the Nixon administration "commanded the Justice Department to whitewash" the Watergate bugging case.

The Democratic presidential candidate said the indictment Friday of two former White House aides—the former Nixon campaign security chief and four others—is "an insult to the intelligence of the American people."

In a hastily called press conference on the front porch of his home here, McGovern contended the three-month Justice Department investigation into the break-in of Democratic headquarters left some "staggering questions" unanswered.

Seeks Campaign Issue

McGovern has been attempting to make the Watergate case a major campaign issue, arguing that electronic eavesdropping of his party's headquarters "goes right to the heart of the morality of the nation."

Among the questions unanswered by the return of the indictments, McGovern said, was who ordered and paid for "this act of political espionage and who received the stolen information?"

He said that "at all stages of the investigation, it remained a political case under the total direction and control of Mr. Nixon's political operatives, working through Atty. Gen. Richard Kleindienst."

He renewed a call for Nixon to appoint a special prosecutor for the case.

Denial From Justice

The Justice Department denied McGovern's allegations, saying it had conducted a thorough investigation of the case including financial aspects. Earlier a department spokesman had said finances were being looked into by another division of Justice.

"All aspects of the break-in and bugging were studied in

detail, including questions about the source and distribution of any funds relating to the incident," said Asst. Atty. Gen. Henry C. Petersen, chief of the criminal division.

"This investigation has been conducted under my supervision," Petersen said. "In no instance has there been any limitation of any kind by anyone on the conduct of this investigation."

Indicted Friday by a federal grand jury here were E. Howard Hunt, a former \$100-a-day White House consultant; G. Gordon Liddy, who quit as counsel to the Nixon finance committee last summer; James McCord, former CIA operative who was Nixon campaign security chief at the time of the break-in.

Veterans of Invasion

Also indicted were four men arrested inside the Watergate with McCord that night: Bernard Barker, a participant in the abortive Bay of Pigs invasion of Cuba a decade ago, and three Miami men also active in the anti-Castro movement, Frank Sturgis, Virgilio Gonzalez and Eugenio Martinez.

Liddy and Hunt are expected to surrender to federal authorities here Tuesday.

The following day, U.S. District Judge Charles Richey will probably rule on whether a related "invasion of privacy" civil damage suit, filed by the Democrats, should be continued. Henry Rothblatt, attorney for Barker and the three other Miamians, has moved to dismiss the suit.

In his press conference, McGovern made it clear he does not intend to dismiss the bugging incident as just the work of minor party functionaries acting on their own.

Democrats have decided to focus on a still unanswered question: Who decided that \$114,000 in campaign contributions should be given to Barker.

Hints of Finances

The only hint in the indictments of financing is a notation that Liddy gave McCord \$1,600 in cash in mid-June at a meeting with Hunt. About a month earlier McCord allegedly paid \$3,500 for a receiving device.

McGovern argued: "The administration, with its total control of the grand jury, asks us to ignore the diversion of funds into the hands of this political espionage squad."

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WATERGATE CONNECTION

President Nixon's business partner and personal friend, Cuban "Bebe" Rebozo is implicated in the Watergate caper, according to Cuban exile sources. Reportedly the Democratic organization had a damaging investigation file on the Nixon-Rebozo business partnership; also, the Democrats have acquired new evidence on the ITT scandal and inside information on the Nixon-Mitchell law firm—ammunition that Democratic strategists intended to drop as bombshell in the campaign. This was the urgency that prompted James W. McCord, Jr., chief security coordinator of both the Republican National Committee and the Committee to Re-elect the President, to personally participate in the Watergate burglary—he did not trust his Cuban cohorts to steal such highly incriminating documents—they might be tempted to peddle their wares to the highest bidder.

Friends of McCord say that there was a double-cross at the White House level. Two Democrat stool pigeons were planted on the staff of the Committee to Re-elect the President, but enemies of "Chuck" Colson in the White House were the real culprits who put the finger on the Watergate operation according to persons now under intensive investigation in connection with the caper.

Frank Fiorini, alias Frank Sturgis, who was one of the five arrested at the Watergate, was for 20 years a confidential informant of columnist Jack Anderson. He kept Anderson advised on the activities of the several rival Cuban exile groups. Thus far Anderson has been strangely quiet about the Watergate incident.

As of now it appears that the Nixon Administration is going to make E. Howard Hunt, Jr., and G. Gordon Liddy scapegoats in the case. Liddy, a former FBI agent, who was working as financial counsel for the Finance Committee to Re-elect the President, was fired by former Attorney Gen-

eral John M. Mitchell in connection with the break-in.

Despite his involvement in the much publicized burglary, bugging and wiretapping of the Democratic National Committee headquarters, White House Special Counsel to the President, Charles W. ("Chuck") Colson, is still held in high esteem by President Nixon; he accompanies Nixon on his frequent trips as an adviser, along with Henry A. Kissinger.

The Justice Department, which is supposedly prosecuting five men in connection with the alleged electronic bugging incident at the Democratic headquarters in the Watergate Building assigned a lawyer from its Civil Division to defend "Chuck" Colson in a civil suit stemming out of the case. Government attorney Irwin Goldbloom was assigned by Attorney General Richard G. Kleindienst to represent Colson and Alfred Wong, a special agent of the U.S. Secret Service, who had recommended James W. McCord, former CIA official, to the position of security chief of the Committee for the Re-Election of the President. (McCord was one of the five men arrested in the Watergate break-in). Ironically, a Federal judge appointed by Nixon, Charles R. Richey, ruled that the Justice Department attorney, Goldbloom, could not represent Colson since the latter was obviously implicated in the Watergate caper.

While he was forced by law to make this adverse ruling against the Nixon Administration, Judge Richey did so with misgivings, and is doing the best he can to protect Richard Nixon. He has taken the unusual step of sealing the transcriptions of the depositions in the civil action instituted by Larry O'Brien, former Democratic National Committee Chairman, until after the election in November. He is also stalling the current grand jury proceedings relative to the Watergate incident.

A former high CIA official, Tom Braden, who now writes a syndicated newspaper column, says: "Mr. Colson is Mr. Nixon's man of the sword; that is to say he has replaced Murray Chotiner as Mr. Nixon's principal exponent of dirty tricks. It is worth noting that at the very moment when Colson was being mentioned in the press in connection with the wiretapping incident at the Democratic National Committee, he was also being mentioned in the press as one of those who traveled back to Washington with the President on the trip home from San Clemente.

"Whether the President chose to have Colson with him because he likes his company or whether he decided that it might cast more suspicion upon Colson if Colson were suddenly dropped from the presidential entourage is a question which only Mr. Nixon could answer. But it is probable that Colson is slated for the boondocks sooner

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continued

BINGHAMTON,
SUN-BULLETIN

SEP 13 1972

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Bugs and charges

We can't recall a presidential campaign where there was so much fighting between the political parties' staffs, rather than between the candidates. And the exchanges between the party functionaries are getting more and more sordid and silly.

It started with the Watergate caper. It seems fairly clear now that some Republican zealot or zealots commissioned the bugging of the Democratic headquarters in Washington. It's hard to believe the Democrats had secrets worth such measures, but it's in the nature of zealous activists, especially if CIA-trained, to enjoy their James Bond work too much to question it.

The Democrats have filed a civil suit against the Republicans, asking upwards of a million dollars in damages, and incidentally tying in one of the bigger figures in the Nixon campaign, former Commerce Secretary Maurice Stans, to the bugging incident, and also to charges of misconduct with campaign funds. The Grand Old Party has struck back with a countersuit. Meantime, the Democrats report finding still more bugs in their office phones, and have turned them over to the FBI.

Perhaps the climax of silliness was reached Wednesday when Republican National Chairman Robert Dole accused the General Accounting Office, which is a congressional agency, of showing partiality to the Democrats who dominate Congress. And how did it do that? Why, by "leaking" its findings on his, Dole's, charges of fund violations by the McGovern people. And what were those findings? Why, that the 14 allegations trumpeted forth by Senator Dole included only minor violations of the campaign fund law.

George McGovern is right. We should get back to discussing issues.

R.C.

13 SEP 1972

*National News***Watergate scandal linked to Nixon**

Newsweek in its current issue reports that the group of five men — four former CIA agents and a counterrevolutionary Cuban—who were arrested at gunpoint in the headquarters of the Democratic party in the early hours of June 17 with bugging equipment in their possession, were part of a "political intelligence" team formed in the basement of the White House in the summer of 1971.

The report by Newsweek Washington correspondents Nicholas Horrock and Evert Clark discloses that the secret group was formed at the request of a top Nixon assistant, John D. Ehrlichman. According to Newsweek, its purpose was to spy on White House personnel for signs of disloyalty, plug leaks to the press and similar "dirty work." For purposes of the election campaign, the group applied its CIA know-how to spying on the Democrats.

The New York Times Tuesday published an interview with Bernard L. Barker, one of the five men arrested at the Watergate Hotel, in which he admitted his participation but refused to name others or to disclose the reasons for the break-in. Barker said he and his associates consider that the election of George McGovern would reflect the beginning of a trend that would lead "to socialism or communism, or whatever you want to call it."

Barker is a registered Republican in Florida. One of the main reasons given for his action is his agreement with Nixon's ultra-rightist policies, including continuation and escalation of the war in Indochina and opposition to socialism in Cuba. Although the interview does not make clear what role Barker played in the Bay of Pigs invasion of Cuba, he is known to have been a CIA agent in that plot.

Barker told the Times that he joined the Cuban National Police before the revolution "with the full consent and cooperation of the FBI."

It was through Barker's bank account and through his hands that \$114,000 in funds contributed to the Committee to Re-elect the President passed after at least \$69,000 had been "laundered" to hide its source by being passed through a Mexican go-between.

In other developments, lawyers for the Democrats charged that Maurice Stans, who resigned his post as Secretary of Commerce to work on the campaign to reelect Nixon, paid a "political espionage squad" to spy on leading Democrats and increased the sum demanded as damages from \$1 million to \$3.2 million. They also charged that other bugging attempts were made, including telephone tapping, with transcripts of conversations passed to the Republicans.

Watergate Questions Abound

By Jim Mann
and Bob Woodward

Washington Post Staff Writers

It was exactly 11 weeks ago today that the story burst across the front pages for the first time: five men arrested in the early morning hours inside the offices of the Democratic National Committee at the Watergate Hotel.

Wearing rubber surgical gloves. Carrying burglary

News Analysis

gear, electronic eavesdropping equipment, cameras for photographing documents, walkie-talkies, and consecutively numbered \$100 bills. Included among the five, was the chief security consultant to the Committee for the Re-election of the President.

The investigation of the break-in took a curious path, leading from Washington to Miami to Mexico to Minnesota and elsewhere, involving everything from foreign bank accounts and hidden fund stashes to the Bay of Pigs invasion and the CIA.

Somewhere along the line, it became known as the "Watergate Caper"—a major issue in the 1972 presidential campaign.

Yet after all the disclosures, publicity and furor of the past 11 weeks, almost all the principal questions raised by the incident remain unanswered:

- What were those five men doing inside the Watergate? What was the purpose of allegedly bugging and collecting information on the Democrats? And were they attempting to remove, not plant, a bug?

- What was the extent of involvement of officials of the Nixon re-election campaign or of the Nixon administration?

- How thoroughly and honestly are the investigations being conducted?

• What effect will it all have on the presidential campaign this fall?

I. Purpose and Scope

Ever since the break-in, a number of theories have been advanced regarding its purpose.

First, there was what might be called the "Cuban refugee" theory, which assumed that the men arrested inside the Watergate were members of a fringe Cuban group perhaps worried that the Democrats might be seeking friendlier relations with Cuban Premier Fidel Castro. Among those advancing this idea in the days after the break-in was at least one staff member at the White House.

The Cuban theory is based primarily on the fact that four of the five men arrested June 17—Bernard Barker, Frank Sturgis, Eugenio Martinez and Virgilio Gonzales—lived in Miami and were either Cubans or had extensive contacts with Cuban exiles there.

Arguing against the Cuban theory has been the accumulation of evidence that members of President Nixon's own campaign staff, the Committee for the Re-election of the President (CRP), were involved in the break-in.

The man providing the initial clue to Republican involvement was the fifth person arrested in the break-in, James W. McCord Jr., a retired CIA employee who was the chief of security for the Nixon campaign.

On the day after the arrests, John N. Mitchell, then the Nixon campaign chairman, sought to disassociate the campaign staff from McCord, saying, "He (McCord) has, as we understand it, a number of business clients and interests, and we have no knowledge of these relationships."

The next clue was the discovery, two days after the break-in, that another former CIA employee, E. Howard Hunt Jr., who had been a \$100-a-day White House consultant, was listed in address books taken from two of the five arrested men. Next to Hunt's name in the address books were the notations "W.House" and "W.H." It was later determined that Hunt had had

ker in the months before the break-in.

Hunt, by most accounts, was a friend and consultant to White House special counsel Charles W. Colson and was brought to the White House on Colson's recommendation. Shortly after Hunt's name was linked to the case, he disappeared, and according to authorities, 150 FBI agents began a nationwide search for him. It ended when his Washington attorney told authorities that Hunt would agree to return and answer questions.

Adding to the intrigue was a tidbit of the kind that began to come out every few days in the ensuing weeks: Hunt, according to others in the White House, had spent months quietly doing research on Sen. Edward M. Kennedy (D-Mass.) and his 1969 Chappaquiddick automobile accident.

Yet another link to the Nixon campaign was provided in late July, when it was revealed that G. Gordon Liddy was fired by Mitchell June 28 for refusing to answer FBI questions about the Watergate incident. (Mitchell himself resigned two days later, asserting that he wanted to accede to his wife's wishes and return to private life.)

Liddy, a one-time White House aide, was the chief adviser to the Nixon campaign staff on the new congressional statute requiring stricter reporting of campaign contributions. In the eyes of some people on the campaign staff and others close to the investigation of the Watergate incident, Liddy was probably the second-ranking policy-maker in the Nixon fund-raising effort, next to finance chairman Maurice Stans.

Telephone records of the Miami home and office of Barker (one of the five arrested men) revealed that Barker had placed at least 15 long-distance calls to the Nixon campaign offices between March 15 and June 16, most of them to Liddy's extension there. The records also showed that Barker had made 29 long-distance calls to Hunt's home and offices from Nov. 19 to June 16.

Another link between the

Nixon re-election staff was provided Aug. 1 when it was reported that a \$25,000 check representing funds raised for the Nixon campaign was deposited in April in Barker's bank account.

It was this revelation, six weeks after the incident itself, that seemed to give the Watergate caper a new, more important twist. The Democrats, trying to recuperate from the Eagleton affair, began to seize on it daily.

The check represented a contribution from Dwayne Andreas, a Minnesota investor, who reportedly gave the \$25,000 in cash to Kenneth H. Dahlberg, the President's chief fund-raiser in the Midwest. Dahlberg said that he used the cash to obtain a cashier's check made out to himself from a Florida bank, and that he personally handed that check to Maurice Stans, the finance chairman for the Nixon campaign.

Stans later said that he held the check for a few minutes and then turned it over to Nixon campaign treasurer Hugh W. Sloan Jr., who in turn gave it to Liddy. No one has explained the exact details of how the money ended up in Barker's bank account, or how much of it Barker actually kept. Sloan resigned from the Nixon campaign staff over the summer.

It later developed that another \$89,000, also deposited in Barker's bank account, represented contributions to the Nixon campaign that were raised in the Southwest and were moved through a Mexico City bank to insure that the donors would remain anonymous. According to investigators, this money, like the other \$25,000, passed through the Washington office of the Nixon re-election committee.

All of these links suggest strongly that the alleged bugging may have been concocted not by some Cuban exile group, but by at least some individuals connected with the Nixon campaign staff and the White House (such as Liddy, Hunt and McCord). A few days ago, in fact, a source close to the investigation reported that Liddy and Hunt were actually inside the Watergate

STATINTL

2 SEP 1972

GOP spy fund tied to HHH's 'angel'

STATINTL

Special to the Daily World

SAN FRANCISCO, Sept. 1 — Dwayne Andreas, the Midwest "Soy Bean King," who was linked to the June 17 aborted burglary of Democratic headquarters, is a long-time financial angel of Sen. Hubert Humphrey (D-Minn) and a backer of anti-communist operations.

These facts, either buried or completely ignored in press accounts of the break-in, are developed in an exclusive story in the Sept. 2 issue of the People's World, workingclass weekly published here.

Andreas tried to keep secret a \$25,000 contribution to the Nixon re-election fund but the story leaked out after money in the possession of one of the arrested burglars, Bernard L. Barker, a Miami real estate dealer, was traced to the Andreas gift.

Hitherto, Andreas had been a Humphrey sugar daddy, aiding the Minnesota senator and many of his political associates through the Andreas Foundation.

Then how come the shift by Andreas to the Nixon crowd? What follows is from the People's World account:

Got bank charter — fast

The hint carried by the Associated Press Aug. 27 concerned a much coveted federal bank charter speedily given to Andreas two weeks ago for his Ridgedale National Bank in the Minnetonka shopping center near Minneapolis.

However, not mentioned in any of the wire service reports at the time of this writing are the

following interesting dealings between Andreas and the Nixon Administration:

• Last year when a banking operation Andreas heads sought to form a new giant financial conglomerate in Minnesota it was found they could not do so without violating amendments passed in 1970 to the Bank Holding Act. The companies involved sought and got federal approval for an intricate juggling and hand changing of millions of dollars in order to comply with the law.

• A company Andreas heads has a suit pending against it, filed by the Justice Dept. charging violations of the Sherman Anti-Trust Act.

• The man who received Andreas' \$25,000 contribution and passed it on to the Republicans is a director of the Andreas bank which is involved in both of the above dealings.

Pending anti-trust suit

Andreas is the president of the Archer-Daniels-Midland Co., the largest domestic soybean processor. In September, 1971, the Justice Dept. filed a civil anti-trust suit against the company charging its 1970 acquisition of two soybean companies, one in Nebraska and one in Kansas, violates the Sherman Anti-Trust Act. The suit is still pending.

Taking over the two companies meant that Archer-Daniels-Midland could control two-thirds of the Kansas soybean crop and over 90 percent of the beans grown and processed in Nebraska.

On Oct. 1, 1971, plans were announced for formation of the Independent Bancorporation, a holding company. It was envisioned as joining as many as 10 Minnesota banks and 35 other banks in the Midwest. The Independent Bancorporation

when it was formed was the First Interoceanic Corp., of which Andreas is chairman.

First Interoceanic, in turn, controls 84 percent of the National City Bank of Minneapolis where Andreas and his brother, Lowell Willard Andreas, are directors. First Interoceanic is a wholly owned subsidiary of Archer-Daniels-Midland.

Subtle shuffle

Money dealings at that level of the capitalist pyramid are pretty complicated, but simply stated the arrangement was in violation of the law. So, with government approval, the Andreas-Archer-Daniels-Midland Co. had to divest itself of its banking interests. This was done by distributing the Independent Bancorporation shares to individual Archer-Daniels-Midland shareholders.

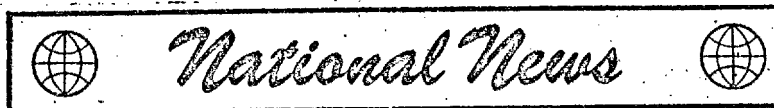
On June 14, 1972 the Internal Revenue Service ruled the above maneuvers were all right and the company had complied with the law.

Kenneth H. Dahlberg, chairman of the Minnesota Committee to Re-elect President Nixon, told the General Accounting Office that Andreas had called him June 5 and offered the contribution. That would make it two days before new laws went into effect which would have made it impossible for Andreas to contribute anonymously. Dahlberg said he picked up the money on June 9, as arranged, from a third party in a Miami hotel.

The news reports so far have not mentioned the fact that Dahlberg is a director of Andreas' National City Bank.

Andreas is known to have only recently become the president of the Sea View Hotel Corp. in the Miami Beach-Bal Harbour area. The money found its way

STATINTL



White House is 'bewildered'

WASHINGTON — President Nixon and the White House staff are "bewildered" and "bemused," according to Robert H. Finch, counsel- or to Nixon, by what some people call the "Watergate caper" but which has turned out to be more of a conspiracy. The comment was typical of the many attempts by the White House to downgrade an amazing scandal which leads right to the Committee to Re-elect the President and the White House itself.

Since one aspect of the scandal is an alleged misuse of \$350,000 of re-election funds, the Republicans have tried to take the heat off them by claiming that the Democrats have also violated the new election law. But much more than this aspect is involved; the issues go deep into the rightwing and ultraright character of the Administration, its personnel and policies.

The latest disclosures reveal that the June 17 break-in at national Democratic party headquarters by persons connected with the White House and the Committee to Re-elect the President was not the first attempt. The Miami Herald reported Friday that, seven days before the Watergate break-in, a commercial photographer processed spy films taken inside the Democratic party headquarters. The film was of private correspondence of Lawrence O'Brien, then Democratic party national chairman, and was ordered processed by Bernard L. Barker, a former CIA agent who was arrested with four other men on June 17 at the headquarters. Barker is the man who deposited \$114,000 into his account from funds diverted from the campaign funds collected by the Committee to Re-elect the President.

The Washington Post reported Friday additional information — that G. Gordon Liddy and E. Howard Hunt Jr. were also inside the Watergate Hotel on June 17 and narrowly escaped arrest when police arrived. Liddy and Hunt were warned by lookouts in the Howard Johnson Motel across the street, where a listening post was maintained by the conspirators. Liddy and Hunt both worked for the White House and Liddy, a former FBI agent, was employed at the time of the arrests by Nixon's re-election committee.

John N. Mitchell, former U.S. Attorney General and Nixon's campaign manager, made a deposition Friday in the case, saying that he had "no advance knowledge" of the break-in; bugging and "no knowledge" about how the \$114,000 wound up in Barker's bank account.

8 1 AUG 1972



Break-in Suspect's Proposal to Bug N.Y. Times Reported

BY RONALD J. OSTROW and ROBERT L. JACKSON
Times Staff Writers

WASHINGTON—G. Gordon Liddy, a suspect in the Democratic headquarters bugging case, proposed during the 1971 Pentagon Papers incident that the Justice Department bug the offices of the New York Times, an informed source said Wednesday.

Liddy made the proposal last summer when he was serving as the White House coordinator for an interagency group set up by the Administration to investigate leaks of government information.

Liddy was said to have approached Justice Department attorneys with the proposal, calling it "a great idea" to discover who gave the secret documents to the newspaper.

When the attorneys ascertained that Liddy was serious, the informed source said, they stopped dealing with him. They did not mention his suggestion to Robert C. Mardian, then head of the Justice Department's internal security division and now an official of the Committee to Reelect President Nixon.

But when the bugging of the Democratic headquarters took place, one of the Justice Department attorneys learned that Liddy was working at the Nixon committee and told Mardian of the Pentagon Papers incident. Mardian informed others at the committee, and the FBI was advised.

Mardian declined to comment on the incident Wednesday. The committee fired Liddy as its financial counsel June 28 after he refused to answer FBI questions. He later refused to answer questions before the federal grand jury investigating the case.

The General Accounting Office said in a report Saturday that Liddy had a hand in financial transactions in which checks totaling

\$114,000 in GOP campaign funds wound up in the bank account of Bernard L. Barker.

Barker, a Miami real estate broker, was arrested in the June 17 break-in at the Democratic committee headquarters.

Liddy, who has refused all comment in the past on the break-in, could not be reached Wednesday night.

In another development, Acting FBI director L. Patrick Gray III rejected suggestions by Democrats that the White House would try to influence the Justice Department's investigation of the Democratic headquarters bugging case.

It would be impossible, he said in an interview, for the White House to control the investigation, even if it wanted to.

Too Many Involved

Gray said too many Justice Department attorneys and FBI agents were involved in the investigation for any attempt at influence to escape public attention.

"If this were being done, you would have to control too many people," Gray said. He added that he had received "no instructions from anyone" on the politically sensitive case.

Lawrence F. O'Brien, campaign manager for Sen. George S. McGovern, and other Democrats have called for appointment of an outside prosecutor to insure, they said, that the White House exerted no influence on the probe. President Nixon Tuesday rejected this suggestion, pledging there would be no coverup.

Tells of Leads

Gray, supporting Atty. Gen. Richard G. Kleindienst's statement Monday that the probe of the Democratic bugging attempt would be the most extensive investigation since the assassination of President

John F. Kennedy, said the FBI had received "innumerable leads that affect (FBI) field offices throughout the nation."

Cities where agents are pursuing leads, Gray said, include Los Angeles, Minneapolis, Chicago, St. Louis and Mexico City, as well as Washington and Miami.

Gray said he had ordered special agents in charge of FBI field offices in these cities and others to assume personal responsibility for inquiries in the bugging case.

"The office of the Presidency is at stake," Gray said. "The FBI's credibility is at stake."

Asked if he had taken action to assure agents that there was no political pressure in the case, Gray questioned whether he could go beyond the steps he had already taken.

Unusual Meeting

These included classifying the investigation as "major" and an unusual meeting in Gray's office of Washington field agents on June 24, a week after the bugging attempt.

At the Saturday meeting, Gray cautioned agents about leaks in the investigation that he said could only have come from the FBI, and stressed that the case was to receive No. 1 priority.

In another development Wednesday, records of the Committee to Reelect President Nixon showed that FBI agents had provided security for Martha Mitchell for up to two weeks after her husband, former Atty. Gen. John N. Mitchell, left government service. The records disclosed that the committee reimbursed two agents for \$243 in personal expenses, incurred on behalf of the FBI was not reimbursed for their salaries.

Called Improper

Gray, informed of this situation by The Times, said: "Of course it was improper. We're not in a good position."

He said he assumed the service was arranged for the Mitchells by his predecessor, the late J. Edgar Hoover, until the committee could arrange for private security.

The FBI began providing the Mitchells with protection in 1969 after threats had been made against them. Such protection for high government officials is not unusual.

The FBI men reimbursed by the Nixon committee were two Washington-based agents—Francis M. Mullen Jr., now with the Bureau's inspection staff, and Fred Woodworth. Neither agent would comment.

But Gray and DeVan L. Shumway, spokesman for the Nixon committee, confirmed the details. Mullen was paid \$107.71 on July 19 for meals and other expenses he incurred for Mrs. Mitchell on a trip to Milwaukee from March 13 to 17.

Woodworth drew \$135.35 on July 26 for expenses he incurred on behalf of both Mitchells on a Feb. 24-25 trip to New York, a Feb. 29-March 6 trip to Key Biscayne and another New York trip March 10-12.

Gray said that before Mitchell left the Justice Department his practice had been to personally reimburse the agents for expenses they incurred on his and his wife's behalf.

Mitchell resigned as attorney general effective March 1, but did not join the Nixon committee until April 9. In the interim, he rejoined the law firm in which he once was a partner with Mr. Nixon.

29 AUG 1972



Nixon's tainted trail

In his acceptance speech last week, President Nixon avowed his belief in the doctrine that "here in America a person should get what he works for."

That is undoubtedly why the public is having such difficulty in learning the sources of the special \$350,000 bundle contributed to the Republican campaign committee, why it was not recorded as the law requires, or what part of the \$350,000 was devoted to the effort to "bug" the Democratic national headquarters.

This is the second case in which the White House's hatchet men on the home front are simultaneously cut-throats in its imperialist aggression.

The other was the White House complicity with International Telephone and Telegraph Company. That included ITT's bid of \$400,000 to the Republican national convention; the attempt to overthrow, with CIA help, the Allende government of Chile; and the Justice Department's approval of ITT's acquisition of the \$2-billion Hartford Fire Insurance Company.

Unable to concoct a credible tale, the White House has taken refuge in the age-old brigand cry: "Stop Thief!" Maurice Stans, former Secretary of Commerce and now finance chairman of Nixon's campaign committee demands that the General Accounting Office of Congress quit pursuing the dirty \$350,000 trail, and pursue, instead, his allegations of corruption among the Democrats.

The possibility of such a switchover is not to be dismissed, for GAO has turned over the pursuit of the scummy trail to the Justice Department — the outfit whose past and present chiefs, John Mitchell and Richard Kleindienst, have been up to their elbows in the Administration's dirtiest dirty work.

The vision of the Justice Department investigating the Republican National Committee's source and use of funds compels one to ask, with the bard, "which is the justice, which is the thief?"

The Watergate Issue

It began as an odd, Bondian episode greeted with amused stupefaction in Washington. Now the Watergate affair promises to be the scandal of the year. Justice Department officials found that the receiving end of bugs planted in the Democratic National Committee's headquarters was located just across the street in two rooms in the Howard Johnson's motel. There members of the security intelligence squad of the Committee for the Re-Election of the President were clearing out their records and tapes minutes after the cops arrested the Watergate Five.

There were other iridescent traces leading to the C.R.P.: a possibility that the Watergate forces planned to plant incendiary bombs in the hall during the Democratic Convention, or conspired to have the hall stormed by paid Cuban exile mercenaries. The Administration maintained silence, although Attorney General Richard Kleindienst did venture that the bugging was "just about the stupidest goddam thing I ever heard of."

The incident has given the Democrats ammunition they could not

campaign. The Democrats have been moving methodically. As O'Brien puts it: "This is an unprecedented case of political espionage. We have been very, very careful in every step we've made."

Care is the last thing the Republicans exercised. The great embarrassment began the night of June 17, when police arrested the five men as they tried to remove bugging devices from the Democratic headquarters. As the cops moved in, Justice Department officials have learned, the recording equipment in the Howard Johnson's motel was being hurriedly removed. One of the men arrested was James W. McCord Jr., chief security coordinator for the Committee for the Re-Election of the President. The cavedroppers across the street had apparently been assigned their tasks by McCord.

The intelligence squad grew out of

bearing Ogarrio's name were deposited in Barker's Miami account.

As it turns out, one of Ogarrio's principal clients is the Gulf Resources & Chemical Corp. of Houston, Texas. The firm's president, Robert H. Allen, also happens to be chairman of the Texas finance committee to re-elect Nixon. Further, Nixon's re-election campaign in Texas is supervised by Robert Mardian of the C.R.P.

The Democrats are suspecting the best. They theorize that the Republicans might have fantasized a convention proposal that a new Democratic administration open dialogues with Fidel Castro, thus leaving itself open to attack in Miami Beach last month by anti-Castro Cubans. Although the Democrats grudgingly trusted Kleindienst on security measures, O'Brien and others were only too aware that he was Nixon's man. Still, the man they really want—because he is so closely tied with the Administration—is former Attorney General John N. Mitchell. As Nixon's campaign manager, Mitchell dismissed Liddy from the C.R.P. after Liddy had refused to answer FBI questions about the Watergate bugging. Mitchell resigned from his post two days later, ostensibly at his wife Martha's insistence. But Democrats think that Mitchell was trying to extricate himself from Watergate before the situation blew up. By coming down hard on Mitchell, the Democrats hope they can make Watergate a devastating—and durable—campaign issue.



FORMER ATTORNEY GENERAL MITCHELL

a team of so-called "plumbers," originally recruited by the Administration to investigate leaks to the media. They included G. Gordon Liddy, a former White House staffer and then attorney for the C.R.P.'s finance committee; Robert Mardian, a former assistant U.S. Attorney General and an official for the C.R.P., and E. Howard Hunt, a former White House consultant. The lead man in the Watergate caper was Bernard Barker, an ex-CIA agent. Federal investigators learned that \$114,000 from the C.R.P. had found its way into Barker's Miami bank account.

Early on the Justice Department discovered that \$25,000 of that money had been collected by Kenneth H. Dahlberg, the Republican finance chairman in the Midwest, who told the FBI that he had rounded up the cash from G.O.P. contributors early in April. The other \$89,000 apparently came through a Mexico City attorney, Manuel Ogarrio Davera. It is a matter of record that four bank drafts, totaling \$89,000 all

have imagined for themselves. Larry O'Brien, the Democratic National Chairman at the time five men were arrested for possession of bugging devices at his Watergate headquarters, last week refiled his \$1,000,000 suit for violation of civil rights in Washington's federal district court. His attorney, Edward Bennett Williams, a crack criminal lawyer who is working on the case without pay, has asked for subpoenas requiring the principals named in the case to submit to questioning under oath this week. The aim is to preoccupy the Republicans in court during the fall and to keep the case in public view to sub-

STATINTL

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Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

STATINTL

Bugging Fund Traced to HHH Backer

By Jack Anderson

The mysterious \$25,000 that apparently helped finance the bugging incident at the Democratic National Headquarters has now been traced to Hubert Humphrey's biggest financial backer, soybean oil tycoon Dwayne Andreas.

Andreas delivered the cash, according to secret sworn testimony, to President Nixon's chief fund raiser in the Midwest, Kenneth Dahlberg. Both men are Minneapolis millionaires.

The testimony was taken from Dahlberg in Miami by State's Attorney Richard Gerstein, who is investigating alleged violations of Florida laws in the bizarre case.

Under oath, Dahlberg also admitted that he didn't pick up the cash from Andreas until April 9, two days after the new campaign reporting law went into effect. The law requires a public accounting of political contributions, but the \$25,000 was never reported.

Dahlberg testified that he flew into Miami on April 8 and met Andreas in his penthouse at the fashionable Seaview Hotel. The hotel's safety deposit box, however, was closed for the night.

The next day Andreas withdrew \$25,000 in cash from the safety deposit box and gave it to Dahlberg, according to the sworn testimony. Dahlberg converted the money on April 10 into a cashier's check drawn on the First Bank and Trust Company of Boca Raton, Fla.

He handed the check to Maurice Stans, top fund raiser for the Nixon campaign, on April 11 at a Republican meeting at the Washington Hilton Hotel.

The \$25,000 check later turned up in the bank account of Bernard Barker, a former CIA undercover man, who recruited a Mission Impossible team allegedly to bug the Democratic premises. Some of them had been involved in the Bay of Pigs fiasco with Barker, who is known to the CIA by the code name "Macho".

In the early morning hours of June 17, five men, including Barker, were arrested at gun point inside the Democratic office complex at the Watergate Towers. They were wearing rubber surgical gloves and carrying electronic eavesdropping devices.

They were also caught with \$5,300 in crisp new \$100 bills, a couple of address books listing a White House contact and a

walkie-talkie tuned to a special GOP security frequency.

Dahlberg's sworn testimony, identifying Andreas as the source of the \$25,000, differs from his statement to federal auditors who are investigating whether the new campaign finance law has been violated.

He told them, according to an investigator, that he had collected the \$25,000 from various sources before the campaign reporting law went into effect. But under oath, in Miami, he admitted the money had been turned over to him by Andreas two days after the deadline.

In his opinion, he testified, Andreas had no knowledge of how his money was used. We tried repeatedly to reach both Andreas and Dahlberg but neither returned our calls.

Stans, whose sworn testimony was also taken in Miami, claimed he passed the \$25,000 cashier's check along to Hugh W. Sloan Jr., former campaign treasurer. Stans said he had no idea what Sloan did with the check or how it ended up in Barker's bank account.

Footnote: With only chief investigator, Martin Dardis assigned to the case, Gerstein is tracking ahead of the FBI in tracking down some of the bizarre de-

tails of the Watergate caper. Not only FBI agents, but congressional investigators have come to Gerstein for information.

'Facing An Emergency'

Money is pouring in for President Nixon's re-election campaign, but Republican congressional fund-raisers are finding the going rough.

The result is that the Republican Congressional Committee is making its appeals for money sound as desperate as possible.

Its latest appeal says GOP congressmen are "facing an emergency. We are out of funds for incumbent Republican congressmen. They are begging for funds . . . The Radicals-Liberals are joining forces to defeat them."

To make sure that prospective donors don't throw away the appeal without opening it, the GOP has put it in a highly official-looking brown manila envelope.

Instead of the Republican Congressional Committee, the envelope is marked with the return address of the "U.S. House of Representatives." Thus it appears to be an official communication from the entire House rather than just one party's plea for cash.

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GOP Bought Electronic Gear Prior to Bugging

Nixon Committee Source Says Devices Were Acquired for 'Defensive' Purposes

BY RONALD J. OSTROW AND ROBERT L. JACKSON
Times-Staff Writers

WASHINGTON — The Committee for the Re-election of the President bought thousands of dollars worth of electronic security equipment in the months preceding the June bugging of Democratic National Headquarters, it was learned Monday.

Sales records subpoenaed by the federal grand jury investigating the incident show the items included walkie-talkies and noise detection devices.

A committee source said the devices, which were purchased from at least five Washington area suppliers in April and May, were "defensive." They were designed to protect Republican offices against bugging and illegal entry, not to engage in such activities, he said.

"None of the purchases to my knowledge was for offensive equipment," said the official, who declined to be identified.

Among suspects arrested in the June 17 break-in of the Democratic National Committee offices was James W. McCord Jr., then the Nixon committee's security director.

Fired June 28

Another committee official, G. Gordon Liddy, was fired June 28 as financial counsel for refusing to talk to FBI agents about the case.

Along with bugging devices, police seized five walkie-talkies from those arrested in the Democratic committee offices. Part of the seized walkie-talkies were found in the desk of White

House consultant E. Howard Hunt Jr., who dropped from public view immediately after the case broke.

It could not be learned whether these walkie-talkies were among items listed in sales records subpoenaed by the grand jury.

Most of the electronic equipment suppliers who dealt with the Nixon committee refused to discuss the nature of the committee's purchases.

Robert E. Slye, president of Concord Communications Systems of suburban Arlington, Va., said of the committee's April order of \$1,113 worth of equipment:

"We don't disclose that kind of information about our customers."

Slye said his firm sells television and audio recording equipment as well as "entire security systems." He would not say whether FBI agents had contacted him about the investigation.

Detects Noises

Some of the equipment purchased by the Nixon committee is used to detect noises after a room has been locked for the night, but not to pick up conversation, one committee source said.

In another development, Robert C. Mardian, a former Justice Department official now with the Nixon committee, denounced as a "bald-faced lie" a report in Time magazine linking him to the bugging incident.

Mardian said in an interview he had no contact with any principal in the case prior to the break-in, with the possible exception of a discussion with McCord about hiring a driver for the GOP committee.

After the incident, Mardian said, he discussed the bugging affair with Liddy. But this conversation, he said, was covered by the lawyer-client privilege which prevents him from talking about it.

The magazine said members of the Nixon committee's "intelligence squad" had set up a listening post in a Howard Johnson motel across the street from the Watergate apartment complex where the democratic committee offices are located.

Declines Photo

Paul Chapman, the motel's manager, declined Monday to examine a photo of Mardian offered by reporters. Chapman also refused to say whether committee officials had rented a room the day of the break-in, but did confirm that he was questioned by FBI agents.

Meanwhile, U.S. Dist. Judge Charles R. Richey, who is hearing a \$1 million civil damage suit filed by Democratic officials against the Nixon committee, ordered sealed from public examination all depositions to be taken in the case.

Richey noted earlier that a federal grand jury is pursuing a parallel criminal investigation.

Edward Bennett Williams, attorney for the Democrats, said he would begin taking depositions Wednesday. Among those to be questioned are former Atty. Gen. John N. Mitchell, who resigned as head of the Nixon committee in late June; presidential aide Charles W. Colson, and former Commerce Secretary Maurice H. Stans, the committee's finance director.

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Violations By Nixon Fund Cited

By Bob Woodward
and Carl Bernstein
Washington Post Staff Writers

The General Accounting Office has discovered violations in the handling of nearly \$500,000 of campaign contributions and expenditures by President Nixon's re-election committee, according to several reliable sources.

Among the irregularities found by GAO investigators is what they describe as a \$100,000 "campaign security fund," from which \$25,000 was deposited in the bank account of one of the suspects in the Watergate break-in, according to the sources.

Violations cited by the sources include failure to report receipts and expenditure of funds received by the Committee for the Re-election of the President after April 7—the effective date of the new campaign finance disclosure law, under which the GAO is currently conducting an audit.

The \$500,000 in question, according to the sources, represents the following: about \$200,000 in unreported contributions; another \$200,000 in unreported expenditures (some of which probably overlaps the unreported contributions); the \$100,000 campaign security fund; some errors, apparently technical in reporting a \$50,000 itemization; and an undisclosed amount—probably small—of loose cash at the Nixon committee.

Top Nixon committee officials would not comment on the report of the alleged violations in handling the \$500,000, DeVan L. Shumway, chief spokesman for the Nixon committee, said in Miami yesterday.

But Republican sources said that if there were any violations, they would prove to be only technical in nature and nothing more than administrative oversights.

As details of the GAO's findings became known yesterday, Washington Post Staff Writer Jim Mann reported these additional developments related to the Watergate case:

- An examination of court papers reveals that a federal prosecutor has told the attorney for G. Gordon Liddy (a former White House aide and former attorney for the Nixon re-election committee) that he feels a grand jury has enough evidence to return a felony indictment against Liddy.

- A spokesman for the Chesapeake and Potomac Telephone Co. said yesterday that the company will comply with a subpoena and provide the Democrats with a record of toll phone calls made from John Mitchell's Watergate apartment between April 1, July 1 this year. The request is part of the Democrats' \$1 million civil suit filed following the June 17 Watergate incident.

The attorney for the Democrats, Edward Bennett Williams, had asked for Mitchell's telephone records last Friday, along with the phone records for the home of White House aide Charles W. Colson and of the office of the Committee for the Re-election of the President.

The C. & P. spokesman said the company will provide the Democrats with all the telephone records. "We will comply with the subpoenas," he said.

In disclosing details of the GAO investigation, sources said the audit turned up evidence of several special accounts or accumulations of cash that they described as "slush funds." Such items did not appear to be included in the regular bookkeeping maintained by the President's re-election committee, the sources said.

One such fund of about \$100,000 was designated for campaign security, the sources said. A \$25,000 campaign check deposited in the Miami bank account of one of the suspects in the Watergate break-in was taken from this fund, the sources said.

One source said that the GAO has found a "rat's nest" behind the surface efficiency of computerized financial records for the Re-election of the President.

An official of the Nixon committee, meanwhile, confirmed the GAO findings and said some persons at the committee were "deeply troubled" by the GAO information.

The committee official said that the Nixon committee will argue that the questioned funds were collected before April 7 and therefore do not fall under the jurisdiction of the GAO audit.

The sources and the Nixon campaign officials were in dispute about whether most violations were technical in nature or more serious ones that could be referred to the Justice Department for criminal action.

Philip S. Hughes, director of the new office of federal elections in the GAO, said yesterday that he could not confirm or deny the report of the alleged violations by the Nixon re-election committee.

He ordered a full audit of the President's campaign finances on Aug. 1 following The Washington Post's disclosure that a \$25,000 campaign check ended up in the bank account of one of the Watergate suspects.

Yesterday, Hughes said that his office would issue a report on its audit this week. "We're trying to figure out what's to be said. It's a mess. Some of all of this is obviously a coincidence, some of it isn't," said Hughes.

He said the audit report would contain "some gaps" because he did not want to interfere with the federal grand jury that is still investigating the Watergate incident for possible criminal indictments. "But, I hope the report will be clear," he said.

Sources close to the GAO investigation reported that Hughes is uncertain which aspects of the audit should be made public at this time, a politically sensitive period in the midst of a presidential campaign.

At the same time, GAO lawyers were reportedly going over the list of alleged violations yesterday to determine the strength of charges that could be made on each one.

In some cases, the sources said the alleged violations may never become public because the GAO—which is the investigating arm of Congress—is more interested in achieving compliance with the law than publicizing violations.

The government's problem is compounded by the difficulty of enforcing a new election law that has not yet been interpreted by the courts.

Meanwhile, Hughes has made it clear that he intends to fully audit the finance records of the Democrats and their presidential candidate, Sen. George McGovern.

As the Republicans gather in Miami for their convention, two camps of opinion seem to be developing about the Watergate incident and the Nixon committee's bookkeeping.

One, backed by Clark MacGregor, director of the President's re-election committee, holds that major disclosures about both matters have run their course and that neither will be a dominant issue in the presidential campaign.

The other camp believes that additional disclosures—including links to other Nixon campaign officials—are forthcoming and will play a major part in the campaign.

The disclosures began on June 17, when five men with bugging and photographic equipment were arrested inside Democratic National Committee headquarters here at the Watergate.

One of the men, James W. McCord Jr., was identified as the security chief of the Nixon re-election committee. In the next week it was revealed that at least two of the suspects had close ties to a White House consultant and former Central Intelligence Agency employee, E. Howard Hunt Jr.

Hunt was relieved of his duties at the White House, dropped from sight for several weeks and surfaced in an appearance before the grand jury investigating the case.

In July, it was revealed that Liddy—a former White House aide and the finance counsel for the Nixon campaign—was fired because he refused to answer FBI questions about the Watergate incident.

In court papers examined yesterday, Liddy's lawyer said that Assistant U.S. Attorney Donald E. Campbell "related to me that, in his opinion, there was sufficient evidence before the grand jury to result in a felony indictment of my client."

continued

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Another Name In 'Bug' Case

By NANCY BECKHAM
Star-News Staff Writer

Members of "the security intelligence squad" of the Committee for the Re-election of the President, according to Time magazine, were on the receiving end of electronic devices planted in the Democratic National Committee offices in the Watergate.

But Robert Mardian, a former assistant U.S. attorney general named by Time in its current issue as a member of the team that became the intelligence squad, said last night that he has never heard of such a squad. He also said he does not know the other persons the magazine said were fellow members of the team.

In Miami Beach, Atty. Gen. Richard Kleindienst said yesterday grand jury action in the Watergate incident is imminent, according to the Associated Press.

"It (the grand jury) could act within a week or it may delay until around Labor Day," Kleindienst told a news conference.

Time said the members of the original security team includes G. Gordon Liddy, who was fired as GOP committee attorney for refusing to cooperate with FBI agents in the investigation of the June break-in, and E. Howard Hunt, a former White House aide and CIA agent.

Both Liddy and Hunt are under subpoena by the Democratic Party in a civil suit growing out of the affair.

But the Time story was the first time Mardian, currently an official of the Committee for the Re-election of the President, has been mentioned.

Time said members of the intelligence squad were tuned into the bugs in the Democratic offices in positions in a Howard Johnson motel just across Virginia Avenue NW from the Watergate.

Manager Questioned

Paul L. Chapman, manager of the motel, confirmed last night that the FBI had checked some of his records and had questioned him, but he refused to say what names were mentioned, what time period was discussed or whether he knew anything about the affair.

As police were arresting five men inside the Democratic offices, according to Time, "the recording equipment in the Howard Johnson's motel was being hurriedly removed."

James W. McCord Jr., security coordinator for the Nixon campaign committee at the time and one of the five men arrested, "apparently" assigned jobs to "the eavesdroppers across the street," Time said.

The magazine linked Mardian to the bugging incident by a thread of relationships stemming from the fact that, it said, Mardian and Robert H. Allen are top officials of the Nixon campaign in Texas.

Allen, it said, is president of Gulf Resources & Chemical Corp. of Houston, Tex., a firm it said is a "principal client" of Mexico City attorney Manuel Ogarrio Daguerra.

Daguerra's name has come up in connection with \$89,000 deposited in a Miami bank account in the name of Bernard Barker, an ex-CIA agent who was among the five arrested in the Watergate.

Mardian, Hunt and Liddy, Time said, were members of a team originally recruited to investigate information leaks from the government to the news media.

Mardian said early today in Miami Beach, where he is at the Republican convention, that the FBI had been asked to investigate leaks from the National Security Council to newsmen. But, he said, that was the only effort to plug leaks of which he was aware.

In the Dark

He said he does not know Barker or Hunt, and knew Liddy only slightly from his Justice Department days.

"I am surprised Time would print such a thing," he said. "Whoever wrote it is full of —"

He said the first he knew of the Watergate incident was through the news media and added: "Anybody who knows me ought to know better than to write anything like that."

Until he resigned last April to work for the Committee for the Re-election of the President, Mardian was in charge of the Justice Department's internal security division.

Argued for Wiretaps

In that post, he argued before the Supreme Court that the "integrity" of the Justice Department should be relied upon and the government should be allowed to wiretap without court order when domestic security is threatened. The court disagreed.

When he came to the Justice Department from a Health, Education and Welfare Department post, where he had been a leading proponent of antibusing measures, Mardian was described as "an intimate policy adviser" to then-Atty. Gen. John Mitchell.

Demo Bugs 'Heard By Nixon Men'

Time: Break-in Was To Remove Them

WASHINGTON — (AP) — Members of the Committee for the Reelection of the President were on the receiving end of bugs planted in the national headquarters of the Democratic Party, according to Time magazine.

Also, the five persons arrested during a break-in at the plush Watergate offices where the headquarters were located were removing the bugs when caught in the act, Time says in its issue that goes on sale today.

As they were being arrested the night of June 17, the magazine reports, members of the Nixon committee's "security-intelligence" squad were packing up tapes and notes and leaving the place where they had set up monitoring headquarters — a motel across the street from the Watergate complex.

TIME DID NOT say how long long the bugging devices allegedly were in the Democratic National Committee headquarters. Time said the Justice Department was aware of the information in its article.

Former Democratic National Chairman Lawrence F. O'Brien has charged that the bugs were in the offices for some time before being discovered.

The committee has filed a \$1-million suit in U.S. District Court in Washington, charging that the party's civil rights were violated by the break-in and alleged bugging.

One of those arrested was

James W. McCord Jr., then a security coordinator for the reelection committee. "The eavesdroppers across the street had apparently been assigned their tasks by McCord," Time said.

IT SAID the intelligence squad grew out of a team originally recruited by the Nixon Administration to probe leaks to the media. Time said the team of media "plumbers" — but not necessarily those in the motel — included C. Gordon Liddy, a former White House staffer who was then attorney for the reelection committee's finance unit, and E. Howard Hunt, a former White House consultant.

Time also said that the Justice Department had discovered that \$89,000 of the money found in the bank account of one of those arrested, former CIA agent Bernard Barker, came through a Mexico City attorney, Manuel Ogarrio Daguerre. "As it turns out," Time said, "one of Ogarrio's principal clients is the Gulf Resource Chemical Corp. of Houston, Tex. The firm's president, Robert H. Allen, also happens to be chairman of the Texas finance committee to reelect Nixon."

TIME ALSO said was "a possibility that the Watergate forces planned to plant incendiary bombs in the hall during the Democratic Convention or conspired to have the hall stormed by paid Cuban exile mercenaries."

"The Democrats are suspecting the best," the magazine wrote.

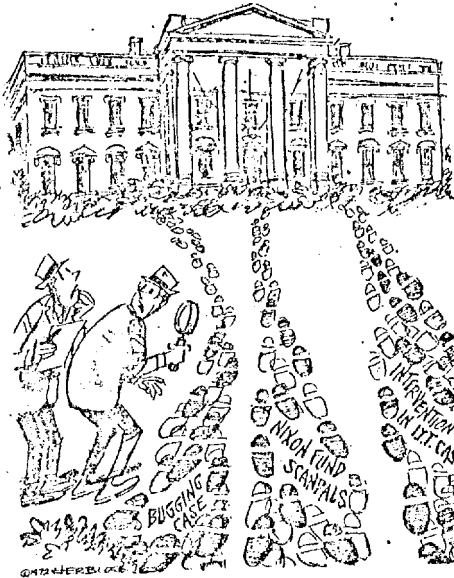
"They theorize that the Republicans might have fantasized a convention proposal that a new Democratic administration open dialogues with Fidel Castro, thus leaving itself open to attack in Miami Beach last month by anti-Castro Cubans."

Several of those arrested at the Watergate reportedly had ties to anti-Castro movements.

STATINTL

Watergate, part 2

There is one political serial running in Washington which lifts up the spirits of the most depressed Democrat and which Senator McGovern is exploiting relentlessly. It is the sequel to the clumsy break-in at the Watergate headquarters of the Democratic National Committee in June by five men with wire-tapping implements—and with connections reaching into the Central Intelligence Agency, the Committee for the Re-election of the President, the Republican National Committee and the White House itself. Suspicions of a link to someone high up in the Republican establishment have been strengthened by the revelation that a cheque for \$25,000, representing contributions to the Republican presidential campaign, turned up in the Florida bank account of Mr Bernard Barker; he is one of the five suspects



"Strange—They All Seem To Have Some Connection With This Place"

in the bugging incident and apparently their leader.

A cheque for \$25,000 is small beer, no doubt, to a party whose national presidential committees have just reported collecting \$3.8m and spending \$5.9m in June and July alone and which, on August 1st, still had \$7.7m in the kitty. But the awkward fact is that a midwestern fund-raiser gave the cheque to Mr Maurice Stans, the President's fund-raiser-in-chief, on April 10th, three days after the reporting requirements of the new federal elections act went into effect. Yet there is no record of it in the party's reports to the Office of Federal Elections. That office's head is now suggesting that several violations of the act may have been committed. Worse still, Mr Stans has failed so far to make any public statement about what he did with the cheque. He is supposed to have told the Federal Bureau of Investigation that he turned it over to Mr G. Gordon Liddy, financial counsel to the Committee to Re-elect the President, and that it was eventually exchanged for cash, which was paid into party funds. But this account raises new questions. Mr Liddy has since been fired by the committee for refusing to answer the FBI's questions.

The Republicans, ostensibly to ensure that political passions do not intrude, want any trial or inquiry arising out of this affair to be postponed until after the election. They are likely to have their wish, even if the grand jury now looking into the case brings in criminal indictments and even though the judge who is to hear a \$1m civil suit (brought by Mr Lawrence O'Brien, head of the Democratic National Committee at the

time of the break-in), has refused to postpone the trial. But next week Mr O'Brien's lawyers are to begin taking formal statements from over a dozen Republicans, including Mr Stans and Mr John Mitchell, the former Attorney General and subsequently, for a time, head of the Committee to Re-elect the President. Meanwhile Senator Proxmire, a Democrat, is threatening that the Senate will institute its own bipartisan examination, to be completed in 30 days, unless President Nixon arranges for an independent inquiry.

Washington bugging:**Cases move slowly**

By Courtney R. Sheldon
Staff correspondent of
The Christian Science Monitor

Washington

The shadow of the Watergate mystery lengthens. It may linger for the whole presidential campaign.

The civil and criminal court cases probing the five-man break-in of the Democratic headquarters the night of June 17 move ever so slowly.

Presumably the quintet, with their surgical gloves and cavedropping marvels, was trying to bug Democratic offices, or renew earlier bugging, or abscond with Democratic documents.

In the absence of full exposure the tempo of the trial by headlines accelerates in the campaign arena.

Sen. George McGovern demands explanations from President Nixon on the alleged involvement of Republican personnel and finances.

It is political espionage "that you expect under a person like Hitler," he charges.

In return Mr. McGovern is accused by Republicans of slurring Mr. Nixon.

The Democratic nominee also feels he has a handy entree for calling attention to Mr. Nixon's refusal to publicize the names of all Republican contributors, as Mr. McGovern has disclosed the Democratic ones.

Washington looks on with more knowledge of the political ramifications than of the legal facts. There is fascination with the drama, and engrossing uncertainty over the final act.

Is it in President Nixon's interest to have the soiled linen—whom ever it belongs to—draped on the political laundry line soon?

Every visible White House effort thus far has been to delay the investigations or push the whole affair into the background.

However, White House officials say that there has been no administration pressure on the Federal Bureau of Investigation to curb its investigation. They say the FBI's findings should be made available to the public before Election Day.

Lawrence F. O'Brien, former chairman of the Democratic National Committee, pleaded for Mr. Nixon to appoint a special nonpartisan prosecutor to replace the Republican-controlled department investigators. He was disdainfully rebuffed at the White House.

Request for blockage denied

Clark MacGregor, chairman of the Committee for the Re-election of the President, says that he and other Republican leaders are justifiably concerned about the rights of the accused. Calm judicial adjudication is the first order of business, he says.

Lawyers for the committee tried to block the civil suit until after the election because, it was said, it would cause "incalculable damage." The courts refused this Republican request.

The plausible assumption here now is that no big-name political figure was directly involved in what White House officials have called a "bizarre and stupid" act. Only a few challenge this.

It is not clear whether officials of the re-election committee, such as Maurice H. Stans, former secretary of commerce and currently Mr. Nixon's chief fund raiser, and John N. Mitchell, former attorney general and chairman of the re-elect Nixon committee at the time of the Watergate incident, can be dragged still deeper into the affair because of their overall responsibilities for the work of their subordinates.

Security division tie-in

From the evidence available it appears that the break-in was financed from re-elect Nixon committee funds designated for "security purposes."

The walkie-talkies used by the rather inept invaders of the Democratic headquarters were set for channels assigned to the security division of the Committee for the Re-election of the President.

There is some indication that they may have been in search of documents that could somehow link the Democrats to expected provocative protests at the Republican National Convention.

The political naivete of the quintet and its sponsors astounds almost everyone in Washington. Only persons addicted to espionage and paramilitary-type operations would have thought such a risk worthwhile.

Indeed, those arrested had associations with the calamitous Bay of Pigs venture. At one time, it was generally thought here that the arrested men were interested in subverting anything that looked like a Democratic movement to warm up relations with Communist Cuba.

Former FBI and CIA agent

One of the men accused in the Watergate case is James W. McCord Jr., security coordinator for the re-election committee at the time. Mr. McCord is a former agent of the FBI and the Central Intelligence Agency.

Huge sums were reported involved, with some \$114,000 ending up in the Florida bank account of Bernard L. Barker, another of the five arrested.

By admission of those involved, some \$25,000 of this was deposited in the form of a \$25,000 cashier's check originally earmarked for Mr. Nixon's re-election campaign.

Kenneth H. Dahlberg, the campaign finance chairman for the Midwest, says he gave the check to Mr. Stans.

Mr. Stans stays discreetly out of public view, but committee sources say that he turned the check over to Hugh W. Sloan,

Mr. Sloan was said to have given it to G. Gordon Liddy, lawyer for the finance committee of the Nixon campaign. According to Mr. MacGregor, the \$25,000 was properly accounted for as a contribution.

Disclosure aspect checked

He also said that no laws were violated when Mr. Dahlberg gave the \$25,000, which he collected from others earlier, to Mr. Stans on April 10, three days after the deadline for anonymous contributions. After April 7, all contributions must be identified. The General Accounting Office is investigating this aspect.

Mr. Liddy was fired by the re-election committee after he refused to cooperate with FBI agents working on the case. Mr. Sloan resigned for what he said were "personal reasons unrelated to the incident."

Bugging Perturbs GOP

By PAUL HOPE
Star-News Staff Writer

MIAMI BEACH — The Watergate caper is bugging Republicans gathering here to renominate President Nixon.

Party Chairman Robert Dole told several newsmen last night he is sure Nixon is going to be re-elected but he wishes the break-in at the Democratic headquarters was "behind us."

Elliot Richardson, Health, Education and Welfare secretary, said here he was sure no one in authority would have been so "stupid" as to have authorized it and if they had it wouldn't have been carried out so ineptly.

Atty. Gen. Richard G. Kleindienst was scheduled to have a press conference yesterday but he sent Richardson instead and everyone there but Richardson thought Kleindienst bugged out because he didn't want to answer questions about the alleged bugging.

Dole started things off Thursday when he asked Republican state chairmen at a closed meeting if the Watergate controversy was having any impact in their states.

Some thought it was. That prompted Dole to observe that "something has to be done and done soon" and that if anything more is going to come out to connect Republican officials with the incident, "it ought to come out now and not on the 28th of October."

Wants It Over With

He talked about it further last night with a group of newsmen.

Although some state GOP chairmen apparently think the affair has been mishandled by Republican officials in Washington, Dole didn't accuse anyone of bungling.

"I would just hope it would get over. I wish it were behind us," he said.

But he said the Republican National Committee wasn't involved in any way and he

therefore doesn't have "any authority to do anything about it."

He said he didn't think the incident would have a "major impact" on the Nixon campaign but that as long as it "bolls and festers" it will be an irritant.

Richardson, substituting for Kleindienst, said he had "no reason to think the campaign has been hurt" by the Watergate affair.

Moreover, he said, there is "no reason" to connect it with President Nixon or the Repub-

lican National Committee or the Committee for the Re-election of the President — as the Democratic presidential candidate, Sen. George S. McGovern, has alluded.

"I don't think they would be that stupid," he said. "If they did, I don't think it would be handled that ineptly... Therefore, it seems to me improbable that they did in fact do it."

Richardson based his conclusion on the fact that he has been involved in politics for some time and that "experienced politicians" of his ac-

quaintance always overruled schemes aimed at "spying" on the opposition.

"Experienced politicians," he said, "know you can get too smart for yourself."

Richardson was asked if he had any idea what the Watergate intruders had in mind and who sent them. He said he didn't know enough about it to have a firm opinion but he had seen reports linking them to Castro's Cuba.

Aside from the handling of the Watergate incident, GOP Chairman Dole indicated that some of the state chairmen were not exactly happy about the way the Committee for the Re-election of the President is handling things in general.

He said they didn't come to the Thursday meeting to complain but that there seemed to be a feeling among some that "we need closer coordination."

Look Beyond

Actually, he said, there is a universal feeling among Republicans that Nixon is going to win re-election. But he said Republican leaders want to look beyond the re-election of the President to building the Republican party into a majority party.

"What they (the state chairmen) were trying to say is that this is an excellent year to build the party—a golden opportunity that doesn't come along very often," he said.

He indicated they wanted to get a bigger input from the "basic organization of the Republican party" and not just from the "superstructure thrown up on a temporary basis" for the re-election of the President.

He said he and regional party chairmen plan to get together today with Clark MacGregor, chairman of the Nixon re-election committee, to discuss how they can achieve closer cooperation.

11-17 August 1972

MIAMI BOMB

PLOT

Democratic HQ

STATINTL

wiretapping linked to

ART KUNKIN

Less than two weeks before the opening of the Republican National Convention, a press conference held at the Los Angeles Press Club heard a woman speaker say that the five men caught wiretapping the Democratic Party National Committee headquarters in Washington's Watergate Hotel were not only involved in the Central Intelligence Agency, the Bay of Pigs invasion, and President Kennedy's assassination but also with plans first revealed last year by Los Angeles Police informer Louis Tackwood to disrupt the Republican National Convention. (See the *Los Angeles Free Press*, October 22, 1971.)

These charges were made by Mae Brussell, a well known private investigator into American political assassinations for the past nine years. She was accompanied by Michael McCarthy of the Citizens Research Investigation Committee, one of the CRIC investigators who originally checked out Tackwood's charges, and Paul Krassner, editor of *The Realist*. The current issue of *The Realist* (August, 1972) contains a 20-page article by Ms. Brussels which was distributed to the newsmen at the press conference as the basis for Ms. Brussels' assertions.

According to Ms. Brussell the Watergate Hotel, located in Washington, D.C., was the home of John and Martha Mitchell at the time of the attempted wiretapping of the Democratic Party National Committee. John Mitchell, former Attorney General of the United States, had shortly before resigned that prestigious position to head the important Committee to Re-Elect the President.

CIA assassins

Also housed in the Watergate Hotel complex are the offices of the Democratic National Committee.

In the early morning hours of June 17, 1972, five men were arrested removing parts of the ceiling from the sixth floor panels in the Democratic National Headquarters. These men possessed expensive electronic equipment, cameras, walkie-talkies, burglary tools, and other James Bond accessories.

Two of the men arrested had in their possession the telephone number of Howard Hunt White House consultant who had previously worked with the CIA for 21 years.

James McCord, Jr., employed as Chief of Security for Mitchell's Committee to Re-Elect Richard Nixon, was one of the five men arrested. McCord was formerly employed by the CIA for nineteen years, having left two years previously at approximately the same time as Hunt. McCord's position with the CIA was Chief of Security over the entire grounds of the immense CIA compound at Langley, Virginia. According to Mae Brussell, this put McCord in a very high, responsible position in relation to CIA Director Helms who could not conceivably carry out any intelligence planning without relying on McCord to ensure that CIA plans were kept secret.

Nine persons (all registered with false names suspiciously similar to names used in novels written by Howard Hunt) stayed at the Watergate Hotel May 26 to 29, and again June 17 and 18. Five of them, the night of their arrest, were discovered in the Democratic Party

According to Don Freed of CRIC (who was not at the press conference but submitted additional material to the *Free Press*), within six weeks of the first arrests it was known that at least 12 men and \$114,000 were involved, and that the invaders were discovered putting forged documents of some kind into files, not taking papers out. They were not burglars, they were not functioning with a "bugging" budget or with the numbers usually associated with mere wiretapping.

(We must caution, however, that the *Free Press* has no means at present of independently verifying facts such as documents being planted instead of being removed, and that Don Freed, evidently, bases much of his information on a collation from such sources as the *Washington Post*, which has published carefully documented articles on the raid. Freed has also made investigative trips to Washington, D.C.)

Following the raid, a million dollar suit was filed by the Democrats against the Committee for the Re-Election of the President for compensatory and punitive damages to the Democratic headquarters. The Nixon Committee then asked a U.S. District Court to postpone the suit until after the November 7th election. To hear the suit before the election, the Committee said, could deter campaign workers and contributions, force disclosure of confidential information and otherwise cause "incalculable damage" to President Nixon's campaign.

JAMES J. KILPATRICK

Some Speculations on the Watergate Capers

SCRABBLE, Va. — We had as our guest one night last week a gentleman, now retired, who had spent his life in intelligence work. The after-dinner conversation turned to the Watergate caper. Our guest had a few speculations to offer. I pass them along.

By the way of background: This bizarre affair broke into the news in the early hours of June 17, when five men were caught red-handed in the offices of the Democratic National Committee, located in the plush Watergate apartment complex in Washington. Their mission, by every indication, was political espionage.

Four of the five men had backgrounds in Miami, where they were identified with the Free Cuba, anti-Castro movement. The fifth was a former CIA employe, James W. McCord Jr., now a private consultant on security procedures.

When it transpired that McCord numbered among his clients both the Committee for the Re-election of the President and the Republican National Committee, the affair became the talk of our town.

And much later, when the story broke that a \$25,000 cashier's check, payable to the Nixon committee, had found its way to the bank account of one of the four Miami suspects, the Watergate Capers turned into a political time bomb.

"I am out of the game," said our guest. "I know nothing more than I have read in the papers. My own assignments never involved Cuba, but my guess, all the same, is that the key to the Watergate incident is not in Miami or in Washington, but in Havana."

We were sitting out on the deck, listening to the night noises—an owl, a whippoorwill, a pack of hounds on the trail of a fox. A soft breeze rippled the smoke of our guest's cigar.

"Suppose," he said, "just to be supposing, that the Castro government is keenly interested in normalizing relations with the United States. It would make sense to suppose that if the United States could reverse its policy toward China, the United States could reverse its policy toward Cuba.

"But not under Nixon. The President, if I am not

mistaken, remains absolutely frosty toward Castro. He has made not the slightest gesture toward a Cuban rapprochement, but Havana might well suppose that the Democrats, if they could put their man in the White House, would take a more flexible view.

"So let us suppose, to be supposing, that a decision is made in Havana, at the highest levels of the Castro government, secretly to feel out the Democrats on this score. This is maybe early March. The idea is to send an emissary to the Democratic National Committee, rather than to any one of the candidates, with a nice proposition: If the party would take a sympathetic view toward normalizing relations with Cuba, well Cuba would take a sympathetic view of the Democrats' urgent need for campaign contributions. The proposition might not be put so bluntly, but the offer would be unmistakable. Money. Big money."

He paused for a moment, intent on the hounds giving chase. "Now suppose," he went on, "to be supposing, that the Free Cuba people in Miami get wind of the thing.

We have to assume they maintain an excellent intelligence apparatus in Havana. Eventually they find out who the emissary will be—probably a Washington or New York lawyer who could visit the committee offices without raising the least alarm. In time they learn when he's coming—say, on June 19. But early on, they begin to think in terms of a deal of their own.

"The Miami people get in touch with their old CIA contacts in Washington—contacts kept alive since the Bay of Pigs. Would the Republicans be interested in exposing a secret offer from Havana? A talks to B, and B talks to C, and C is captivated.

"He sees glorious visions of a headline in The Evening Star: 'Communist Dollars Back Democratic Campaign.' Then C sends a cryptic note up the line through the Nixon committee. For \$25,000, he hints, we might buy something worth a million. Trust me, he says. The top people—John Mitchell and Maurice Stans—never are told anything. The romantics down below are kept almost as much in the dark. But the money changes hands in late April and the waiting time begins. It ends on June 17."

Our guest studied his glowing cigar. Over on Red Oak Mountain, the hounds of the night hunters suddenly faltered and their cries subsided.

"I doubt that the job was as bungled as they say. I suspect it was blown, probably by a double agent." We sat in silence for a while. "Smart fox," said our guest. "He knew when to take cover. That's all for tonight."

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STATINTL

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

The track of the new \$100 bills

CAPITOL STUFF

By JERRY GREENE

Washington, Aug. 15—The little dark cloud hanging over the festivities planned by the Republicans at Miami Beach next week carries the label "Watergate Bugging," and there are now indications it may grow rapidly into a major campaign issue.

Lawrence O'Brien, campaign ombudsman for Sen. George McGovern, filed notice in federal District Court here today that his lawyers will begin taking depositions in his \$1 million indignation suit over the bugging on Aug. 23—the day President Nixon is to close the Republican National Convention with his acceptance speech.

A Civil Suit Seeking Some Uncivil Results

tions will be sought.

It is O'Brien's intention to break the truth about this puzzling case out into the open through his civil suit, and through the depositions taken from officials and former officials of the Committee for the Re-Election of the President, regardless of what might come later in criminal proceedings.

This has been done before. We are mindful of a time in Chicago when a buxom dame shot her well-known sportsman-husband in a swank North Side club, then either got charges dismissed or was acquitted. But an insurance company got its back up and, in a civil suit, which we covered, promptly proceeded to convict her of killing her spouse so sufficiently that no death benefits had to be paid. The poor woman was so embarrassed she left town, permanently.

This seems to be what O'Brien has in mind with his \$1 million suit, and McGovern, in the process, will be seeking to make all the campaign marks possible from the mystery, and the connection however faint between the bald-faced, inept bugging effort and the Nixon re-election organization or members thereof.

In a television show Sunday, McGovern said, "I am going to talk about it on every stage and to every audience I reach across this country until we bring this matter out into the open."

O'Brien has some juicy names on his deposition list, including former Attorney General John Mitchell and former Commerce Secretary Maurice H. Stans, along with a couple of White House aides.

To keep matters in perspective, this is how it happened: In the early hours one morning in mid-June, five men were caught in the Democratic Headquarters carrying a large amount of electronic bugging equipment and cameras suitable for photo-copying. Four of them were from the Miami area and had Cuban refugee connections; the fifth was James McCord Jr., a former CIA agent and private eye whose security firm was on the payroll of the Committee for the Re-Election of the President.

John Mitchell, then chairman of the committee, fired McCord upon learning of his arrest. All officials up to and including the White House professed no knowledge of the blundering bugging attempt, and Nixon ordered all hands to cooperate fully with the police.

O'Brien, chairman of the Democratic National Committee in June when five men were arrested at gunpoint in the committee's headquarters in the Watergate office building, named these and eight others from whom depositions



Lawrence O'Brien
Last defendant left town

The five intruders—one of them had re-taped an escape door lock open after a building guard had discovered it had been tampered with and stripped off one batch of tape—were charged with burglary. They had \$6,000 in new \$100 bills on them and in their hotel room; probes learned that one of them, Havana-born Miami real-estate dealer Bernard Barker, withdrew \$89,000 from his bank account a few weeks earlier, including \$10,000 in \$100 bills.

In addition to the mysterious \$89,000, another \$25,000 check, intended as a Nixon campaign contribution, became involved subsequently.

One of the burglary suspects had an address book that included the name of Howard Hunt, a former \$100-a-day White House consultant, who had at one time worked with or for Charles Colson, still a special counsel to the President. In the passing weeks, G. Gordon Liddy, general counsel for the Committee for the Re-Election of the President was fired; Hugh W. Sloan Jr., the committee's treasurer, resigned.

All the while, the FBI was working around the clock, feeding its findings to a federal grand jury which is still looking into the affair.

Ziegler Declines 'Third-Rate' Burglary Comment

O'Brien immediately cried foul, accusing the Republican campaign committee of having some connection with the attempted svesdropping, and filing his suit for damages to achieve the maximum exposure of all concerned.

The White House people have attempted to stay strictly away from the mess. Press Secretary Ron Ziegler said stiffly that the White House does not discuss "third-rate" burglary attempts.

This may have been a fitting stance for the White House at the time. But the stench of the whole operation lingers—and grows, fanned lustily by McGovern, O'Brien, and his very able mouthpiece, the famed defense lawyer Edward Bennett Williams.

There is no doubt whatever that the bugging maneuver, and the loose handling of a total of \$114,000, constituted one of the most stupid performances to be even remotely associated with national politics in many a year. The Republicans needed "inside" information from the Democratic Headquarters like they needed a worn-out recording of Elvis Presley singing "Hound Dog."

This is the sort of sideline thing that could build up to really louse up an important political campaign. Sometime, somewhere, somebody is going to talk. The Republicans might do well for themselves to clean their own hound's tooth first.

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13 Face Quiz in 'Bugging' Case

By Bob Woodward
and Carl Bernstein

Washington Post Staff Writers

Lawrence F. O'Brien, chairman of the McGovern for President campaign, announced yesterday that he intends to have his attorney take formal statements from at least 13 men in his \$1 million civil suit stemming from the break-in at Democratic National Committee headquarters.

Included will be former Secretary of Commerce Maurice Stans, now President Nixon's campaign finance chairman, and former Attorney General John N. Mitchell, until July 1 the President's campaign manager.

In addition, O'Brien said formal depositions will be taken from two former Nixon re-election committee officials, three former or present White House aides, a Washington attorney, and the five men arrested inside the Democratic headquarters in the Watergate here on June 17.

O'Brien said his attorney, Edward Bennett Williams, would take the depositions at the rate of one a day beginning Aug. 23, the day President Nixon is scheduled to give his acceptance speech at the Republican National Convention in Miami.

The list of 13 names was filed in U.S. District Court yesterday. O'Brien said the list is preliminary and names will be added if necessary.

He added that he is amending his civil suit alleging the violation of constitutional rights of all Democrats to say that new evidence shows his Watergate headquarters "were

in fact bugged for a period of time."

Previously, O'Brien had said he only had evidence of an attempted electronic eavesdropping. He refused to elaborate yesterday on what that new evidence might be.

The five suspects were carrying electronic eavesdropping gear and photographic equipment when they were arrested inside the Democratic offices.

Last week, a federal judge ruled that the depositions of the five suspects and the three present or former White House aides must be sealed with the court and kept secret until completion of a separate criminal investigation into the incident.

Presumably, the statements of the others—including Stans and Mitchell—would be made public unless their attorneys petition the court for secrecy.

Stans and Mitchell could not be reached yesterday for comment.

Clark MacGregor, head of the Committee for the Re-election of the President, charged yesterday that O'Brien "is attempting to turn it (the Watergate incident) into a partisan political matter."

MacGregor continued: "We do not intend to participate in any public debate. We will wait until the investigation is complete and all the facts are made known in the appropriate way under our criminal justice system."

In a related matter yesterday, U.S. District Court Judge George L. Hart ordered a Miami man to testify before the grand jury investigating the Watergate incident.

Hart ordered that Felipe de

Diego answer questions and be granted partial immunity from prosecution. The judge acted after a grand jury appearance in which Diego repeatedly invoked the Fifth Amendment's protection against self-incrimination.

Government prosecutors said in open court that they wanted to learn about two trips Diego apparently made from Miami to Washington during May, and about Diego's relationship with two of the men arrested in the Democratic offices on June 17.

Diego, reportedly a native of Cuba, is described by federal sources as a survivor of the Bay of Pigs invasion in 1961. Later that year it was reported that Diego was involved in an attempt to exchange farm tractors for some of the men captured during the invasion.

Several of the men arrested in the Watergate incident have ties to the Bay of Pigs invasion and are Cubans active in the anti-Castro movement in Miami.

O'Brien said depositions will also be taken from: Hugh W. Sloan Jr., the former treasurer of the Nixon campaign committee; G. Gordon Liddy, former Nixon finance counsel; Douglas Caddy, the first attorney for the five suspects in the case; E. Howard Hunt Jr., former White House consultant; Charles W. Colson, special counsel to the President; Alfred Wong, chief of Secret Service technical services at the White House; and the five suspects, including James W. McCord Jr., the former security chief to the Nixon campaign committee.

In Miami Beach yesterday,

Rep. Paul N. McCloskey (R-Calif.), citing the Watergate incident and the \$10 million in secret contributions to the GOP, said that "secrecy and corruption" is "the one issue that could defeat the Republicans this year."

McCloskey said that Stans and Mitchell should explain the transaction in which a \$25,000 campaign contribution check was deposited in the bank account of one of the five suspects in the case.

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Probers Quiz Mystery Man On Watergate

By JOSEPH VOLZ
Star-News Staff Writer

Federal officials are questioning a new mystery figure in the Watergate bugging case, Felipe DeDiego, believed to be a member of the Cuban exile community in Miami.

DeDiego invoked his constitutional right against self-incrimination in a closed-door grand jury session yesterday and later was granted immunity from prosecution.

He refused to answer if he knew Bernard Barker or Eugenio Martinez, two suspects in the June 17 break-in at Democratic National Committee headquarters here.

Barker, a Miami resident of Cuban background, reportedly was one of the organizers of the abortive 1961 Bay of Pigs invasion. Martinez, a salesman in Barker's real estate office, has been active in the anti-Castro movement.

Equipment Described

They were two of the five men, equipped with electronic gear and cameras, arrested inside the Watergate suite of the Democrats.

DeDiego was granted immunity from prosecution by U.S. District Judge George L. Hart Jr., and sent back to answer the questions.

He had balked at responding to a question of whether he had come to Washington from Miami between May 3 and 4 and between May 22 and 30.

Informed sources believe he was at the Watergate once or twice in May during dates coinciding with break-ins at the Democrats' offices.

Safe Reported Opened

Police said someone opened a safe and stole cash and checks valued at about \$200 from the committee's offices on May 6.

On May 28, an attempt was made to force open the committee's front door, but it failed.

Meanwhile, Lawrence O'Brien, McGovern campaign manager, called a press conference yesterday to announce that "new evidence" in his \$1 million invasion of privacy suit shows the Democratic headquarters "were, in fact, bugged for a period of time."

Until yesterday, the Democrats had argued there was an "attempt" to place electronic "bugs" in the headquarters although published reports have contended the five suspects were actually removing bugs.

Disclosure Declined

O'Brien repeatedly declined to reveal what the "new evidence" might be, on the advice of his lawyer, Edward Bennett Williams.

Williams begins taking depositions from 13 persons in the civil suit on Aug. 23 — the day President Nixon is scheduled to make his acceptance speech in Miami Beach.

Williams plans to take depositions from John Mitchell, former Nixon campaign manager, on Sept. 1 and from Maurice Stans, former Commerce Secretary and finance chairman of the Nixon committee, on Aug. 28.

Contribution an Issue

O'Brien is interested in a \$25,000 campaign contribution Stans received which eventually ended up in the bank account of Baker.

O'Brien refused to say why he wanted to quiz Mitchell.

Included in the list of those to be questioned are the five suspects in the criminal case, and Charles Colson, White House special counsel; E. Howard Hunt, former White House consultant, and Alfred Wong, a Secret Service agent.

O'Brien said there may be more names later.

"Whenever you get started on a course of questioning," Williams said, "there are always other names added later and we will go wherever this case takes us."

O'Brien's efforts to draw some response from the Republicans have, so far, been in vain.

A spokesman for the Nixon campaign committee issued another no-comment statement yesterday on behalf of Clark MacGregor who replaced Mitchell as campaign manager.

MacGregor said the matter is "the subject of intensive investigation by the FBI and the grand jury" and O'Brien was "attempting to turn it into a partisan political matter. We do not intend to participate in a public debate."

O'Brien, asked about the purpose of the suit, said: "One doesn't look at the calendar to see if it's an election year. It's an obvious violation of civil rights."

Approved For Release 2001/08/04 : CIA-RDP80-01601R000200190001-2

Your mission, should you decide to accept it, is to contact the Democratic National Headquarters. Naturally, if you are caught, we will disavow any knowledge of you...this tape will self-destruct after Election Day.'

STATINTL



Colson Told to Get A Private Lawyer

By JOSEPH VOLZ
Star-News Staff Writer

Charles Colson, special counsel to the President, is often described as a man who gets things done. But one thing he doesn't want to do is hire his own lawyer in the \$1 million civil suit in connection with the break-in at Democratic party headquarters.

U.S. District Court Judge Charles Richey has ordered Colson to choose a private lawyer and submit to questioning from Edward Bennett Williams, attorney for Democrats who say five suspects arrested in the June 17 break-in of Democratic headquarters at the Watergate, not only invaded the party workers' privacy but tampered with their civil rights.

Colson, who is not a suspect, feels he ought to have an attorney from the Justice Department, and the agency agrees.

The department filed a motion yesterday notifying Judge Richey that it intends to appeal his order dismissing the government's lawyer from the case. The government, coming to its own defense, argues it is the job of the attorney general to protect any executive branch officers who face legal action in any way that may affect their official duties.

'May' Emphasized

A Justice Department spokesman emphasized that word, "may". The Democrats are arguing Colson might be spending some of his time aiding the Republican party in unofficial duties.

Williams wants to quiz Col-

son about his relationship with E. Howard Hunt, a former \$100-a-day White House consultant and former CIA agent. Colson reportedly hired Hunt for his White House duties. But Hunt's name was found in the address books of two suspects arrested inside the Watergate.

The government also thinks Alfred Wong, a Secret Service agent who reportedly recommended that the Nixon campaign committee hire James McCord, one of the suspects, should have the benefit of Justice Department counsel.

The judge disagrees, arguing it is difficult for the Justice Department, on the one hand, to prosecute the case and, on the other, represent some persons in a related civil case.

The Justice Department wants Judge Richey to stay his disqualification of the agency's attorney indefinitely, pending an appeal. If Judge Richey doesn't like that idea, the department wants 10 days to appeal.

Limitless Queries Feared

Justice Department officials are known to believe that once Williams starts asking Colson questions, there may be no limit.

The department argues Colson might even be asked questions about his official duties and, therefore, he should have a department lawyer.

The department contends it is "not unusual" for it to represent different sides of a case.

Colson's boss, President Nixon, has not commented on the case.

White House Press Secretary Ronald Ziegler announced shortly after the break-in that the White House does not discuss third-rate burglary attempts.

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O'Brien Charges Stall on Bugging

Lawrence F. O'Brien, national campaign chairman for Democratic presidential nominee George S. McGovern, charged yesterday that the Nixon administration will use "every delaying tactic in the book" to prevent the Watergate bugging case from going to trial before the November election.

O'Brien said that "we are treated to daily disclosures of financial transactions that link the Republicans ever more closely with the case—and still there are no answers from those in the GOP who could do most to clear up this situation."

The former Democratic national chairman, one of the plaintiffs in a \$1 million civil suit against five suspects in the case, said that "on at least three occasions my demands for the appointment of a spe-

cial prosecutor (in the case) have been met by disdainful replies from the White House, which assures us that John Mitchell and the re-election committee have everything under control."

A spokesman for the Committee to Re-Elect the President, which was dismissed as a defendant in the suit in court action yesterday, said that "I don't think we'll have any comment on Mr. O'Brien's latest tirade, which is obviously politically inspired."

A federal judge ruled Friday that pre-trial work in the case could begin, but it is still regarded as unlikely that the case will come to trial before November. The ruling by U.S. District Court Judge Charles Richey was in response to motions by attorneys for the five suspects for an indefinite delay of the case.

O'Brien noted in his statement that the Watergate incident occurred eight weeks ago "and still a federal grand jury has not come down with an indictment."

He said that "I am convinced the indictment will be delayed as long as possible—with Atty. Gen. Richard Kleindeinst calling the shots—and that every delaying tactic in the book will be employed to keep the case from coming to trial before election day."

STATINTL GOP Loses Bid to Delay Bugging Suit

By Bob Woodward and Carl Bernstein
Washington Post Staff Writers

A federal judge yesterday denied a request by President Nixon's re-election committee to delay the Democrats' \$1 million civil suit in the Watergate "bugging" case until after the November election.

U.S. District Court Judge Charles R. Richey ruled against the Committee for the Re-election of the President, which had argued that court hearings on the raid on Democratic National Committee Headquarters could cause "incalculable" damage to the Nixon campaign.

Edward Bennett Williams, attorney for the Democrats, said the ruling "gives us the green light to go forward" and take statements from John N. Mitchell, the former attorney general and past head of the Nixon re-election committee, and Maurice Stans, the chief Nixon fund-raiser.

"We can't get a trial before the election. We can't possibly move that fast," Williams said. But the Democrats have made it clear their primary purpose in the \$1 million civil suit is not to recover money damages but to open the case to the public view.

Meanwhile, Sen. William B. Proxmire (D-Wis.) called on the President yesterday to appoint an independent, bipartisan commission to investigate the Watergate incident and issue a report within 30 days. If the President fails to do so, said the senator, he will ask the Senate to order such an investigation.

Responding to Proxmire's call, Senate Minority Leader Hugh Scott (R-Pa.) said he could not support such an investigation "unless we keep it out of the political arena" by ordering the investigators to report after the November election.

In announcing that he plans to question the former Attorney General and Secretary of Commerce, the committee's attorney Williams said that any statements by Mitchell and Stans would almost cer-

The two former Cabinet officers have denounced the apparent bugging attempt but have not made detailed public statements or allowed themselves to be questioned about it by reporters.

According to Judge Richey's ruling, Mitchell, Stans—and for that matter any other individuals from whom the Democrats would want to take statements—could keep their statements secret only by petitioning the court.

To do this, they would have to effectively say they are potential defendants in a separate criminal case stemming from the Watergate incident, according to Williams.

Richey's ruling requires that the statements of eight men, including the five arrested in the incident, be sealed with the court and kept secret until completion of criminal proceedings in the case.

One of the other three men is E. Howard Hunt Jr., a former White House consultant who had numerous telephone conversations with one of the suspects before the Watergate incident June 17.

The other two men are special council to the President Charles W. Colson, who was instrumental in getting Hunt hired at the White House, and Alfred Wong, chief of Secret Service technical security at the White House.

Wong has acknowledged that he recommended suspect James W. McCord Jr. for the post of security coordinator of the Nixon re-election committee. McCord has been fired from that post and is in bond with the other four suspects.

Kenneth W. Parkinson, attorney for the Nixon committee, said, "We have to carefully study the opinion to determine all its implications."

He declined to indicate whether he will petition the court to keep the statements of other present or former Nixon committee officials secret.

Judge Richey said all defendants in the suit will have 20 days more to file additional motions in the \$1-million civil case.

A federal grand jury has been investigating the Watergate incident for weeks. Should indictments be made, it is unlikely that a criminal trial would be held before the November election.

In making his ruling yesterday, Judge Richey said that both the Democratic National Committee and the Nixon re-election committee are "unincorporated associations" and therefore do not have the legal status to sue or be sued.

He therefore dropped both committees from the suit but allowed the civil action to remain with former Democratic National Committee chairman Lawrence P. O'Brien acting as an individual against the five men arrested in the case.

Richey's ruling states that the Nixon committee's request to delay the trial was denied because the committee does not have legal status to make such requests.

In addition, Richey said that O'Brien may amend his suit and name other defendants.

It is on this basis that Williams said he would name and be able to take statements from former Nixon cabinet officers, Mitchell and Stans.

Williams said he plans to take statements from "a lot of other people," and that he would make public a list of those people on Monday.

"We're going to take their testimony and take it fast," he said.

In calling for an independent commission to investigate the Watergate incident, Sen. Proxmire said it is necessary "to make certain that the administration, which has an overwhelming conflict of interest, does not sweep this matter under the rug or delay it until after the November elections."

Proxmire said in a speech on the Senate floor that the two members should be given access to all material turned over to the commission.

They would also recommend whether a special prosecutor should be named to handle the case to its conclusion, Proxmire said.

He said that if the President does not appoint the commission he himself will introduce a resolution that the Senate name its own investigative commission.

Proxmire proposed that former Sen. John J. Williams, a Delaware Republican known for his anticorruption investigations, and former Supreme Court Justice Arthur Goldberg, a Democrat, be appointed.

Precedent for such a commission, Proxmire said, can be found in 1924 when President Calvin Coolidge appointed two men to investigate the Teapot Dome land scandal in which the attorney general at the time was involved.

In addition, Proxmire said, President Wilson in 1918 appointed a former Supreme Court Justice to handle the investigation of defective airplanes bought by the War Department.

Concerning the Watergate incident, Proxmire said:

"Former key administration officials, particularly former Commerce Secretary Maurice

Stans, a number of former White House aides and consultants, as well as a number of people connected with the Nixon campaign committee, are directly involved.

"Yet this matter is being investigated by the Justice Department whose head, Mr. Richard Kleindienst, is one of the President's most partisan and loyal lieutenants and whose predecessor and former boss, John Mitchell, headed the Nixon campaign committee."

Proxmire said the matter is being investigated by "Mr. L. Patrick Gray III, who has just been appointed by the President as acting director of the FBI; and by a U.S. attorney (Harold Titus) who is appointed by and serves at the pleasure of the President."

"Even now key facts have been suppressed, high officials including Mr. Stans have failed to make any public statement or explanation, and the matter has been locked up and declared 'under investigation' by the investigating officials who owe their position and power to the President, the White House staff, and the Republican Party."

AUG 1972

U.S. Electronic Espionage: A Memoir

STATINTL

ABOUT THIRTY MILES NORTHEAST of CIA headquarters in Langley, Virginia, right off the Baltimore-Washington expressway overlooking the flat Maryland countryside, stands a large three story building known informally as the "cookie factory." It's officially known as Ft. George G. Meade, headquarters of the National Security Agency.

Three fences surround the headquarters. The inner and outer barriers are topped with barbed wire, the middle one is a five-strand electrified wire. Four gatehouses spanning the complex at regular intervals house specially-trained marine guards. Those allowed access all wear iridescent I.D. badges — green for "top secret crypto," red for "secret crypto." Even the janitors are cleared for secret codeword material. Once inside, you enter the world's longest "corridor"—980 feet long by 560 feet wide. And all along the corridor are more marine guards, protecting

the doors of key NSA offices. At 1,400,000 square feet, it is larger than CIA headquarters, 1,135,000 square feet. Only the State Department and the Pentagon and the new headquarters planned for the FBI are more spacious. But the DIRNSA building (Director, National Security Agency) can be further distinguished from the headquarters buildings of these other giant bureaucracies —it has no windows. Another palace of paranoia? No. For DIRNSA is the command center for the largest, most sensitive and far-flung intelligence gathering apparatus in the world's history. Here, and in the nine-story Operations Building Annex, upwards of 15,000 employees work to break the military, diplomatic and commercial codes of every nation in the world, analyze the de-crypted messages, and send on the results to the rest of the U.S. intelligence community.

Far less widely known than the CIA, whose Director

STATINTL

Wiretaps:**Oh, What
A Tangled
Web...**

The confusions that so often attend efforts—public and private—to deceive were on display, last week, in two developments involving that most elaborate of deceptions—the wiretap.

• Last June 17, five men were arrested at gunpoint at 2 A.M. inside the Democratic National Committee headquarters in Washington. In their possession were cameras to copy documents and electronic bugging equipment. One of the men, a Miami real estate agent named Bernard L. Barker, was a former employe of the Central Intelligence Agency. As the investiga-

tion into the break-in progressed, it turned out that Mr. Barker had made a number of contacts prior to June 17 with a former White House consultant to President Nixon, E. Howard Hunt Jr., and G. Gordon Liddy, a lawyer on the staff of the Committee for the Re-Election of President Nixon. Last week it was revealed that long-distance telephone records confirmed that at least nine calls were placed by Mr. Barker to Mr. Liddy at his committee office as well as a number of others to his home, and that at least 29 other calls were placed to Mr. Hunt.

Mr. Liddy was fired by the then-director of the Nixon re-election committee, former Attorney General John N. Mitchell, when he refused to answer questions by the F.B.I. Mr. Mitchell himself later resigned, citing a demand by his wife that he get out of politics. Last week, former Democratic National Chairman Lawrence F. O'Brien, demanding that President Nixon appoint a special prosecutor "to get to the bottom of this case," asserted that Mr. Mitchell had actually resigned because "his operatives had

been caught red-handed while attempting to spy on the Democratic party."

• In Los Angeles, the "Pentagon Papers" trial of Daniel Ellsberg and Anthony Russo came to an abrupt halt—after the jury had been selected but before the opening statements by counsel—when the Government admitted that it had overheard a conversation of a member of the defense legal team through electronic eavesdropping. A three-judge Federal panel stayed the beginning of the trial while hearing a demand from defense lawyers that the Government must disclose details of the wiretapping incidents, in accordance with decisions of the United States Supreme Court. The Government, as it has in other cases, is strenuously resisting the demand. (If it were forced to reveal such taps—on foreign embassies and prominent Americans, for instance—it could lead to considerable embarrassment for the Government.) On Friday, lawyers appeared in Yakima, Wash., before Justice William O. Douglas to argue whether the issue should be heard by the full Supreme Court, and the trial was delayed until then.

NEW YORK, N.Y.
NEWS

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JUL 23 1972

U.S. Wiretap Denial Disputed by Ellsberg

By THEO WILSON

Staff Correspondent of THE NEWS

Los Angeles, July 22—Defense attorneys at the Pentagon Papers trial claimed today that they have been wiretapped by the government despite a sworn statement from a government prosecutor that "there has been no electronic surveillance directed" against them or defense consultants.

The attorneys were meeting this weekend to determine whether they will ask the trial judge to dismiss the indictments against defendants Daniel Ellsberg and Anthony Russo Jr. when the trial resumes Monday, because of the allegations.

An affidavit disclaiming electronic surveillance was filed late yesterday by special assistant U.S. Attorney Warren P. Reese.

In his statement, Reese said there had been no surveillance by the FBI, Central Intelligence Agency, Secret Service or other agencies "except as may hereafter be disclosed to the court in camera."

Only to Judge

"In camera" means that the statements would be given to the trial judge and not revealed to the defense.

Leonard Boudin, chief defense attorney for Ellsberg, and Leonard Weinglass, Russo's chief defense attorney, said it indicated to them that they had not been given full disclosure by the government.

"We have a right to know which of us has been wiretapped," Boudin said. "We do not regard it as proper, under previous decisions, for such materials to remain 'in camera.'"

"We intend to find out whether such material has a bearing on our representation of Dan and Tony. At that point, we shall have to consider whether to make a motion to dismiss the indictment."

The defense attorneys had asked for disclosure of surveillance last Jan. 24, and tried Judge Matt Byrne Jr. granted their request renewed its request

and Byrne issued a formal written order to the prosecutors.

Three days later, the government filed a statement that there had been no surveillance of Ellsberg and Russo, but the statement did not cover the 11 lawyers and four consultants who have worked for the defense.

Weinglass said: "My reaction is that the delayed response of the government—till the final deadline fixed by the court—corroborates the suspicions we have had up till now that there has been wiretapping of those of us involved in this case."

"If the response of Mr. Reese had stopped before that final phrase, I would have said that we had a denial of electronic surveillance," Weinglass continued. The attorney said that the "in camera" phrase suggested to him "that the government has engaged in wiretapping . . . but it takes the position that such wiretapping is not in connection with this case. I regard the statements of Mr. Reese as an admission that we've been wiretapped."

Reese said in his affidavit that he had conducted an inquiry with the FBI, Bureau of Narcotics and Dangerous Drugs, Bureau of Customs, Secret Service, Internal Revenue Service, State Department, Defense Department and the CIA.

A jury of eight women and four men was sworn yesterday, and six alternates now must be chosen. Ellsberg and Russo are charged with conspiracy and espionage in connection with making public contents of the Pentagon Papers, a study of the Vietnam war.

U.S. Vague on Bug In Ellsberg Case

By Sanford J. Ungar
Washington Post Staff Writer

LOS ANGELES, July 22 — The prosecution in the Pentagon Papers case has refused to make a blanket disavowal of wiretapping attorneys and consultants involved in the defense of Daniel Ellsberg and Anthony Russo. Service, the Departments of State and Defense, and the Central Intelligence Agency.

In an affidavit filed in federal court here late Friday, assistant prosecutor Warren P. Reese said "none of the oral or wire communications" of the attorneys and consultants had been overheard "except as may hereafter be disclosed to the court" in secret.

Reese's statement was in response to an order by U. S. District Court Judge W. Matt Byrne Jr. a month ago that the government must disclose any electronic surveillance of each of the defense aides since they entered the case.

If any such surveillance were revealed and then determined to be the source of evidence in the case, it could result in dismissal of the indictment against Ellsberg and Russo.

The defense has contended there may have been wiretapping of, among others, Leonard B. Boudin, chief defense counsel in the case, whose daughter Kathy has been sought by the FBI since the 1970 explosion of a Weatherman "bomb factory" in New York; former New York Republican Sen. Charles E. Goodell, an Ellsberg lawyer who was once followed by Army intelligence agents, and Tom Hayden, a Russo consultant who was a defendant in the "Chicago Seven" conspiracy trial and has often traveled to Hanoi.

8 U.S. Agencies Involved

Reese said his affidavit was the result of an inquiry with eight government agencies: the FBI, the Bureau of Narcotics and Dangerous Drugs, the Bureau of Customs, the Secret Service, the Internal Revenue

In an earlier filing, the prosecution had said that none of those agencies conducted electronic surveillance of Ellsberg and Russo themselves.

But the response concerning the lawyers left out some of the addresses and phone numbers they had filed with the court, including Boudin's homes in New York City and Cambridge, Mass.

There also was no immediate explanation of Reese's suggestion that some wiretapping might later be disclosed to the court privately.

The prosecutors have declined to discuss any aspect of the Pentagon Papers case with the press, and on Friday night chief prosecutor David R. Nissen refused to make Reese's affidavit available to reporters, although it was already a part of the public record.

"Corroborates Suspicions"

Leonard I. Weinglass, who represents Russo, claimed today that "the delayed and inadequate response of the government ... corroborates the suspicions we have had that there has been wiretapping of those of us involved in this case."

Boudin said he would press for any private prosecution filings with the judge to be made public.

At one point when the wiretap issue was being debated in court, Weinglass jokingly told the prosecutors, "As a taxpayer, I wouldn't feel you guys have been doing your job if you didn't wiretap us."

A jury of eight women and four men was selected on Friday to try Ellsberg and Russo on espionage, conspiracy and theft charges. After six alternates have been chosen Monday, the prosecution is scheduled to open its case Tuesday afternoon.

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JUL 22 1972

Nixon Committee Aide Fired; Balked at FBI Bugging Inquiry

By Judith Bender and Anthony Marro
Newsday Staff Correspondents

Washington--A former White House aide has been quietly fired by the Committee to Reelect the President after he refused to cooperate with FBI agents investigating the June 17 break-in at Democratic National Committee headquarters here.

Newsday learned yesterday that G. Gordon Liddy, one of the first men to make the move from the White House staff to the reelection committee and himself a former FBI agent, was fired on June 23 after refusing to answer FBI questions.

Liddy, who earned a take-home pay of \$22,800 a year for his work as legal counsel to the Nixon group's finance committee, declined to comment on the matter last night. "I do not desire to have any conversations with any member of the press about this or any other matter at this time," he said.

When Liddy's name was mentioned yesterday in a telephone conversation, an FBI spokesman said: "I know what you're interested in, and we'll have no comment at all." But other sources said that agents wanted to ask Liddy whether he had helped arrange for an attorney for the five men arrested during the break-in and whether—as counsel to the finance committee—he knew of any GOP campaign money being used to finance the raid.

DeVan L. Shumway, director of public affairs for the committee, said yesterday that Liddy was fired simply because he refused to answer FBI questions, and that his dismissal did not mean that the committee believed he was involved in the attempt to bug the opposition's national headquarters.

"We don't even know what the FBI wanted to ask him," Shumway said. "But it is the view of the committee that employes should cooperate with the FBI and other enforcement agencies." Asked if Liddy's reluctance to talk did not put the committee in an embarrassing position, Shumway replied: "You'll have to draw your own conclusion about that. I didn't say that. It's just unfortunate that someone who was in the employment of this committee chose not to cooperate with the FBI."

At least two others with ties to the White House or the reelection committee have been implicated in the raid, which ended when Washington police arrested five men in the Democratic headquarters after midnight. The suspects were wearing surgical gloves and had eavesdropping equipment in their possession, police said.

The two are:

James W. McCord Jr., an alumnus of both the FBI and the CIA, who at the time of his arrest was being paid a take-home salary of \$1,209 a month as chief of security for the Committee to Reelect the President.

E. Harold Hunt, a long-time employe of the CIA and more recently a White House consultant, whose name and telephone number (along with the notation: "White House") were found among the possessions of two of the four men arrested along with McCord.

The four were all men who had played a role in the ill-fated Bay of Pigs invasion of Cuba in 1961, which Hunt—then a CIA agent—had helped organize.

It could not be determined last night just what connections Liddy might have had with either McCord or Hunt. He and McCord are both former FBI agents, but they did not serve in the bureau at the same time. One source, however, said that McCord was seen "frequently" in Liddy's office at the Committee to Reelect the President. Shumway, the public affairs director, said: "I don't know if there was any relationship at all . . . but of course [McCord] was around here almost every day. He worked here."

Liddy and Hunt were on the White House payroll at the same time—late 1971—and both were working on narcotics problems, but they had different bosses. Hunt worked for Charles Colson, a presidential troubleshooter, while Liddy worked for John Ehrlichman, on the staff of the Domestic Council.

Liddy, who was born in New York City in 1936 and now lives in suburban Maryland, was an FBI agent from 1957 until 1962. He joined the Treasury Department in 1969 as a special assistant to the secretary. His specialty was gun control legislation, and he worked there until July 20, 1971, when he went on the White House payroll.

According to Kenneth Clawson, the White House deputy director of communications, Liddy worked on crime and law-enforcement issues, with an emphasis

GOP Says 'Bug' Hearings Would

Hurt Campaign

By Bob Woodward
and Paul Valentine

Washington Post Staff Writers

The Committee for the Re-election of the President said yesterday that civil court hearings in connection with the alleged break-in and attempted bugging of Democratic headquarters here could cause "incalculable" damage to President Nixon's campaign.

In a request filed yesterday in U.S. District Court, lawyers for the committee asked that hearings on the Democrats' \$1 million civil suit against the Nixon committee be postponed at least until after the Nov. 7 election.

In court papers, the Nixon committee said that any hearings before the election could deter their campaign workers, discourage campaign contributions, force disclosure of confidential campaign information and provide the Democrats with a reason to hold press conferences.

These statements contrast with those of then-Nixon campaign manager, John N. Mitchell, who called the Democrats' \$1 million suit a "political stunt" when it was filed June 29.

Democratic National Chairman Lawrence F. O'Brien filed the \$1 million civil action against the Nixon committee and the five suspects arrested in the June 17 break-in just two days after it was disclosed that one of the suspects was the security coordinator for Mr. Nixon's campaign effort.

The suit seeks damages on the grounds that the break-in interfered with the First Amendment rights of all Democrats.

In addition, O'Brien said that there is "a developing clear line to the White House" and cited what he called the potential involvement of special counsel to the President, Charles W. Colson.

Colson was only indirectly linked to the break-in because of his recommendation that Hunt Jr. be hired as a consultant. Hunt's name was found in two

address books belonging to two of the five suspects. An uncashed check made out to a Rockville country club and signed by Hunt also was found among the suspects' belongings.

Hunt, a former CIA employee, has since been fired from the White House job and has disappeared from sight.

In yesterday's court papers seeking the postponement of hearings on the suit until after Nov. 7, the Nixon committee lawyer Kenneth W. Parkinson seemed to be saying that a summer of hearings on it could inflict a damaging political wound.

Such hearings would "allow Mr. O'Brien and the Democratic National Committee to utilize this lawsuit as a forum from which to accuse this committee of complicity in criminal conduct throughout the 1972 election campaign," Parkinson said in the brief.

The committee again denied any involvement in the break-in and said repeated mention in the news of the "coincidental employment" of suspect James W. McCord Jr., the former GOP security chief, would be particularly damaging.

Parkinson said that the testimony of the five suspects would be necessary as part of the committee's defense.

Since such testimony could be used against the suspects in the criminal case, the committee said they would be unable to get it until after the burglary charges against the suspects were disposed of in court.

Thus, Parkinson said, the civil action hearings should be postponed until after the conclusion of both the election campaign and the criminal case.

STATINTL

CAPERS:

Operation Watergate

They wore surgical gloves and carried walkie-talkies, a pair of cameras and electronic bugging devices. They picked a lock on a basement door, left the latch taped open and made their way up a rear stairwell of a building in Washington's elegant Watergate complex to the sixth floor. There the five men jimmed a door to the Democratic National Committee headquarters, slipped inside and began rifling the files, stuffing some documents in boxes, dumping others out on the floor. They made just one mistake: when the night watchman removed the tape on the downstairs door, one of the intruders put it back—and when the watchman checked the door again, he promptly called the police. Within minutes, three cops from the Capital's plain-clothes "mod" squad burst in on the intruders with guns drawn. "Don't shoot," one of the five shouted. "You've got us."

They had indeed—and with the arrests, Washington had one of the juiciest political scandals in memory. Four of the five intruders turned out to have been either agents or operatives for the Central Intelligence Agency. And one of the men, James W. McCord, 53, of Rockville, Md., happened to be both security coordinator for the Committee for the Re-Election of the President and a security consultant for the Republican National Committee. To add to the embarrassment of the Administration, both committees immediately announced that McCord had resigned some months ago—only to find out that he was indeed working for them right up to the time of his arrest.

Integrity: At first, the White House simply tried to ignore the affair. The Justice Department announced that the FBI had entered the case, and that a grand jury was ready to receive evidence. High-ranking Republicans vigorously denied that the party had any hand in the raid. "There is no place in our campaign or in the electoral process for this type of activity," declared former Attorney General John Mitchell, now the head of the Committee for the Re-Election of the President. "We will not permit or condone it." The Democrats howled nonetheless—and not without a note of glee. "This incident raises the ugliest questions about the integrity of the political process that I have encountered in a quarter of a century," proclaimed Democratic National Committee chairman Lawrence O'Brien, who promptly filed a \$1 million damage suit against the GOP campaign committee. "There is certainly a clear line to the Committee to Re-Elect the President—and there is developing a clear line to the White House."

to have been just a simple Miami locksmith recruited for the job. But a second Cuban, Miami realtor Eugenio Martinez, had worked for the agency smuggling refugees out of Castro's Cuba. A third, Frank Fiorini—who also went by the name Frank Sturgis and several dozen known aliases—was a U.S. marine turned soldier-of-fortune who once smuggled guns for Castro's rebel army, then turned against the dictator and joined the CIA. Bernard Barker, 55, who employed Martinez, was a wealthy, Cuban-born U.S. citizen, well known in Washington GOP circles. Barker served, under the code name "Macho," as one of the key links between the CIA and Cuban exiles training in Guatemala for the abortive Bay of Pigs invasion in 1961. McCord himself, before he retired two years ago to set up his own security agency, spent nineteen years in the CIA security force, safeguarding agency installations.

'Mission Impossible': All except McCord, it developed, checked into the plush Watergate Hotel, next to the office building, the day before the raid. Authorities picking through their quarters later found what looked like a make-up room for TV's "Mission Impossible." Among other things, police confiscated a kit full of burglary tools, two pairs of gray work overalls, a wig and a radio transceiver. But the most intriguing items seized were a pair of address books listing the name Everette Howard Hunt—with the notation beside it, "W.H." and "W. House."

Until recently, Hunt worked as a \$100-a-day consultant for White House troubleshooter Charles W. Colson. Colson hired Hunt during the Pentagon papers furor last summer, probably to look for information leaks. And Hunt brought a wealth of experience to the task. For 21 years, the suave, Ivy League New Yorker was a CIA field man in Latin America, Spain and the Far East, churning out no fewer than 45 science fiction, spy and detective novels in his spare time. Significantly, Hunt served as Barker's boss in the preparations for the Bay of Pigs invasion. When he retired two years ago, the career spy went to work for Robert R. Mullen & Co., a Washington-based public-relations firm whose close ties to Republican Party leaders gave it ready access to the White House. Informed by phone that his name had been linked to the case, Hunt reportedly blurted, "Good God!", hung up—and then dropped out of sight.

Still, his name alone was enough to suggest a link to the White House, and the Administration reacted with suitable horror. Colson, Hunt's old patron, heard the news and roared, "Guilt by association!" Presidential press secretary Ron Ziegler first declined to comment on "a third-rate burglary attempt," then upgraded it to "second-rate" and said the Administration "did not know" who had done it. Finally, at his own first news conference in three months, President Nixon said, "The White House has had no involvement whatsoever in this particular incident."

House has had no involvement whatsoever in this particular incident."

But that declaration hardly put an end to the speculation. Theories about what the five intruders were doing—and who ordered it done—swept through Washington like Hurricane Agnes. Democratic insiders, skeptical of the FBI's investigation ("Hell, they're investigating their own people"), claimed that the raid was a GOP-inspired fishing expedition, perhaps with the additional purpose of replacing a malfunctioning bug that had been installed earlier. A more measured version suggested that someone—Republicans or others—believed the Democrats were in possession of an extremely damaging document—a hot new chapter in the ITT affair, perhaps—and sent the five men in to get it. But authorities were still not discounting the possibility that the raid may have been the brainchild of anti-Castro Cuban extremists who feared that the Democrats were planning to ease relations with Cuba.

At the weekend, authorities were looking into possible links between this raid and two earlier burglaries of the Democratic headquarters—one of which took place while the same four Cubans were registered at Watergate Hotel. And the Committee for the Re-election put some private eyes out conducting an investigation of its own. As one worried White House staffer put it, "The only way we can prove we're not guilty is to find out who is guilty."

STATINTL

British Blush as Pentagon Papers Reveal Kosygin 'Bugging'

By ARTHUR L. GAVSHON
Associated Press

LONDON — In the early hours of Monday, Feb. 13, 1967, Alexei N. Kosygin telephoned Leonid I. Brezhnev in Moscow from the elegant luxury of a London hotel suite.

The Soviet premier apparently did not know that every word he uttered to the Communist party chief was being listened to by his British hosts.

Disclosure of one of the most sensational British intelligence operations of modern times came from Washington with publication of the latest volumes of the Pentagon Papers.

Exposed by U.S.

Behind a facade of calm unconcern, British authorities are angry with their American friends. Embarrassed, too, that their bugging of a Soviet leader has exposed them to Moscow attack.

And they also are remembering bitterly how lapses in their own security system were assailed by Americans who, for whatever reasons, have now been instrumental in compromising British intelligence operations.

"Every head of government who visits London," one high source remarked, "will assume that he is being bugged."

There's a Difference

It is of course, possible that most important statesmen assume their conversations and activities are monitored anyway. But British authorities see a distinction between an assumption and something that has been confirmed, however inadvertently.

Kosygin was a guest of the British government from Feb. 6 to 13, 1967, when Laborite Harold Wilson was prime minister. Their week-long exchanges covered many matters but the main focus was on a search for a basis of ending the Vietnam war.

As Wilson told the story in his memoirs, peace was "in his grasp." But the response of then President Lyndon B. Johnson's administration to his initiative proved disastrous.

As the authors of the Pentagon papers told the story, the late President Ho Chi Minh seemed to display as little interest as Johnson in negotiations. But in general outline, the Pentagon papers broadly supported Wilson's detailed narrative.

Break-Through Promised

Kosygin, to the evident surprise of Washington at the time, had agreed to send certain proposals handed him by Wilson on to Hanoi. These proposals promised a breakthrough to peace talks.

The Pentagon papers, in a crucial passage, commented: "On Feb. 13 he — Kosygin — was overheard by telephone intercept to tell Brezhnev of 'a great possibility of achieving the aim, if the Vietnamese will understand the present situation that we have passed to them; then they will have to decide. All they need to do is to give a confidential declaration.'"

The Kosygin phone call was made to supplement — and elaborate on — a revised statement of the U.S. position on a bombing halt. This had been delivered to him by Wilson in an unscheduled post-midnight call at his hotel. Wilson himself had just received it on the hotline from the White House.

Questions Unanswered

Against this background several questions arise.

How could so experienced a man as Kosygin allow himself to be bugged?

Who carried out the operation?

Had it been going on for long?

Political and other British authorities involved in the episode and in the talks at the time, answering a reporter's questions, have come up with some of the answers.

The informants, who insisted on anonymity, reported:

• Kosygin, who had his own security men with him, could not have known he was being overheard. His telephone was not tapped. The British assume his men would have been alerted to the presence of listening devices. Almost certainly the

intercept was through the medium of an electronic gadget located in a building near Claridges Hotel and beamed into Kosygin's study.

• These gadgets are sensitive enough to pick up conversations half a mile away, through windows. They were worked by intelligence specialists, specially assigned to monitor Kosygin when he was here. A transcript of Kosygin's remarks to Brezhnev that cold winter night was on Wilson's desk at 10 Downing Street the next day.

• Kosygin was monitored throughout his week-long stay in this country, though obviously only in certain places. Much of his time was devoted to ceremonial occasions or to official talks with Wilson. About the only time he was totally safe from electronic eavesdroppers was when he was inside the Soviet Embassy, where certain rooms are known to be impenetrable.

London Was Worried

The British government expressed concern to the United States in the summer of 1971 when the first batch of Pentagon papers was published.

British worries were related to the use of various secret messages that had passed between London and Washington about Vietnam.

The new disclosures plainly have deepened that concern, although no government minister or Foreign Office spokesman would comment publicly.

Wilson himself is known to be less than pleased with various interpretations of his motives offered by the authors of the papers. At one point, they suggested that he wanted to make political capital out of his role as a peacemaker.

Maximum Visibility

"The eagerness of the British leaders to participate with maximum personal visibility in bringing peace to Vietnam — in early February alone Wilson proposed traveling personally both to Washington and Hanoi — was sometimes embarrassing to the United States, which greatly preferred confidential dealings with a minimum of participants," the papers said.

But someone close to the former British prime minister retorted: "There can be times when insistence on secrecy can cover a multitude of sins. The presidential expressions of appreciation to Mr. Wilson for his efforts certainly do not support the view expressed in the Pentagon papers.

"Perhaps peace in Vietnam will be achieved only when U.S. policy is subjected to 'maximum visibility.'"

3
Nick Timmesch

STATINTL

Did G. O. P. Need Supersecurity?

WASHINGTON—From the capital which gave you Daniel Ellsberg, the Pentagon Papers, and the stolen and Xeroxed thoughts of Henry Kissinger, we now present the case of "Who Is That Chief Security Man for the G. O. P., and Why Is He Charged with Breaking Into Democratic National Headquarters?"

✓ He is James Walter McCord Jr., 53, a quiet family man and churchgoing gent who worked for the CIA for 19 years, retiring to start his own security agency. McCord and four associates who look like the remnants of a Bay of Pigs invasion force were arrested inside Larry O'Brien's sanctuary, the Democratic National Committee offices in the posh Watergate building complex here.

They were equipped with rubber gloves, electronic bugging devices, photographic gear, tear gas pens, and obviously were not on O'Brien's premises to be inspired by Democratic campaign literature.

Why they were there might be spelled out in their federal court trial or in the \$1 million civil case filed by O'Brien where he charged the Committee to Reelect the President with invasion of privacy and violating the civil rights of Democrats.

Holds Contract with G. O. P.

What really bugs O'Brien [no pun intended] is that McCord was on the reelection committee's payroll, and had a contract with the Republican National Committee as well to perform security services.

Many retired specialists in police or security work do establish private security firms. McCord has an excellent reputation at the CIA, and kind words on his behalf were even passed on to the Republicans by an active official in the White House Secret Service. So, if the Republicans wanted to hire one of the best hands in the cloak-and-dagger business, signing on McCord, as they did last fall, made sense.

But what were they getting when they hired McCord? They were getting a man, by Campaign Director John Mitchell's own admission, who has "a number of business clients and interests and we have no knowledge of these relationships."

They also got a man whose CIA involvement had him skilled in breaking and entering, planting electronic eavesdropping devices, photographing docu-

ments, jimmying locks and covering his tracks like a cat burglar.

In fact, McCord supervised the installation of TV monitors, door-lock buzzers at Nixon headquarters and the inspection of offices for eavesdropping devices and phone taps. Campaign officials explain that threats of assassinations, bombings, and violence, the pilfering of memos, and the placing of spies on the staff by "some other candidate" make it necessary to have a man with McCord's skills around.

Moreover, Mitchell declares the reelection committee, while not authorizing or condoning the actions charged to McCord, "is not legally, morally or ethically accountable for actions taken without its knowledge and beyond the scope of its control."

Williams to Lead Attack

Maybe so, but Edward Bennett Williams, the celebrated criminal lawyer the Democrats retained for their civil suit, will seek to prove that McCord was acting within the scope of his employment when police nabbed him.

What kind of mentality is it at Republican headquarters which decides that cloak-and-dagger men must be employed for security purposes? If John Mitchell's most brilliant memos are purloined by disloyal employes, so what? The lives and property of Republican campaign workers could be just as well protected by a conventional security agency without enlisting a specialist with McCord's capabilities and other clients.

The Watergate break-in looks more and more like a job performed for a right-wing anti-Castro group, but this is small solace to embarrassed Nixon campaign officials.

Naturally, O'Brien grabs on to this astonishing episode for political gain, and makes all sorts of outlandish charges such as the one that there is "a developing clear line to the White House" in the case.

Humor is blessed relief in a messy episode like this one. But why do Republican campaign chiefs indulge in CIA mentality? Politics is a rough game, but one where professional acrobats of espionage like McCord aren't needed. The Republicans got themselves all bent out of shape over this business, but look at what else they got.

STATINTL

Sign of Earlier 'Bugs' Claimed

By WALTER TAYLOR
Star Staff Writer

Attorney Edward Bennett Williams told a federal judge here yesterday the Democratic National Committee has a "strong indication" that its Watergate headquarters was under electronic surveillance prior to the June 17 capture there of five men with bugging equipment.

Judge Charles Richie, conducting pretrial hearings in the Democrats' \$1 million civil suit against the Republican Committee for Re-election of the President, was told by Williams the surveillance may have been going on for days, possibly weeks. Williams, who is attorney for the Democrats, asked the judge to enjoin the dissemination and use of any information that resulted from the surveillance.

Williams did not state the grounds for this contention, but The Star reported last week that FBI agents investigating the Watergate case were convinced the electronic equipment was being removed from the Democratic headquarters, not being placed there for the first time. Police who arrested the five men said they found two ceiling panels had been removed from a room adjacent to the office of Democratic Chairman Lawrence F. O'Brien.

Evidence Not Given

The FBI has not disclosed what evidence it has that the microphones and battery panels seized from the intruders were being removed rather than installed. But the implication is that the "bugs" may have been secreted in the offices during an earlier break-in, and that investigators have been able to determine this from the condition of the equipment and its possible place of concealment in the ceiling.

Williams' principle argument in court yesterday was in support of his request for permission to take depositions from the five defendants beginning tomorrow, essentially asking Judge Richie to speed up the process from the normal 30 days between the filing of a complaint and the deposition-taking. The Democrats

also want to examine the defendant GOP committee's business records.

Judge Richie took the request under advisement amid indications he will rule within the next few days. Kenneth L. Parkinson, attorney for the Republicans, opposed the motion because he said too many developments have occurred too quickly, and he wanted time to do research and file motions of his own. The judge also expressed concern about the rights of the suspects under the 5th Amendment, but Williams contended the suspects have the right to refuse self-incrimination in the depositions.

'Better Understand That'

Judge Richie told the contending attorneys that he did not intend to let the case develop into a political trial and added, "You all better jolly well understand that right now."

Meanwhile, in another Washington court yesterday the bond was increased for one of the five suspects in response to government allegations about a mysterious bank transaction last month.

D. C. Superior Court Judge James A. Belson revised the conditions he had stipulated earlier for the release of Bernard L. Barker, ruling that the defendant must now post a \$40,000 surety bond to secure his release. Arrangements for a surety bond can be made only through a licensed city bondsman.

Belson's order came in response to charges by federal prosecutor Earl J. Silbert that Barker, 55, had withdrawn \$89,000 in cash — \$10,000 of it in \$100 bills — from the Miami bank account of his real estate firm on May 8.

Revealed in Court

During court proceedings last week, Silbert revealed that \$100 bills recovered from the Democratic committee's Watergate headquarters at the time of Barker's arrest had been traced to the same bank in Miami.

Barker — along with James W. McCord Jr., 53; Frank Sturgis, 48; Eugenio R. Gonzalez, 45 — has been

charged with burglary in the June 17 break-in at the Watergate.

Bond for Barker's release, as well as for Sturgis, Martinez and Gonzales, was originally set at \$50,000 by Belson. But the judge later lowered the figure to \$40,000 for all but Sturgis, and said he would accept a 10 percent cash deposit from each of the defendants, providing that they disclose the sources of the money.

The bond for McCord, of Rockville, was originally set at \$10,000, then lowered to \$30,000, because of his ties with this area. McCord, the president of McCord Associates, Inc., is a former FBI and CIA agent.

At the time of his arrest, McCord was working as a security adviser to both the Republican National Committee and the Committee for the Re-election of the President.

Both committees have disavowed any knowledge of the intrusion at Democratic headquarters, and they have fired McCord.

McCord, who posted \$3,000 bond Friday under the 10 percent arrangement, is the only defendant who has made bail.

The attorney for the five men, Joseph A. Rafferty Jr., indicated last week that Barker was prepared to post bond for his release. It was during a hearing to consider the bail petition that the \$89,000 cash withdrawal emerged.

Silbert, the prosecutor, revealed that FBI agents had discovered that on April 24, four checks, all drawn on Banco Internacional S.A. of Mexico City, had been deposited in the Republic National Bank of Miami account of Barker Associates, Inc., the defendant's realty firm.

STATINTL
GREEN BAY, WISC.
PRESS-GAZETTEE - 47,880
S - 59,238

JUN 25 1972

Help for Our Spy System

There have been nagging doubts that United States military intelligence isn't as efficient as that which forestalled Benedict Arnold in his ingenious plot to capture West Point in the American Revolution.

Governments we have backed and considered stable are often overthrown and everyone seems to have expected the revolt except Americans. Then there were Tet and the spring Vietnamese offensive, the sieges of An Loc and Hue, all somehow coming as a surprise to us.

The reason is now obvious. All Americans who have a talent for espionage or built in security sensors are employed by American industry, political parties or baseball.

It's been obvious for some time that some positions in American business go to trade secret thieves. The second most important industrial recruitment of personnel is of those executives who know the secrets.

The sneaky raid last week on Democratic national headquarters by a team, including a former CIA agent employed by the Republican party, brought out not only the importance of discovering campaign secrets of the opposition but the near panic in both parties that their files might be raided.

Before the raid Republican spokesmen had bemoaned their own security problems.

But it remains for baseball to demonstrate the most espionage acumen. Frank Lane of the Milwaukee Brewers claims that the White Sox have spies with binoculars stealing signals to his pitchers. But this is chicken feed. The real push came with the United States Supreme Court decision that while baseball was indeed the only business engaged in interstate commerce exempt from antitrust legislation, it's going to stay that way as far as the high court is concerned.

What is startling about this decision is that three of President Nixon's appointees agreed with the majority although everyone in the country, especially the Miami Dolphins, knows that pro football is the President's candidate for national sport. Why even his current policy for the war in Vietnam is called "Operation Linebacker!"

The baseball security men must have found out a few tattle-tale secrets themselves about the high court. Maybe they're the ones who ought to be in Saigon and other sensitive capitals of the world as our intelligence operatives.

From Those Wonderful People STATINTL

By Art Buchwald

Capitol Punishment

The arrest of five men in the Democratic National Headquarters last weekend has caused a great deal of consternation in high Republican circles. All leading officials deny they had any knowledge of the incident, which was planned and executed by the same people who gave us the "Bay of Pigs."

While most people are mystified as to how it was possible that high Republican figures did not know of the raid, it was easily explained to me by a friend who is very close to the Republican Party.

"The decision to raid the Democratic National Headquarters in Washington was made as a protective reaction strike. We knew the Democrats were massing a buildup for an attack on the Republicans in July, and it was in our interests to destroy their files before they were used against us."

"But wasn't this raid a violation of the presidential orders not to bug the enemy's telephones unless the Republicans were attacked first?"

"The general in the field who made the decision may have gone beyond the literal intention of the rules, but he believed his actions were justified on the basis of intelligence reports that the Democrats were going to invade Miami."

"But at the time the raid was made, the Democratic headquarters was considered off limits as a target area," I said. "Surely high Republican officials must have been aware of what was going on."

"As far as the high officials were concerned, they had no knowledge of the raid. In fact, they had given out strict orders that illegal strikes against the Democrats had to be cleared with

Who Brought You 'The Bay of Pigs'

them. Somehow communications got fouled up, which can happen during an election year."

"Do you believe a raid of this type, if successful, could have changed the outcome in November?"

"We are fighting a tough, ruthless enemy who will stop at nothing to impose its type of government on the American people," he said. "We cannot sit idly by and allow them to take over the White House."

"Perhaps we didn't play by all the rules of the game, but I can assure you the Democrats are not playing by the rules either. This incident has been blown out of all proportion."

"Had the raid succeeded no one would have said a word. But because it failed, everyone is up in arms. Instead of criticizing the people behind the attack, I think they should be congratulated for putting their party first."

"But," I said, "aren't you escalating the election by bugging the Democrats, and photographing their files?"

"We did not escalate the election. They did. They're the ones who are trying to kick us out. Their leaders have said as much. The President has said many times he would agree to a ceasefire, providing the Democrats give up their political ambitions. But the honor of the presidency is at stake, and Mr. Nixon has no intention of giving the country away."

"Will the Republicans court-martial the people responsible for the raid on the Democratic headquarters?"

"No, but they will be demoted and put on a pension."

"That's tough," I said.

"Perhaps. But their worst punishment is that they will never be allowed to bug for the Republican Party again."

Wiretap 'Pros' View Democrats' HQ 'Bugs'

By Ronald Kessler

Washington Post Staff Writer

Experts skilled in the art of wiretapping and bugging say each has his own preferred techniques for carrying out their appointed missions, but that none of the methods bears any resemblance to those used a week ago yesterday in the abortive bugging attempt at Democratic National Committee headquarters.

Although the methods favored by the professionals differ, the common thread running through all of them is that they are calculated to provide reliable, high-quality voice transmission using the simplest and smallest available devices to minimize the risk of detection.

A look at some of these methods—all illegal except when carried out by law enforcement officers armed with court orders—provides some insight into the current state of the art of wiretapping and bugging.

"This is a results-oriented business," says one old-time professional. "You don't get paid for building exotic devices. You get paid for conversations," he says.

Considerable publicity has been generated by bugging devices hidden in martini olives or highly sophisticated bugs that don't require physical entry into the premises to be bugged.

One, said to be developed by the Central Intelligence Agency, trips a switch in a standard telephone to make the instrument an open microphone, transmitting room conversations and telephone calls down the telephone wire to monitors miles away. The switch is tripped by placing a radio frequency wave on the telephone wire at any location outside the home or office being bugged.

Another device, still being developed by government intelligence agencies, uses a laser beam

vibrations bouncing off window panes. The sound waves from the windows modulate the light waves from the laser, and the modulated light waves are translated back into sound.

A third device, once implanted in a telephone, can be activated from anywhere in the world by simply dialing the number of the telephone and placing a tone of a specific frequency on the line.

Each of these devices has drawbacks, not the least of which is that the clarity of transmission doesn't compare with that of more conventional bugs planted in side the premises where the conversations are taking place.

"When you go into this, you have to do it right, and that means breaking and entering," says Allan D. Bell Jr., a former high-level military intelligence wiretapper and debugger who has worked with the CIA and Federal Bureau of Investigation on bugging matters.

Bell, who heads Dektor Counterintelligence & Security Inc., a Springfield manufacturer of de-bugging devices, says that if he were assigned to bug the Democratic headquarters, he would probably choose from one of three approaches.

If only a few days of listening were needed, Bell says, he would conceal a fully self-sufficient radio transmitter the size of a sugar cube under a conference table or desk. The beauty of such a device, he notes, is that the one responsible for installing it generally cannot be apprehended unless caught in the act.

For more permanent installations, he says, he would wire a telephone in the room to be bugged so that it becomes an open microphone. The room conversations and telephone calls would be transmitted through the telephone equipment

to a remote listening post, perhaps miles away.

A third possibility, he says, would be a radio transmitting device hooked up to the electric current in a home or office. The device would be implanted in an electrical fixture, such as a lamp, or could be manufactured as part of a dummy electric outlet wall plate, detectable only by x-ray.

The device would operate permanently on household current and would beam low-frequency waves along the power lines to be picked up by the eavesdropper at any point along the line. Because the radio signal would be generally confined to the power line, Bell says, it would be difficult to detect its presence through conventional de-bugging methods.

Another wiretap expert is Michael J. Morrissey, chief engineer of B. R. Fox, Inc., a Holmes, N. Y., de-bugging company formerly headed by the late Bernard Spindel, who was considered by federal authorities to be the top wiretapper in the country.

Morrissey says he would plant a combined microphone and amplifier the size of a pinhead somewhere along the telephone line or inside the telephone in a room to be bugged. The signal would be led off through the spare wire that comes with most telephone equipment, he says.

Morrissey says he might plant additional pinhead-size microphones in other parts of the room and connect them to the amplifier with invisible electrically conductive fluid painted on the walls or with gold wire thinner than a strand of human hair.

Morrissey, who teaches a course in wiretapping and bugging for law enforcement agencies, says it is important that radio transmitter bugs have a means of being turned off remotely

so that the signals cannot be detected by de-bugging devices.

"When you hear the de-bugging people come in, that's when you pull the switch," Morrissey says.

Another bugging expert, with years of experience working for private parties and government agencies, says any premises to be bugged must be "cased" for several weeks before a break-in attempt is made. Only one man actually enters the room to be wired for sound and installs the devices, he says, but several men are planted outside the office and outside the building to warn the installer by pre-arranged signals if police, burglar alarm dispatchers or security guards drive up.

"The man outside acts like he's drunk or makes up some story or excuse. A minute's delay is all the installer needs to get away," he says.

The men involved never take a room near the bugging scene, the expert says. Instead, two girls are hired to move into a room nearby, and they tape-record the conversations beamed by the radio bugs, he says.

"Girls are the perfect decoy," he says. "No one suspects them, and the equipment is kept in a suitcase that the police can't search without a warrant. This is the way the pros do it," he says.

SEATTLE, WASH.
POST-INTELLIGENCE

M - 206,733
S JUN 23 1972

Political Espionage

One of the more improbable events of this year's surprise-packed presidential election extravaganza was the seizure at gunpoint last Saturday of five men, caught red-handed and red-faced while attempting to bug the Washington headquarters of the Democratic National Committee and rifle its files.

They were a curious bunch of bunglers indeed. Their backgrounds included various involvements either with the Central Intelligence Agency, anti-Castro activities, or both. One of them was a former White House consultant on "intelligence" and "the flow of narcotics," subsequently employed as a writer by a Washington public relations firm.

Top officials of the Republican Party immediately disclaimed any connection with the aborted caper, and it is not difficult to believe them. Only a real pinhead could have plotted such a comic opera stunt, in which the risks of exposure always far outweighed any dubious possible rewards.

But the fact is that the attempt was made, and made with highly sophisticated electronic, burglary and photographic equipment — the last apparently intended to copy contents of file drawers which had been opened. The charge of "Political espionage" hurled by Democratic National Chairman Lawrence O'Brien thus seems hardly extravagant.

It is possible the intruders were working on some crackpot scheme of their own. In that case the puzzling question is what they hoped to accomplish. It also is possible they were tools in a really sinister if ill-conceived political plot. In that case the question is who is really guilty.

IN EITHER CASE the integrity of the American political process has been smeared by a cowardly and ugly act. A full investigation and full disclosure of all the facts is imperative, no matter what those facts may reveal and no matter who may become implicated.

GOP's Chief Security Man

Friends Shocked by His Arrest in Bugging Case

By Ronald Kessler

Washington Post Staff Writer

James W. McCord Jr., the Republican security consultant arrested in the national Democratic headquarters bugging attempt Saturday, had been until two years ago one of the highest-ranking security officials at one of the most security-conscious agencies in the world.

McCord, 53, was described this week by some of his former associates at the Central Intelligence Agency as having been several levels above the chief of physical security for the CIA's massive, white stone headquarters in McLean, with authority at various times over a number of the agency's security functions here and abroad.

McCord's salary level, these associates said, was GS-15 or 16, or \$24,000 to \$35,000 under the government's current salary scales. Such a salary range is considered high in the government security field.

It therefore was not surprising that McCord was hired as chief security man for President Nixon's reelection campaign and as security consultant for the Republican convention. His credentials for the job, after 19 years as a security officer at the CIA and a previous stint as a Federal Bureau of Investigation agent, were impeccable.

But former coworkers, friends, and neighbors all expressed shock that the slightly bald man of medium height and build, whose appearance is said to be far handsomer than a recent picture would indicate, had been involved in the bizarre bugging incident at Democratic headquarters.

Former associates said that McCord had some familiarity with bugging and debugging devices in line with his protective duties at the CIA. But, they said, he had no technical knowledge of or experience with actually building bugging devices, installing them or un-

dertaking the dirty work that is a prerequisite to implanting them without getting caught. He was unknown by a number of professional bugging experts interviewed by a reporter.

In addition, they said there was nothing in his personal life or career to indicate he would ever become involved in anything questionable.

"Usually you can spot fellows who will have trouble in the future," said a former security official who worked with McCord at CIA. "This guy moved up the ranks to higher and higher responsibility. He had good fitness reports; he was not a wheeler-dealer, he always made a nice appearance. People had a lot of confidence in him, and he was liked and respected."

Friends and neighbors, as well as coworkers, described him as a sensible, rational and calm individual, congenial and approachable, sensitive to local neighborhood issues in Rockville, and a man who devotes a great deal of time to his children and to civic activities.

McCord, who used the alias Edward Martin when arrested Saturday, had a broad background in the security field at the CIA, including the investigative and research areas, former associates say. But they say his primary concern had been protection of the CIA headquarters at Langley.

Insuring the security of any sensitive building entails duties ranging from assigning guards, checking employee loyalty and security leaks, and policing safes and locks to installing closed-circuit television surveillance systems and conducting sweeps for bugs and wiretaps.

At the CIA, marked to the outside world only by a euphemistic road sign saying Fairbanks Highway Research Station, these duties take on a far more clandestine hue, and include planning

and making the woods around the domed CIA building secure.

Despite the spooky nature of the work, much of McCord's time was taken up attending meetings, seeing outside firms selling new security devices and administering the 50 to 100 employees under him, former coworkers say.

James Walter McCord Jr., a native of Texas, where he and his wife, Sarah R., were graduated from Baylor University, has a son, Michael, who attends the U.S. Air Force Academy, and a daughter, Carol Anne, who will be a sophomore next year at Madison College in Harrisonburg, Va.

In addition, the couple has a slightly retarded 14-year-old daughter, and neighbors say McCord spends hours playing with her and helping her to read and write. Associates say he had talked at various times of developing educational materials for retarded children.

The family attends church every Sunday and frequently travels out of town on weekends. Both McCord and Sarah McCord are described as conservative dressers.

McCord served as an FBI radio operator, manning wireless and two-way radios, from 1942 through 1943 and was an FBI special agent from 1948 through 1951. He joined the CIA in that year.

Formerly a Springfield resident, McCord moved in 1967 to Rockville and bought his present house at 7 Winder Ct. for \$38,000. He and his wife took out a \$25,500 mortgage to help pay for it and later the same year obtained a \$5,000 second mortgage loan from a credit union.

After retiring from the CIA in 1970, McCord entered the security consulting business, and neighbors said his hours became irregular. In the spring of 1971, he rented four rooms as the office for his firm, McCord Associates, Inc., at 414 Hun-

gerford Dr., Rockville. He and his wife signed articles of incorporation for the company in November, but the papers weren't filed with the Montgomery County clerk's office until April 14.

The papers said the concern would engage in "business services and . . . make studies, analyses, surveys and reports in connection therewith for business, industry, academic institutions, local, state, federal and foreign governments . . ."

A director of the company with McCord and his wife is Dorothy N. Berry of Houston, McCord's sister-in-law. Late last night she described herself as "heart-sick" over the affair.

McCord was hired as security coordinator for the Nixon campaign Jan. 1 at a take-home salary of \$1,209 a month. He recently traveled to Miami to check out security for the Republican convention, and it was revealed in court yesterday that he rented two apartments in Miami.

Sources in the security business said McCord had traveled to New York in an attempt to drum up business for his firm. His contract with the Republican Party was considered a sure selling point. "People he talked with say he was a hell of a nice guy who did a good selling job," one security expert said.

Although McCord rarely talked politics, one former CIA associate described him as "slightly right of center." He is a lieutenant colonel in the Air Force Reserve.

The CIA, although limiting itself officially to a statement that he retired as a security officer and left in good standing, is known to be anxious to disassociate itself from the controversy surrounding McCord.

Arguing in court yesterday that McCord's bail shouldn't be reduced, Assistant U.S. Attorney Earl J. Silbert portrayed McCord as a ruined man.

"I'm going to face his friends, his neighbors, his church?" Silbert said.

23 JUN 1972

ARTHUR HOPPE

The Real Party Bugging Story

Never has there been a more gross miscarriage of justice! I refer to the totally false and misleading charges that the GOP National Committee retained five fumble-fingered spies to bug the headquarters of the Democratic National Committee.

True, the five, headed by a former CIA agent who was hired by the GOP after he helped plan the Bay of Pigs disaster, were allegedly caught red-handed with electronic devices in hand.

From this, some erroneously deduced that the five were planting bugs in Democratic National Chairman Larry O'Brien's office. Nonsense. The truth is they were removing them.

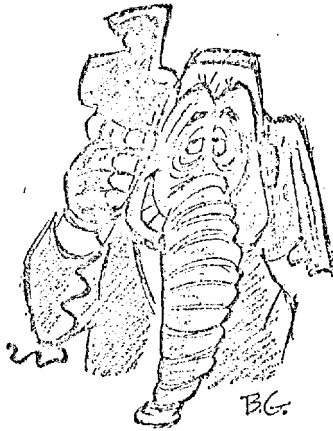
★

Actually, the bugs were installed three months ago by one Homer T. Pettibone, a former CIA agent credited with being the first to predict in 1957 that the Vietnam war would be over in a week.

Each Friday, Pettibone would report directly to a pipe-smoking higher-up identified only as "John N. Mitchell." As anyone familiar with the goings-on at the Democratic National Committee these days could have predicted, the inevitable occurred last Friday.

Scene: The luxurious offices of a wealthy and widely respected political party. Pettibone, coat collar turned up, hat brim snapped down, scuttles in, a tape recorder cradled in his arms.

Pettibone (clatedly): Our



perseverance has finally paid off, chief. I've got a whole bundle of secrets here. Do you realize the Democrats are \$9 million in debt?

Mitchell: That's all they've talked about for the last three months.

Pettibone: And O'Brien likes pastrami-on-rye sandwiches.

Mitchell: That's all he ever talks about. As a simple humanitarian gesture, I've been thinking of sending him one. What about your telephone taps?

Pettibone: Sorry, chief. The phone company removed them. Along with their telephones. But I did manage to listen in on a secret reading of the entire Democratic platform.

Mitchell: Now you're talking! What does it say?

Pettibone (reading from a transcript): "The Democratic party," according to what O'Brien told an unidentified source, "stands for building a better America." Should we

leak that to the press?

Mitchell (sighing): What we want to know is who their candidate's going to be. Did you pick up any conversation on that?

Pettibone: Yes, sir, 97 hours worth. It's definitely going to be McGovern, unless the convention deadlocks. Then it's going to be either Humphrey, Kennedy, Wallace or E. Z. Lone.

Mitchell (perking up): Sounds like a dark horse. Who's E. Z. Lone?

★

Pettibone: I don't know, chief. But O'Brien said several times that, and I quote, "The party owes a great debt to The E. Z. Lone Company." Let's see if I've anything else... Oh, would you be interested in a list of their campaign contributors?

Mitchell (Rubbing his hands excitedly): Now, that's what we've been waiting for, some political dynamite. Read it to me.

Pettibone: Right, chief. (reading): Herman F. Mudge of Peoria Falls, \$10.

Mitchell: Yes, yes; go on!

Pettibone: That's all, sir. That and the eviction notice.

Mitchell (blanching): Eviction notice! Look here, Pettibone, hire somebody to sneak in there and remove those bugs. We can't afford to have a new tenant find them and make the tapes public.

Pettibone: But if the Democrats have no secrets...

Mitchell (worriedly): The one thing we can't afford to buck, Pettibone, is a big sympathy vote.

DECATUR, ILL.
 HERALD
 M - 35,332
 HERALD-REVIEW
 S - 55,924

JUN 22 1972

How Far Do We Go With Snooping?

DEMOCRATS understandably are trying to take partisan advantage of the bungled attempt to break into and "bug" their national headquarters.

There are some comic overtones to the whole affair, particularly the possible involvement in the scheme of the retired CIA official who was in charge of the Bay of Pigs operation in 1961.

Aside from the "Gang That Couldn't Shoot Straight" aspects of the incident, however, there are some more serious issues involved.

Most important are the possible abuses of the legalized wiretapping that Congress and the U.S. Supreme Court have authorized.

For any administration in power, any bureaucrat or any campaign worker the temptation is great to stretch legalized wiretapping in the name of national security to the point of

indulging electronic eavesdropping, whether court authorized or not, to suspected "radicals.

From there it is but a short step to illegal snooping on more conventional political enemies, such as the national political party opposed by some "true believer" or an unscrupulous political hack whose cynicism ignores legal bounds.

Vigorously conducted political campaigns are one thing; resort to electronic snooping with all its overtones of providing material for potential blackmail is something else.

Political espionage by those working in campaigns, of course, is hardly so rare as the Democratic national chairman suggested in his statement announcing a suit against a Nixon campaign organization.

And the Democratic chairman has yet to prove in court the kind of direct link to the White

House he alleged in that statement, a statement that at times bordered on the same kind of disregard for civil liberties that the aborted electronic snooping effort evidenced.

The point is not that one or the other of the political parties is evil.

The point is that as a nation and as a people we had better reassess the degree to which we wish to see "snooping" pervade our private lives and our public life as well as how far we want to have the end justify any means — legal or not — in our political campaigns.

Those issues are age-old ones, but ones that have great relevancy in the Twentieth Century, where totalitarian systems with all their dossiers, and secret police and perpetual, pervasive snooping have made a mockery of freedom for millions of people.

STATINTL



MIAMI, FLA.
NEWS

E - 93,538

JUN 22 1972

Political spying

Erle Stanley Gardner never wrote a better mystery than the spy tale coming out of the Democratic Party's headquarters.

First, you have five men, all thought to be Republicans, who were captured while "bugging" the Washington office of the Democrats, busily preparing for the Miami Beach convention next month. One of the quintet was an ex-CIA agent now employed as security chief for the Republican National Committee and John Mitchell's Committee for the Re-election of the President.

The raiders also numbered a veteran of the Bay of Pigs invasion in their midst — the espionage stunt suffered much the same fate as the 1961 venture. Now it appears that two of the

raiders may be registered Democrats which only confuses because the Democrats are blaming the Republicans for staging the Washington expedition.

That's why Lawrence O'Brien the Democratic chairman, is suing President Nixon's re-election committee for \$1 million. He thinks the espionage line leads directly to the White House. (Some wags say O'Brien hopes to collect so he can pay his party's overdue telephone bill.)

Seriously, and that excuses Erle Stanley Gardner, the investigation by the FBI should be total. The free and open electoral process is in grave danger when Americans spy upon each other for political purposes.

Bugging Is No Joke

White House spokesman Ronald Ziegler's flip dismissal of the attempted bugging of Democratic party national headquarters is in keeping with the Nixon Administration's casual attitude toward the issue of electronic surveillance. The abortive espionage, Mr. Ziegler would have us understand, is nothing more than a "third-rate burglary" unworthy of comment.

The press secretary's assessment stands in ironic juxtaposition to the recent unanimous Supreme Court decision declaring domestic wiretapping by the Government without prior court approval unconstitutional. Because the very viability of an open society rests on the legal protection of freely exchanged ideas, any indiscriminate attempt to intrude on the privacy of law-abiding citizens by electronic means has sinister implications and requires investigation.

This is particularly true in light of the prior affiliations of those arrested. All five men have had C.I.A. connections and one is employed by President Nixon's re-election committee as a security coordinator. Another individual, E. Howard Hunt, whose name is listed in the address books of two of those apprehended, has been a consultant to a White House special counsel.

The President's campaign manager, former Attorney General John Mitchell, denies foreknowledge of the raid, and any evidence linking the Republican party to the incident is at this point circumstantial. The Democratic National Committee's suit against the Committee to Re-elect the President rings of election-year partisanship and hyperbole. The question remains, however, by whom and for what purpose the bugging was ordered. Mr. Hunt's refusal to make himself available for questioning, and the Republican National Committee's internal memo ordering those on the payroll to be silent, serve only to fuel speculation about the direction and motives of the act.

A thorough Federal investigation is in the best interest of both political parties and the nation as a whole.

STATINTL

BEACON JOURNAL

STATINTL

JUN 21 1972

E - 175,468

S - 203,112

Abe Zaidan

That 'Bug' Came

To A Sorry End!



THAT WAS some catch the police made the other night when they surprised five commandos said to be trying to bug the Democratic National Committee Headquarters in our nation's capital. Anytime you nab a former CIA agent in an abortive invasion on domestic soil, the public has cause to worry about the efficiency of all our plots overseas.

Nor was it any consolation to learn that in addition to hauling James W. McCord Jr., a former CIA employe, into jail on attempted burglary charges, the police also snared Bernard L. Barker, whose credentials included a planner's role in the Bay of Pigs invasion — or what there was of it.

★

IF BUGGING was their purpose, one must now stretch his brain to figure out what could be accomplished by it. Here you had five grown men, wearing surgical gloves and carrying what the police said were "elaborate burglary kits," poking around in the dead of night in the Democrats' headquarters.

What secrets were they seeking? What tales could the stained coffee cups reveal if they could only talk? Why were some of the letters in the crossword puzzles on the receptionist's desk filled in with ink and the others with pencil? Why were there three straws in one Coke bottle? What was a half-eaten ham sandwich doing in the confidential files? Hmmm . . .

★

WHILE REPUBLICANS belabor their innocence in this Mission Implausible, Democrats can enjoy a moment of belabored indignation and astonishment as time races on to Election Day in November.

We asked a Democratic Party spokesman if he knew what the commandos were after. He shrugged and said he couldn't guess.

"Well, I'm sure the public, which knows nothing about how the national offices of the two parties are run, would like to know what

goes on inside the Democratic Committee Headquarters. Obviously nobody would risk a night in jail unless they believed there was a Fidel Castro running around the office."

"Actually," the spokesman said, "we don't do much of anything at National Committee Headquarters. We have a secretary who opens the mail and we have a mimeograph machine to duplicate press releases praising Democrats and attacking Republicans. If you've seen one political headquarters, you've seen them all."

★

"BUT ISN'T THERE a grand strategy to defeat President Nixon this year? Surely it must be spelled out in detail in one of those files?"

"Of course there is," my source said. "Here, I'll let you see one of the top secret copies if you don't tell anybody where you got it."

The file contained some heady inside stuff on the coming campaign. On one page, a single line was repeated 75 times: "President Nixon must be defeated."

On another page, a strategist had written: "If Sen. McGovern doesn't get the Democratic nomination, then someone else will. It could be Kennedy, Humphrey, Muskie, Wallace, Chisholm or Willingford.

"Willingford? Who's he?"

"We just threw that in to confuse anybody who stole the files."

Still another page was devoted to an analysis of the restaurants on Miami Beach, coding them like movies from "G" for general audiences to XXX-rated.

★

"THAT'S ALL there is in your classified files?"

"Well, there is that half-eaten ham sandwich, which nobody can explain. Actually, we're kind of happy that all this is now out in the open. Maybe somebody will come forward and claim the sandwich. Another week and the odor would be unbearable."

STATINTL

Ellsberg Wiretap Inquiry Is Set

By Sanford J. Ungar
Washington Post Staff Writer

LOS ANGELES, June 20 — A federal judge here today ordered the Justice Department to search its voluminous files and those of other agencies to determine whether there has been any wiretapping of 11 lawyers who have represented Daniel Ellsberg and Anthony Russo.

Dismissing protests by government prosecutors that he was imposing an "unreasonably burdensome" task on them, U.S. District Court Judge W. Matt Byrne Jr. said the search must be completed and a report given to the court before Ellsberg and Russo go on trial on July 3 or 5.

They are charged with conspiracy, theft of government property and violations of the espionage act in connection with disclosure of the top-secret Pentagon Papers a year ago.

If the government search reveals that there was electronic surveillance of any lawyers

currently or previously in the case, Byrne said, the logs of those wiretaps will have to be turned over to him.

The defense could, in turn, demand and obtain a hearing on whether any of the material in the wiretaps violates the lawyer-client privilege or otherwise prejudices the case against Ellsberg and Russo.

Byrne took specific note of the Supreme Court's decision Monday that it is unconstitutional for the Justice Department to use a wiretap without a court order against U.S. citizens and organizations suspected of allegedly subversive activities.

Some of the lawyers representing Ellsberg and Russo, who have also defended militant protesters and left-wing organizations, suspect that they may have been overheard in so-called "national security" wiretaps authorized by the Attorney General without a court order.

In the meantime, Warren P. Reese, an assistant U.S. attorney

from San Diego who is a special prosecutor in the case, told the court that a search of the files of eight different agencies had revealed absolutely no wiretapping on Ellsberg and Russo themselves.

Reese and chief prosecutor David R. Nissen reacted angrily to the judge's order regarding the attorneys, calling it "an extreme departure from the state of the law at this point."

"There may be enormously voluminous transcripts" to be examined, Reese said. "It will take a team of men days to do the job."

He also warned that "the court's order in this case will receive widespread publicity" and perhaps encourage defense attorneys in other cases to make similar demands.

But Byrne scolded the prosecutors, as he had done with a defense attorney a few moments earlier, saying that "this case is like any other case" and that he would not tailor his rulings because of the controversy surrounding it.

Under the terms of the judge's order today, the Jus-

Department must reveal any surveillance of an attorney after he entered the case.

As each lawyer was listing how long he had been involved in the litigation, Leonard Boudin, chief attorney for Ellsberg, revealed that he had been consulting with his client as early as December, 1970, six months before the Pentagon Papers were published by newspapers and three months before Ellsberg first made them available to The New York Times.

Leonard Weinglass, who argued this aspect of the case for both defendants, suggested that the Justice Department might find it useful to check whether the CIA had done any wiretapping of the defense lawyers.

Byrne's ruling also included a provision for Ellsberg and Russo each to list three "fact investigators" or "consultants" who had been working with them, whom the Justice Department will also be required to check for government wiretapping.

The prosecutors reserved the right to object to any of those six names, however.

21 JUN 1972

Approved For Release 2001/03/04 : CIA-RDP80-

FBI Questions

STATINTL

Novelist-Agent

By JAMES DOYLE

Star Staff Writer

Howard Hunt Jr. of Potomac was due to be suspended by his employers today if he did not explain whether he has any connection to the "Watergate caper" that has launched a burgeoning investigation of who tried to bug the Democratic National Committee and why.

Hunt, a former CIA agent who has been working for the White House from time to time as a consultant and for a public relations firm with strong Republican ties, was interviewed by Federal Bureau of Investigation agents at his Potomac home, but he reportedly shed no light on the investigation.

Gave Top References

The novelist and intelligence agent, who helped run the unsuccessful Bay of Pigs invasion in 1961, listed the head of the Central Intelligence Agency, a top White House assistant and conservative columnist William F. Buckley as references when he sought work as a writer with Robert R. Mullen & Co. in 1970.

He was hired by the Mullen public relations firm with the endorsement of CIA Director Richard Helms. Subsequently he was given added work as a consultant on declassification of secret documents by another friend, Charles W. Colson, a White House operative who handles sensitive political chores for President Nixon.

Hunt's name has surfaced during the investigation following the early morning break-in Saturday at the Watergate office of the Democratic National Committee, where five men, with various links to the CIA, were arrested at gunpoint during an apparent attempt to copy documents and plant surveillance microphones.

Flurry of Questions

Democrats have called the case an act of political espionage. Republicans have denied involvement.

Hunt's name, with the notation "House", was found in the address books of two of those

arrested. They are Eugenio R. Martinez, an anti-Castro Cuban, and Bernard L. Barker, said to be a top aide to Hunt at the time of the Bay of Pigs invasion. They and 3 others suspects are being held in lieu of bail.

The address book notations, together with Hunt's ties to CIA Director Helms and White House aide Charles Colson, have raised a flurry of new unanswered questions which the White House turned aside, and which Hunt was not available to answer.

Another indirect link between Hunt and the suspects was the lawyer called into the case Saturday by the wife of Barker. Douglas Caddy, who acted as Barker's lawyer during his arraignment, was described as a friend of Hunt's by the president of the public relations firm where Hunt works.

Caddy had office space in that firm up until two years ago, the firm's president said.

His present employers, the Mullen Co., were also unable to shed any light on Hunt's possible involvement or his whereabouts.

Walkie-talkies

Robert F. Bennett, the son of Utah Republican Sen. Wallace F. Bennett and head of the firm, announced that Hunt would be suspended this morning if he did not show up and explain his role, if any, in the Watergate caper.

Bennett said he asked Hunt about reports that he was connected to the Watergate raiding party when he last saw him Monday afternoon. He quoted Hunt as replying, "I was nowhere near that place Saturday."

Police have been seeking a sixth and perhaps a seventh man who, they theorize, may have manned a walkie-talkie they found in a room the suspects had rented in the Watergate Hotel. Police also feel the men may have replaced tape on the doors to the office which had been removed by a security guard who found that the doors had been prevented from locking.

The address books of those in the case. Investigators said

they knew of no means for the break-in and attempted surveillance.

Not Normal Style

One of the arrested men, James W. McCord, was under contract to both the Committee for the Re-election of the President and the Republican National Committee to handle their security problems. He was a recent retiree from the CIA, and he set up a private company in Rockville around the time he received the two Republican contracts.

Spokesmen at the committees said McCord came more highly recommended, and with a better background in security matters, than any other applicant for the jobs. Others who know McCord, who taught security courses at a local college and was active in the military reserves as a training officer, also reported that a clandestine midnight raid was not his normal style.

Hunt has a mysterious background as a CIA operative for 20 years and as a participant in some past operations such as the Bay of Pigs.

While no connection has been made between him and the case, he has ties to both the high White House aide and to members of the anti-Castro Cuban community.

He and Colson shared duties in the Brown University Club of Washington, and Colson hired Hunt as a consultant to the White House. Hunt and Barker worked closely together

during the Bay of Pigs, the New York Times reported.

The Times reported that two weeks ago Hunt visited Barker in Miami, where the latter runs a real estate agency.

FBI agents were reportedly scouring the Cuban community in Miami for more information about the suspects.

Columnist Jack Anderson, who visited one of the suspects in jail, said that the Miami men were working for Barker, and that Barker brought McCord into the group for the Watergate affair.

Anderson said, that all of the suspects had past links with the CIA and that some veter-

believed to have stashed away some of the CIA funds distributed at that time.

He said he had received a tip some months ago that members of the Cuban community in Miami were planning to bug the Democratic National Committee, but that he did not follow it through because "I receive tips about the Cubans all the time. Any time three of them get together they create a conspiracy."

In a related development, the staff director of the Senate subcommittee on constitutional rights said today he is checking into the operations of a military reserve unit of the Office of Emergency Preparedness that develops procedures for mail censorship during wartime.

Asking Questions

Published reports about the unit appeared this week when it was disclosed that McCord is a former member.

Larry Baskir, head of the subcommittee staff, said that he is making "a few phone calls" about the unit's operation but had no new information

to report and no speculation of whether there will be a committee investigation.

A public affairs officer for the OEP, Donald Carbone, confirmed yesterday that McCord was a member of the unit but denied reports that the 15-member group also prepared lists of "radicals" as well.

McCord, who was chief security officer for the Committee to Re-elect the President, is listed by the Pentagon as a lieutenant colonel in the Air Force Reserve.

For about two years, a Pentagon spokesman said, McCord has been in Detachment 23, based in Washington, of the 1st Censorship Squadron, whose headquarters are at Fort Totten, New York.

The detachment includes members of the Army and Navy as well, the spokesman said, and undergoes training in the kind of censorship of mail that was imposed in the United States during World

STATINTL

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

continued

STAR

JUN 20 1972

M - 26,553

Probe Into Bugging

Attempt Is Widened

... Raid Is Nucleus For Political Controversy

Washington — The Federal Bureau of Investigation widened Monday its investigation of the mysterious attempt to install listening devices in the offices of the Democratic National Committee here.

In Miami, the FBI arranged to question Miguel R. Suarez, a business partner of one of the suspects, in the break-in and a leading Republican in that city's Cuban community. Four of the five men arrested in the committee headquarters Saturday morning are from Miami.

At least two of the accused men have personal and professional links to the Republican Party, but the White House press secretary, Ronald L. Ziegler, said in Key Biscayne, Fla., that "I'm not going to comment from the White House on a third-rate burglary attempt."

"This is something that should not fall into the political process," he said.

Both the Republican National Committee and the Committee to Re-Elect the President denounced in statements Sunday the predawn raid. Monday, Sen. Robert Dole of Kansas, the party's national chairman, telegraphed key members of the Republican Committee, including those representing Spanish-speaking groups, urging them not to discuss the matter with anyone.

The Dole memorandum instructed committee members to refer all inquiries to the committee's director of communications, Tom Wolck.

The FBI, local policemen, administration officials and spokesmen for the Republican Party refused to discuss details of the case Monday.

As both the mystery and official silence surrounding the raid deepened the issue turned quickly into a political controversy. All five suspects, an investigation suggests, have at one time or another had links with the CIA.

Sen. George McGovern of South Dakota, a leading contender for the Democratic presidential nomination, said at a morning news conference

in New York that the raid was "one of the most shocking actions that has happened in this country for some time."

"It is the legacy of years of wiretapping and an invasion of privacy in which the government has been too deeply involved," McGovern said, adding that the former attorney general, John N. Mitchell, had encouraged "too free a use on wiretaps."

Replying to a question, McGovern said that "anytime you get John Mitchell and Bob Dole involved in something, you have to raise an eyebrow."

Sen. Hubert H. Humphrey of Minnesota, another contender for the Democratic nomination, said here that "the president and his cabinet owe the country an apology and an explanation" for the incident.

Mike Mansfield of Montana, the Senate majority leader, said he did not think the Republican Party was involved in the bugging attempt.

Hugh Scott of Pennsylvania, the minority leader, said the

raid on the Democrats was "unconscionable and inexcusable."

Meanwhile, it was learned from Cuban sources in Miami that an attempt had been made to recruit a sixth person to participate in the break-in but that the unidentified person had refused to join.

At the moment, the following were among unanswered questions about the raid:

—Who, if anyone, had ordered the raid?

—What was its real purpose, and what information was sought?

—Who, if anyone, supplied the money — \$5,856 — some of it found by the police on the suspects at the time of their arrest and the rest in their rooms at the Watergate Hotel?

—Did any influential officials in the administration or the Republican Party — or their political friends — have advance notice of the raid?

—Why did the five men remain Monday in the District of Columbia jail, even though bail for four of them was set

at \$50,000 each and at \$30,000 for the fifth man. This is considered relatively low bail, and the men could probably have been released by putting up \$3,000 to \$5,000 in cash. At least two of the suspects are personally affluent and, to judge from the cash found on them, the group appeared to have affluent friends.

The only formal government statement on the case came late Monday when Harold H. Titus Jr., the U.S. Attorney for the District of Columbia, announced that, "with the full cooperation of the FBI and the metropolitan police department, an investigation of the burglary and the attempted bugging offenses is under way."

Titus said that a federal grand jury here "will be available to receive evidence in this investigation."

Earlier in the day, however, Washington police officials told newsmen that they considered the case "closed" because the five men were arrested and arraigned.

20 JUN 1972

Approved For Release 2001/03/04 : CIA-RDP80-01601F

STATINTL

Scoffs at Horse & Bug Raid

By FRANK VAN RIPER

Washington, June 19 (News Bureau)—The owner of a Washington "spy shop," whose business dealings sometimes skirt the outer edges of the law, declared today that he could have bugged the headquarters of the Democratic National Committee "without even leaving my office."

"I could have used this phone, this one right here," said Clyde Riley Wallace, with a trace of inventor's pride. Wallace, who gives his age as 39 and who refuses to discuss his background beyond hinting that it involved government security work, runs the highly successful shop, only two blocks from the White House.

Sitting amid the latest electronic surveillance hardware which he insists he sells only to licensed law enforcement types, Wallace scoffed at the weekend attempt by five men to plant "crude, outdated" bugging devices in the Democrats' sixth-floor headquarters in the posh Watergate Apartments near the Kennedy Center.

Any Phone a Bug

"I don't show this to everyone," said Wallace, walking over to his safe and removing a small plastic bag. In the bag was what looked like an ordinary phone jack—the little plastic box usually installed near a baseboard to which a telephone cord is connected.

Only this box, when rigged correctly, can turn any phone into a bug, even where the receiver is down.

"Here listen," Wallace said, handing me a set of earphones. "I'll tap into the phone in the front of the store."

Sure enough, with the exception of a little hum, I was soon listening to all that was going on between a spy shop salesman and his customer.

"Could you have done this to the Democrats?" I asked.

"Sure," Wallace replied.

"But wouldn't that be bending the law a little?"

"Sure," he said.

Never Heard of McCord

Wallace hastened to add that he had nothing to do with the weekend bugging foray, which has been lambasted by specialists in electronic surveillance fields—like Wallace—as "positively amateurish" and "laughable." He said he never heard of James McCord Jr., the ex-FBI, CIA agent nabbed in the raid, who was on the payroll of the Republican National Committee and President Nixon's reelection committee.

"You could have even used one of these little pens, Wallace said, handing me an innocent-looking ballpoint.

"You just put the circuitry in here near the barrel and drill a tiny hole for the mike."

The idea, Wallace said, would be to plant the pen in the Dems' office, preferably "by dropping it in the cushions of a sofa." That way, he said, it wouldn't be out in the open, and if discovered, would not be suspicious.

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

SPOKANE, WASH.
CHRONICLE

E - 70,976

JUN 20 1972

Bugging, Is Buggy Thinking

The more-than-one-party political system in this country needs protecting at all cost. That isn't because it's somewhere near perfect, for it certainly is not. Rather it's because of the priceless ingredient of freedom of choice.

The faults are glaring. Unconscionable events occur in and around American politics. An occurrence hard to beat for dim thinking was the attempted "bugging" of Democratic National Headquarters in Washington.

Several possibilities must be considered. Some are beyond belief. One — and naturally the first one charged — is that it was Republican Party action. That would have been so crude a maneuver that only a few knee-jerk Democratic spokesman leaped instantly to that conclusion.

Then a wildly stretched notion, conceivable only in politics, is the knee-jerk suspicion of Republican old-liners that some Democrats themselves might have generated the scheme, to create heavily damaging publicity against the opposition. That is more far-fetched than the charge that Re-

publicans officially sent a "security coordinator" for a Nixon campaign committee to do the bugging job. One of the five arrested men, James W. McCord Jr., is a former CIA agent who has been on the payroll of the Committee to Re-Elect the President.

A third distant possibility is that operators of a security-consulting business took it on themselves to accomplish a bugging job.

Meanwhile, Democratic National Chairman Lawrence F. O'Brien has announced a million-dollar damage suit against the five suspects and the Committee to Re-Elect the President.

Millions of Americans are discontented with the shabby aspects of politicking. What happened in the strange bugging venture seems to prove there is no limit to mixed-up behavior in election season. And that is not likely to ease an upcoming summer of discontent.

The sad fact is that a misguided stunt of this sort actually could have an effect on the presidential campaign, even though it may have been just some independently operating individual's crackpot idea.

STATINTL

ST. PAUL, MINN.
DISPATCH

E - 130,292
JUN 20 1972

Not In the Textbooks

The incredibly bungled attempt at bugging Democratic National Headquarters has some of the aspects of a Mack Sennett movie comedy.

Among the five men caught in the office with cameras, film and bugging devices are two former prominent members of the Central Intelligence Agency. One of them helped mastermind the Bay of Pigs fiasco in 1961 and the other is currently under contract to provide security for the Republican party. It is altogether more embarrassing than a pie in the face.

What's more, these clumsy bunglers have given wiretapping a bad name. At least that's what a Washington Post reporter was told when he interviewed a number of professional wiretappers and asked them about the incident.

The pros called it a Mickey Mouse operation and a blot on the bugging profession. One said, "These guys have got to be circus bums."

But the interviews also brought out the fact that the bugging of political offices is not at all uncommon. The

experts said it has occurred frequently in the past, either before or after the party nomination, and they said it is particularly common for one candidate to bug another of the same party.

The purpose, they said, is to determine the strategy to be used by a candidate at the convention, to gather derogatory information on an opponent for possible disclosure to the press or to learn about real or imagined plots by one faction or other.

The bugs are rarely discovered, and when they are the targets of the surveillance rarely want the incidents publicized. After all, they may have their own bugs planted in someone else's office.

Somebody ought to do some research and put together a book on the subject. It would be fascinating to learn how many candidates, if any, have won nominations or elections because of information gleaned from an electronic bug. This is the part of the American electoral process that has been left out of high school civics texts.

CONFIRMED WITH THE COURT'S OPINION. He said his staff would work with Congress to seek new warrant standards in line with the court's suggestion.

Joining Powell were Justices William O. Douglas, William J. Brennan Jr., Potter Stewart, Thurgood Marshall and Harry A. Blackmun. Burger noted simply that he concurred "in the result" and White based his concurrence on language in the 1963 act.

Justice William H. Rehnquist, who helped shape the government's arguments as a Justice official last year, did not participate.



STATINTL



Court Curbs Wiretapping Of Radicals

By John P. MacKenzie
Washington Post Staff Writer

A unanimous Supreme Court rejected yesterday the Nixon administration's claim that the Executive Branch may wiretap suspected "domestic" radicals without a court warrant.

In a major rebuff to an important administration law enforcement policy, the court held that freedom for private dissent "cannot safely be guaranteed if domestic security surveillances may be conducted solely within the discretion of the Executive Branch."

The blow was delivered by one of President Nixon's own appointees to the court, Lewis F. Powell Jr., writing for himself and five other justices. Concurring separately were Chief Justice Warren E. Burger and Justice Byron R. White.

Beginning in the 1969 prosecution of the "Chicago 8" conspiracy defendants, one of many cases vitally affected by yesterday's decision, the Justice Department asserted that judicial supervision was not required when the President and Attorney General deemed a specific wiretap necessary for protection against subversion from within.

But Powell, despite past public support for wiretapping and a reputation for concern over national security, said the Justice Department had failed to make out a case for "the time tested means" of judicial warrants for safeguarding Fourth Amendment guarantees against unreasonable searches and seizures.

Presidents since Franklin D. Roosevelt have asserted the power to conduct electronic surveillance against suspected foreign agents without permission from a court but it was not until John N. Mitchell became Attorney General that the government claimed similar authority concerning home-grown radicals who were not accused of being as for-
cogn-supported spies or revolutionaries.

Emphasizing that the foreign agent problem was not before the high court, Powell said that even the domestic issues pressed by the department "merit the most careful consideration" when urged "on behalf of the President."

"We do not reject them lightly," said Powell, "especially at a time of worldwide ferment and when civil disorders in this country are more prevalent than in the less turbulent periods of our history."

Powell then went on to reject every administration argument, including the contention that internal security matters are "too subtle and complex" for judges.

"There is no reason to believe that federal judges will be insensitive to or uncomprehending of the issues involved in domestic security cases," Powell said, adding:

"If the threat is too subtle or complex for our senior law enforcement officers to convey its significance to a court, one may question whether there is probable cause for surveillance."

Powell denied that there was significant danger of compromising intelligence secrets when government lawyers must go secretly to a court for warrants.

He noted that Congress, in passing wiretapping legislation in 1968, already had imposed a sensitive responsibility on judges by authorizing wiretapping and bugging warrants in espionage, sabotage and treason investigations.

"Although some added bur-
den will be upon the attorney general, this inconvenience is justified in a free

society to protect constitutional values... By no means of least importance will be the reassurance of the public generally that indiscriminate wiretapping and bugging of law-abiding citizens cannot occur."

Powell said public uneasiness was justified by the "danger to political dissent" inherent in the vague concept of national security, since "the targets of official surveillance may be those suspected of unorthodoxy in their political beliefs."

He added, "The price of lawful public dissent must not be a dread of subjection to an unchecked surveillance power."

The reassurance stems from the independent judgment of a neutral and detached magistrate who determines whether there is a reasonable basis for the electronic intrusion upon privacy, Powell said.

He indicated that under appropriate guidelines for such warrants, the government might have been able to obtain approval to eavesdrop on Lawrence (Pun) Plamondon, a leader of the radical White Panther Party accused of conspiring to blow up a Central Intelligence Agency building at Ann Arbor, Mich.

Lower courts ruled that wiretap records in the case must be turned over for defense inspection to see whether the illegal taps produced part of the prosecution's case. Yesterday's decision forces the government to choose between disclosure to the defense and abandoning the prosecution in the Ann Arbor case, the Chicago case now on appeal, and numerous others.

Powell offered a suggestion that Congress might enact special standards for the warrants, perhaps allowing agents to install listening devices for longer periods than provided in the 1968 law for conventional crime investigations.

He totally rejected the government's argument that Congress had immunized domestic radical taps from the warrant requirements.

Attorney General Richard G. Kleindienst said last night that he is terminating all domestic security wiretaps that

STATINTL

WHITE HOUSE LINK?

Colson Aide, Barker Tied

By ROBERT WALTERS
Star Staff Writer

A part-time White House consultant, whose name appeared in two address books seized from the suspects in the break-in of Democratic national headquarters here, reportedly met in Miami two weeks ago with a member of the group that broke into the party offices here, equipped with bugging devices and cameras.

The New York Times today reported that Howard E. Hunt, who, using the code name "Eduardo," was one of the Central Intelligence Agency men directing the ill-fated Bay of Pigs Operation in 1961, met with Bernard L. Barker. Barker is one of five men arrested in the Saturday break-in at the Watergate Apartment complex.

Barker, the Times said, was Hunt's chief aide during the Bay of Pigs operation, using the code name "Macho."

Hunt became a part-time consultant to Charles W. Colson, special counsel to President Nixon and other high White House officials, after retiring from the CIA two years ago.

Flew to Miami

Hunt's name and address turned up in address books taken from two of the five men arrested during the break-in Saturday, federal sources have acknowledged.

Quoting Cuban sources in Miami, the Times said Hunt flew to Miami about two weeks ago to meet with Barker, now a wealthy real estate man, and handed Barker his business card with his suburban Maryland home telephone number penciled on the back, and gave him instructions to call if Barker ever needed him.

Hunt was reached at his home by

er. "I have no comment on that," Hunt said.

As the controversy over the break-in continued to gather steam today, it appeared likely that the Democratic party would take legal action against Republican party leaders, charging invasion of privacy.

Lawrence F. O'Brien, chairman of the Democratic National Committee, said he has been assured by Joseph A. Califano Jr., the party's chief counsel, that there is "pretty solid ground" for filing a civil suit.

Democratic officials say their lawsuit, expected to be filed in U.S. District Court here today or tomorrow, will allege invasion of privacy.

Rights Violated

The principal link reported between the GOP and the five men arrested on charges of breaking into the DNC headquarters in the early morning hours last Saturday is James W. McCord Jr., one of the suspects still being held in the District Jail.

McCord, a former employe of both the Federal Bureau of Investigation and the Central Intelligence Agency, was at the time of the break-in the chief security officer for both the Republican National Committee and the committee in charge of President Nixon's re-election campaign.

O'Brien said of the potential lawsuit: "We see several problems that may require court action. We feel our First Amendment rights and our civil rights were violated, and possibly some campaign funds were used in a non-campaign manner."

One important purpose of such a lawsuit, O'Brien said, would be to force Republican party leaders to submit to sworn pre-trial interrogation in the

form of deposition. In addition, the Democrats probably would seek to subpoena some GOP records.

STATINTL

Rooms Searched

The White House official linked indirectly to the growing dispute, Colson, is special counsel to the President. Colson's White House assignments have led to his involvement in several domestic political controversies in recent years.

In the current case, his name has surfaced because of the reported ties between the suspects in the break-in and Hunt, a part-time White House consultant who is employed by Robert R. Mullen & Co., a Washington public relations firm.

The two address books mentioning Hunt were among a considerable amount of materials taken from the suspects at the scene of the break-in and later, with a search warrant, from the two rooms on lower floors of the Watergate.

Both federal officials and police acknowledged today that Hunt's name and phone number, with the notation "W. House" and "W. H." were in two address books linked to two of the suspects.

Police officials handed the address books and other documentary evidence over to assistant U.S. attorney for the District of Columbia, Earl J. Silbert, at a lengthy meeting yesterday, officials said. A large group of FBI men reportedly was present when the evidence was given to the prosecutor's office, even though there is no federal charge outstanding against the suspects.

A police official, meanwhile, said today that Washington police already have discussed with Hunt the appearance of his name in the address books. He said police are hopeful of shedding some light on the deepening mystery.

Clawson, however, referred to the FBI queries about any role Hunt or Colson may have had in the lives of the suspects.

"We Don't Know"

The only role of the FBI in the case up to now is based on the proposition that there may have been a presumed violation of the Interception of Communications Act, which

BALTIMORE, MD.

SUN

M - 164,621

E - 189,871

S - 323,624

JUN 19 1972

Bungled Bug

To a weird campaign already marked by the ludicrous stumbling of front-runners and the assassin's sick act at LaGral, we may now add the case of the bungled burglary and bugging of Democratic National Committee headquarters. It is a mysterious case, and the core of the mystery is why anyone would consider such a step necessary at all.

Through all the stiff-lipped who-us? protestations of John N. Mitchell as chief of the opposition campaign, this is the question that persists. If Macy won't tell Gimbel, it's because he knows Gimbel desperately wants to know and might profit by what he has to tell. But what earthly reason could the Republicans or anyone else have for sending five microphone-laden operatives to the Democratic nerve-center in the dead of night? What nuggets of intelligence could be mined from an operation admittedly tapped-out, in hock to the telephone company, and drained by a free-for-all over who will lead it into a still tougher fight as the odds-on underdog in November? What, especially, could be gleaned from such a sorry source by an opposition reveling in its fourth year of power and already counting its 10 millionth dollar in preparation for the new battle?

Add to these purely political puzzles the question of sheer ineptitude in the break-in and bugging attempt. If, as the Pentagon Papers indicate, the CIA was the nation's best intelligence arm and if, as the Associated Press tells us, one of the bugging case defendants is a former CIA agent now employed by the Republican party's security agency, what new light does this throw on the intelligence difficulties besetting us in Vietnam all these years? If one bungles an attempt to steal information from a source which thrusts it readily, even excessively upon the public in tons of news releases and canned speeches, how can one hope to match the sophisticated intelligence operations of a stealthy guerrilla enemy in Southeast Asia?

Beyond all this, however, there is one more point mentioned by Lawrence F. O'Brien, the Democratic chairman. The incident, he notes, raises "the ugliest questions about the integrity of the political process. . . ." Those questions are not altogether dispelled by Mr. Mitchell's disclaimer.

GOP Security Aide Among 5 Arrested In Bugging Affair

By Bob Woodward and Carl Bernstein
Washington Post Staff Writers

One of the five men arrested early Saturday in the attempt to bug the Democratic National Committee headquarters here is the salaried security coordinator for President Nixon's reelection committee.

The suspect, former CIA employee James W. McCord Jr., 53, also holds a separate contract to provide security services to the Republican National Committee, GOP national chairman Bob Dole said yesterday.

Former Attorney General John N. Mitchell, head of the Committee for the Re-Election of the President, said yesterday McCord was employed to help install that committee's own security system.

In a statement issued in Los Angeles, Mitchell said McCord and the other four men arrested at Democratic headquarters Saturday "were not operating either in our behalf or with our consent" in the alleged bugging attempt.

Dole issued a similar statement, adding that "we deplore action of this kind in or out of politics." An aide to Dole said he was unsure at this time exactly what security services McCord was hired to perform by the National Committee.

Police sources said last night that they were seeking a sixth man in connection with the attempted bugging. The sources would give no other details.

Other sources close to the investigation said yesterday that there still was no explanation as to why the five suspects might have attempted to bug Democratic headquarters in the Watergate at 2600 Virginia Ave. NW, or if they were working for other individuals or organizations.

"We're baffled at this point . . . the mystery deepens," a high Democratic party source said.

Democratic National Committee Chairman Lawrence F. O'Brien said the "bugging incident . . . raised the



JAMES W. McCORD
...retired CIA employee

ugliest questions about the integrity of the political process that I have encountered in a quarter century.

"No mere statement of innocence by Mr. Nixon's campaign manager will dispel these questions."

The Democratic presidential candidates were not available for comment yesterday.

O'Brien, in his statement, called on Attorney General Richard G. Kleindienst to order an immediate, "search-

ing professional investigation" of the entire matter by the FBI.

A spokesman for Kleindienst said yesterday, "The FBI is already investigating . . . Their investigative report will be turned over to the criminal division for appropriate action."

The White House did not comment.

McCord, 53, retired from the Central Intelligence Agency in 1970 after 19 years of service and established his own "security consulting firm," McCord Associates, at 414 Hungerford Drive, Rockville. He lives at 7 Winder Ct., Rockville.

McCord is an active Baptist and colonel in the Air Force Reserves, according to neighbors and friends.

In addition to McCord, the other four suspects all Miami residents, have been identified as: Frank Sturgis (also known as Frank Fiorini), an American who served in Fidel Castro's revolutionary army and later trained a guerrilla force of anti-Castro exiles; Eugenio R. Martinez, a real estate agent and notary public who is active in anti-Castro activities in Miami; Virgilio R. Gonzales, a locksmith; and Bernard L. Barker, a native of Havana said by exiles to have worked on and off for the CIA since the Bay of Pigs invasion in 1961.

All five suspects gave the police false names after being arrested Saturday. McCord also told his attorney that his name is Edward Martin, the attorney said.

Sources in Miami said yesterday that at least one of the suspects—Sturgis—was attempting to organize Cubans in Miami to demonstrate at the Democratic National Convention there next month.

The five suspects, well-dressed, wearing rubber surgical gloves and unarmed, were arrested about 2:30 a.m. Saturday when they were surprised by Metropolitan police inside the 29-office suite of the Democratic headquarters on the sixth floor of the Watergate



Bernard Barker, Eugenio R. Martinez, Frank Sturgis and Virgilio R. Gonzales, from left, held in connection with attempt to bug Democratic Committee offices.

Snooping on Democrats Probed

By ROBERT WALTERS
Star Staff Writer

The FBI is taking a major hand in probing the weekend break-in at Democratic national headquarters by five men armed with cameras and electronic snooping devices.

Democratic National Chairman Lawrence F. O'Brien had labeled the invasion early Saturday morning of the party's offices an "incredible act of political espionage." O'Brien called for "the most searching professional investigation."

Top officials of the Republican party and of President Nixon's re-election campaign yesterday deplored the break-in, and said it was not done "on our behalf or with our consent."

Linked to GOP

The GOP statements were issued after the Association Press disclosed that one of the five men arrested and charged with the break-in is the chief security officer for both the Republican National Committee and the Nixon re-election campaign.

He is James W. McCord Jr., who worked for the Federal Bureau of Investigation from 1948 to 1951, was employed by the Central Intelligence Agency from 1951 to 1970 and now operates his own security consulting firm in Rockville.

McCord joined the staff of the Committee for the Re-election of the President as its "security coordinator" in January of this year. He was on the committee's payroll at least as late as last Friday, the day prior to the break in.

According to officials of the committee, McCord was the highest ranking security official employed by the organization, established to coordinate Nixon's re-election drive. Public records show that he has been receiving take-home pay of \$1,209 a month.

Protects Building

Similarly, a spokesman for the Republican National Committee said "we have a contractual relationship with his (McCord's) company to furnish security services for our building," the party headquarters on Capitol Hill.

GOP officials said the services provided by McCord's

firm included installing television cameras and other electronic monitoring devices to detect intruders and providing guards for the GOP headquarters.

There were other reports of ties between the Republicans and those involved in the apparent effort to "bug" the DNC offices and to photograph documents:

- The New York Times said another of the five men arrested, Bernard L. Barker, was "the apparent leader" of the raiding party and had been "identified . . . as an affluent Miami realtor with important Republican party links in Florida."

- The Miami Herald reported that Barker and one of the other men arrested, Frank A. Sturgis, participated last month in a Miami meeting to organize a downtown parade of Cuban exiles in support of Nixon's decision to blockade Haiphong harbor in Vietnam.

- Washington lawyer Douglas Caddy, who served as an intermediary in enlisting the services of another attorney to represent Barker immediately following his arrest, was identified as an active participant in Republican political affairs.

Shortly before 2 a.m. Saturday, a security guard in the Watergate Office Building, where the DNC offices are located, became suspicious when he noticed that the lock on a door had been taped to prevent it from functioning.

Held in D.C. Jail

He summoned police, who arrested McCord, Barker, Sturgis, Eugenio R. Martinez, a real estate agent and notary public in Florida, and Virgilio R. Gonzales, a locksmith. All five were held in the District Jail over the weekend because they were unable to post the bond set in their case.

Police also said that \$5,300, in consecutively numbered \$100 bills, was found in possession of the men and in their hotel rooms in the adjoining Watergate Hotel.

The source of the money and whether it was used for the break-in were among the important questions still unanswered.

Asked about possible motives, Metropolitan Police Det. William Casey, the arresting officer, said: "We beat our heads together on that . . . and we couldn't find a reason for it."

Casey said robbery had been ruled out as a likely motive. When asked about the possibility of political espionage, he said: "That's one of the things we've thought of."

The FBI was reliably reported to have taken responsibility for a major portion of the investigation, invoking federal jurisdiction on the grounds that the suspects may have been attempting to violate the prohibition in the Safe Streets Act of 1968 against electronic eavesdropping by private parties.

Car Returned

The FBI was known to have taken possession of the electronic devices and photographic equipment confiscated from the arrested men. A 1972 Chrysler bearing Virginia license plates, believed to have been rented by the suspects, was inspected by the FBI then returned to the Avis rental agency at National Airport.

The Nixon re-election committee issued a statement yesterday in the name of John N. Mitchell, the former attorney general now in charge of the President's campaign, which said "we want to emphasize that this man (McCord) and the other people involved were not operating either in our behalf or with our consent."

The Mitchell statement added:

"The person involved is the proprietor of a private security firm who was employed by our committee months ago to assist with the installation of our security system.

"He has, as we understand it, a number of business clients and interests, and we have no knowledge of those relationships. . . . There is no place in our campaign or in the electoral process for this type of activity, and we will not permit it nor condone it."

Dole Statement

The Republican National Committee then issued a statement in the name of its chairman, Sen. Robert Dole, R-Kans., which acknowledged that McCord "is the owner of a firm with which the committee contracted for security services," then added:

"His actions were not on our behalf nor with our consent. If our understanding of the facts is accurate, we will, of course, discontinue our relationship

with the firm. We deplore actions of this kind in or out of politics."

But the Democratic National Committee distributed a statement in the name of chairman O'Brien who said the incident "raised the ugliest questions about the integrity of the political process that I have encountered in a quarter century of political activity."

O'Brien's statement added: "No mere statement of innocence by Mitchell . . . will dispel these questions — especially as the individual allegedly involved remains on the payroll of the Nixon campaign organization. . . .

"Only the most searching professional investigation can determine to what extent the Committee for the Re-election of the President is involved in this attempt to spy on Democratic headquarters.

"I call upon Atty. Gen. (Richard G.) Kleindienst toorough investigation by the Federal Bureau of Investigation. This investigation must remain open until we know beyond a doubt what organization or individuals were behind this incredible act of political espionage."

This story was written from reports compiled by Robert Walters, Lance Gay, Jack Kneec, Lyle Denniston, Jeremiah O'Leary, James Doyle, Ronald Sarro and Robert Buchanan.

STATINTL

Suspect Aided, Fought Castro

By Carl Bernstein
and Kirk Scharfenberg
Washington Post Staff Writers

The suspects in the apparent plot to bug the offices of the Democratic National Committee include a locksmith, a man who said he was a former CIA employee, an American soldier of fortune who fought with Fidel Castro in Cuba and later trained anti-Castro exiles, and another man linked by Cuban exiles to the CIA.

The best known of the suspects appears to be Frank Sturgis, a native of Norfolk, who joined Fidel Castro in the hills of Oriente Province in 1958.

According to newspaper reports and Cuban exile sources in Miami, Sturgis—also known as Frank Fiorini—was named by Castro to

oversee the gambling casinos in Havana until they were closed shortly after the revolution in January, 1959.

Sturgis left Cuba in 1959 for Miami and later became head of the International Anti-Communist Brigade.

The Brigade trained Cuban exiles who in 1962—a year after the Bay of Pigs invasion—landed in Matanzas Province and set up anti-Castro guerrilla operations east of Havana.

Sturgis, who is 47, also was identified by federal authorities as the copilot of the plane that dropped anti-Castro leaflets over Havana in 1959.

A former manager of a tavern in Norfolk, Sturgis served in the Marine Corps in Korea, was wounded while fighting with Castro in Cuba

and—according to exiles—has worked recently as a plate glass salesman in Miami.

The same exiles said yesterday that another of the suspects, Bernard L. Barker, 55, has worked off and on for the CIA since the Bay of Pigs invasion.

Barker's wife Clara said in a telephone interview from Miami yesterday that her husband, a native of Havana, has owned a real estate firm in Miami for about a year. Questioned about the CIA, Mrs. Barker said: "I've never known if he works for the CIA or not. The men never tell the women anything about that."

Mrs. Barker said her husband was imprisoned briefly by Castro in 1959 shortly before they moved to Miami. Exile sources said Barker is known in the Cuban com-

munity as "Macho"—meaning husky or beefy—and that he was closely associated with Frank Bender, the CIA operative who recruited many members Brigade 2506: the Bay of Pigs invasion force.

In court yesterday, another of the suspects—Edward Martin—identified himself as a former CIA employee.

His purported employment by the agency came to light when the judge questioned a bail report that listed Martin as a "security consultant" retired from government service. The judge asked what "government service"? Lawyer conferred with his lawyer, then said "intelligence," the "CIA." His lawyer repeated, "CIA."

A CIA spokesman said that, based on the date of birth provided from yesterday's Washington police arrest record, Edward Martin "has never worked for the CIA."

The arrest record listed Martin's date of birth as Oct. 9, 1918. The CIA said there is no record of an Edward Martin's with that birthdate having worked for the agency. However, the spokesman said agency records contain a "drawerful" of Edward Martins with other dates of birth.

Martin, who police say has lived in New York City and possibly Washington, was the only suspect who is not known to have a Miami address.

The suspect identified as a locksmith, Virgilio R. Gonzales, was said by his wife to be an employee of the Missing Link Key Shop in Miami.

The fifth suspect, Eugenio R. Martinez, was said by prosecutors to have violated American immigration laws in 1958 when he flew a private plane to his native Cuba.

Exile sources in Miami said they did not recognize either Martinez or Gonzales as playing any prominent roles in organized anti-Castro activities.

STATINTL

5 Held in Plot to Bug Democrats' Office Here

By Alfred E. Lewis
Washington Post Staff Writer

Five men, one of whom said he is a former employee of the Central Intelligence Agency, were arrested at 2:30 a.m. yesterday in what authorities described as an elaborate plot to bug the offices of the Democratic National Committee here.

Three of the men were native-born Cubans and another was said to have trained Cuban exiles for guerrilla activity after the 1961 Bay of Pigs invasion.

They were surprised at gunpoint by three plainclothes officers of the metropolitan police department in a sixth-floor office at the plush Watergate, 2600 Virginia Ave., NW, where the Democratic National Committee occupies the entire floor.

There was no immediate explanation as to why the five suspects would want to bug the Democratic National Committee offices or whether or not they were working for any other individuals or organizations.

A spokesman for the Democratic National Committee said records kept in those offices are "not of a sensitive variety" although there are "financial records and other such information."

Police said two ceiling panels in the office of Dorothy V. Bush, secretary of the Democratic Party, had been removed.

Her office is adjacent to the office of Democratic National Chairman Lawrence F. O'Brien. Presumably, it would have been possible to slide a bugging device through the panels in that office to a place above the ceiling panels in O'Brien's office.

All wearing rubber surgical gloves, the five suspects were captured inside a small office within the committee's headquarters suite.

Police said the men had with them at least two sophisticated devices capable of picking up and transmitting all talk, including telephone conversations. In addition, police found lockpicks and door jimmiés, almost \$2,300 in cash, most of it in \$100 bills with the serial numbers in sequence.

The men also had with them one walkie-talkie, a short wave receiver that could pick up police calls, 40 rolls of unexposed film and two 35 millimeter cameras.

Near where they were captured were two open file drawers, and one national committee source conjectured that the men were preparing to photograph the contents.

In Court yesterday, one suspect said the men were "anti-Communists" and the others nodded agreement. The operation was described in court by prosecutor Earl J. Silbert as "professional and clandestine." One of the Cuban natives, The Washington Post learned, is now a Miami locksmith.

Many of the burglary tools found at the Democratic National Committee offices appeared to be packaged in what police said were burglary kits.

The five men were identified as:

• Edward Martin of New York City and perhaps the Washington metropolitan area. In court yesterday, Martin said he retired from the Central Intelligence Agency two years ago. He said he presently is employed as a "security consultant."

• Frank Sturgis of 2515 NW 122d St., Miami. Prosecutors said that an FBI check on Sturgis showed that he had served in the Cuban Military army intelligence in 1958, recently travelled to Honduras in Central America, and presently is the agent for a Havana salvage agency. He has a home and family in Miami. Sturgis

with a gun violation in Miami, according to FBI records.

• Eugenio R. Martinez of 4044 North Meridian Ave., Miami. Prosecutors said that Martinez violated the immigration laws in 1958 by flying in a private plane to Cuba. He is a licensed real estate agent and a notary public in Florida.

• Virgilio R. Gonzales of 930 NW 23d Ave., Miami. In Miami yesterday, his wife told a Washington Post reporter that her husband works as a locksmith at the Missing Link Key Shop. Harry Collet, the shop owner, said that Gonzales was scheduled to work yesterday but didn't show up. "He's done it before, but it's not a regular thing," Collet said. He said he thought Gonzales came to America about the time Fidel Castro became well-known, and began working for Missing Links sometime in 1959. He described Gonzales as "pro-American and anti-Castro. . . he doesn't rant or rave like some of them do."

• Bernard L. Barker of 5229 NW 4th St., Miami. Douglas Caddy, one of the attorneys for the five men, told a reporter that shortly after 3 a.m. yesterday, he received a call from Barker's wife. "She said that her husband told her to call me if he hadn't called her by 3 a.m.; that it might mean he was in trouble."

All were charged with felonious burglary and with possession of implements of crime. All but Martin were ordered held in \$50,000 bail. Martin, who has ties in the area, was held in \$30,000 bail.

In court yesterday, prosecutors said Sturgis also used the alias Frank Fiorini—an assertion confirmed by Miami area police.

(In 1959, the Federal Aviation Agency identified Fiorini as the pilot of a plane that dropped anti-Castro leaflets over Havana. Described in newspaper clip

pings as a "soldier of fortune," Fiorini reportedly was head of the Interna-

tional anticommunist Brigade, after the Bay of Pigs invasion, that trained 23 Cuban exiles who in 1962 landed by boat in Cuba's Matanzas Province and set up guerrilla operations.

Fiorini reportedly is a native of Norfolk, Va., who fought with the Marines in the Pacific during World War II. An early supporter of the Cuban revolution, he reportedly fought with Castro and was named by the premier to be overseer of gambling operations in Havana before the casinos were shut down by the premier.)

The early morning arrests occurred about 40 minutes after a security guard at the Watergate noticed that a door connecting a stairwell with the hotel's basement garage had been taped so it would not lock.

The guard, 24-year-old Frank Wills, removed the tape, but when he passed by about 10 minutes later a new piece had been put on. Wills then called police.

Three officers from the tactical squad responded and entered the stairwell.

From the basement to the sixth floor, they found every door leading from the stairwell to a hallway of the building had been taped to prevent them from locking. At the sixth floor, where the stairwell door leads directly into the Democratic National Committee offices, they found the door had been jimmied.

Led by Sgt. Paul Leper the tactical force team which also included Officers John Barret and Carl Sholler, began searching the suite, which includes 29 offices and where approximately 70 persons work.

When the officers entered an office occupied by a secretary to Stanley Grieg, deputy party chairman, one of the suspects jumped up

The Washington Merry-Go-Round

By Jack Anderson

Spy Equipment

American intelligence agencies are perfecting bizarre surveillance devices which make James Bond's gadgets look Victorian.

Some of the equipment is already in use by government agencies engaged in snooping.

The devices depend on lasers, infrared rays and microwaves to eavesdrop, pierce the

darkness and peek through keyholes.

The ancient art of training pigeons, for example, has been combined with modern laser techniques. Keen-eyed pigeons have been trained to fly wherever they see a split-second flash of red made by a laser beam.

The beam may be subliminally flashed on the window-sills, say, of a foreign embassy or military conference room. A pigeon, with an adhesive-encased "bug" stuck to his chest, flies to the sill. He is trained to snatch off the adhesive-coated microphone-transmitter, which then drops to the sill.

"The "bug" records all conversations in the room. When the intelligence agency wants to retrieve the "bug," it flashes another laser beam. The pigeon flies to the sill, presses his body to the adhesive packet and flies home.

Another laser device simply focuses on a window pane of a room in which people are talking. Their conversation causes minute vibrations of the pane. The pane acts as a mirror, bouncing back the laser beam with an "image" of the vibrations. These are "translated" into voices by a laser receiving set.

Still another eavesdropper floods a room with microwaves and then "reads" the changes in the microwave configuration caused by voices in the room. The Russians used a

similar technique successfully against our embassy in Moscow for years.

Lasers have also been developed to heat up a spot on an enemy tank or ship. Then, heat-homing missiles are fired which dart accurately to the heated spot.

Ingenious U.S. infrared experts have fashioned giant searchlights which illuminate whole areas for those with special viewers. The "spotlights" can be mounted on helicopters to reveal troops in pitch darkness. Or they can be set atop buildings to expose the movements of rioters in the dark.

The infrared devices, however, also "illuminate" the dangers of this new family of snoopers. Tests on infrared cameras showed that a 1/1000th flash at 20 feet burned rabbits' retinas.

A former consultant to the Defense Department, Dr. Milton Zaret has confirmed that the lasers not only bounce off the glass, but penetrate the rooms. The lasers, microwaves and infrared beams can cause cataracts and other long-range injuries to people they strike.

Thus, electronic smog created by the surveillance equipment may be ruining the eyes of spies, Communist diplomats and innocent citizens who just happen to be in or near the rooms when the hazardous rays are unleashed.

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**JACK'S
PROBLEM**

President Nixon has ordered an all-out investigation of columnist Jack Anderson. He has warned the bureaucracy that he expects results or "heads will roll!"

Anderson's recent series of exposes have been highly embarrassing to the Administration, and Mr. Nixon has no intention of letting Anderson continue embarrassing him during the campaign. He not only wants to discredit him but he wants to prosecute him for the theft of classified Government documents.

As pointed out in the last WO, Anderson published the highly secret minutes of the meetings of the National Security Council's Washington Special Action Group headed by Dr. Henry A. Kissinger. The FBI was ordered to find the leak. Unfortunately, the once highly efficient FBI, which is now run by two senior functionaries, Alex Rosen and Mark Felt, has deteriorated. The Bureau can't even find who filched hundreds of classified documents from its own files, nor has it been able to find the persons or person who bombed the U.S. Capitol a year ago.

The FBI is now largely preoccupied with hiring criminals as stool pigeons and agents provocateurs to frame patriots like Congressman John Dowdy (D-Tex), Robert Miles and Robert De Pugh.

Disgusted with the lack of effective action, President Nixon directed a full-scale investigation by task forces composed of agents from several investigative agencies. While persons interviewed are admonished by the agents not to tell they were interviewed, columnist Anderson seems to be well aware of the intensive inquiry. He writes: "The White House, in its effort to discredit us and whitewash the International Telephone & Telegraph scandal, is conducting a massive undercover campaign.

"The manpower has been drawn from the White House, Justice Department, Republican National Committee and the Committee for the Re-election of the President. Even the Justice Department's Internal Security Division, which is supposed to investigate spies and saboteurs, has been put on our trail. Dozens of government gumshoes, Presidential aides and political flunkies have been assigned to investigate us, and to plant stories in the press against us.

"ITT has also retained the world's most famous and formidable private investigating firm, Intertel, to assist with the investigation. This is the same outfit that broke Swiss bank secrecy and exposed Clifford Irving's phony autobiography of billionaire

House. Presidential aides, in turn, have fed the material to Republican Senators for use against us."

Here is something that Mr. Anderson may not know: about a dozen more private detective agencies have also been hired. One of these agencies employed arranged the entrapment of Anderson when he was caught red-handed bugging the hotel suite of Bernard Goldfine. WO has a written statement by one of the investigators who participated in the Goldfine investigation. This ploy almost cost Anderson his career as a snooper. These teams of clever investigators are quite capable of entrapping Anderson again. Moreover, the most highly sophisticated electronic surveillance equipment, including x-ray video tape that can penetrate walls, is being utilized. This phenomenal equipment was developed by the CIA, and is operated by a CIA technician in the Anderson investigation.

Anderson is not even aware that this kind of equipment exists.

STATINTL



Clarke Ash

Military snooping old stuff to veteran congressmen

During a visit to Washington a couple of years ago I overheard a congressman engaging in some light political gossip on his office telephone. I kiddingly warned him to be careful, that his phone might be bugged.

"I know you're kidding," the congressman replied. "but my phone really is bugged. I warn my staff never to discuss anything over the telephone

that they wouldn't want their worst enemies to know about."

"But if you know your phones are bugged, why don't you do something about it?" I asked.

"What do you suggest?" he shrugged.

"Who is it," I prodded further. "The FBI? CIA? Who?"

"Possibly those agencies," he said matter-of-factly. "But more likely the military. They like to keep tabs on what the members of congress are up to, who we talk to, how we feel about things."

This was not a radical or extremist of any kind, but one who supported the administration on Vietnam and who assumed a calm, middle position on other ideological issues.

I was appalled, because if he said his phones were bugged, there was a great likelihood that they were. He was a veteran congressman, wise to the ways of the Capitol. But more than that, I was appalled at his calm acceptance of an outrageous situation. Even if he was wrong, his attitude was alarming.

If the military is bugging congressmen just to keep tabs on them, what kind of a democracy is this, anyway? And if congressmen know it, or think they know it, and if they do nothing about it, then Orwell's prognostications are more accurate than we think.

It was with no great surprise that I read in yesterday's New York Times that Sen. Sam J. Ervin had informed the U.S. Supreme Court that Army intelligence agents have had under surveillance a number of senators, including two or three potential presidential candidates, a half dozen U.S. representatives and governors, and one member of the U.S. Supreme Court.

Ervin came across the information in classified documents examined and later declassified by his subcommittee on constitutional rights. Supposedly, the military conducted the surveillance to keep track of potential insti-

gators of civil disturbances, but Ervin said the operation was "indiscriminate" and of "no conceivable usefulness."

Ervin filed the information with the court in connection with a suit brought by a member of a peace group who wants the court to make the Army stop snooping on him.

That's a worthy cause. But if what our congressman friend alleges is true, then Sen. Ervin ought to be worrying about his own civil rights as well.

Congress is, or ought to be, the master of the military. It establishes the size of the armed forces, it controls their budget, and the Constitution gives it the power to declare war, although that power has been usurped by the last three Presidents.

But if Congress gets its back up, it can make things difficult even for the mighty Pentagon. The problem is that Congress, like the rest of us, seems to have lost its capacity for outrage. Having apparently decided long ago that it can do nothing to keep the military from tapping congressional telephones, it cannot be expected to get excited over the fact that some of its members have been followed around by Army agents.

That's a dangerous situation, first because of the arrogance and power of the military, and the fact that Congress can't defend its own house against military agents, and second because Congress is supposed to represent the public. If Congress has surrendered to Big Brother, what chances have the rest of us?

PARADE'S SPECIAL

INTELLIGENCE REPORT

BECAUSE OF VOLUME OF MAIL RECEIVED, PARADE REGRETS IT CANNOT ANSWER QUERIES ABOUT THIS COLUMN

EDITED by LLOYD SHEARER

NEW SOVIET-EGYPTIAN BASE Engineers from the Soviet Union are secretly and industriously building a vital air base near the Aswan Dam in Egypt. They expect to complete it by July of this year.

Soviet planes and personnel will be based at Aswan primarily to protect the Russian-built dam. In the event of a new Israeli-Egyptian war, Aswan can become a prime target for Israeli bombs.

A successful breaching of the Aswan Dam would result in the drowning of some 200,000 Egyptians and the destruction of the Soviet Union's most prestigious contribution to Egypt's development.

The Soviets have already erected batteries of SAM ground-to-air missiles to protect the dam, but such missiles, it is believed in Moscow, had to be augmented by MIG jets, capable of taking off from a nearby base to interdict enemy aircraft.

NEW BUG HEARS ALL

The FBI and the CIA are now using a new secret bugging device which bugs and tapes telephone conversations from remote locations.

No agent has to enter the premises of a person under surveillance to install the equipment.

The device can be attached to a telephone pole, telephone line or to a cable vault. It sets up a radio frequency wave which triggers a switch in the telephone to be bugged. Even with the telephone on its hook, the sound waves in the room are picked up and the conversation transmitted to waiting tape recorders.

The device was recently described by Clyde Wallace, an electronics manufacturer at a symposium in Washington, D.C., of the Association of Federal Investigators.

VIETNAM SCENE

For years the American military command in Vietnam has pressured President Nguyen Van Thieu to clean out the rotten, corrupt, and incompetent men in his army and his government.

At long last Thieu is responding to the pressure. The incident which finally spurred him to some corrective action occurred last month when Gen. Nguyen Van Toan, commander of the 2nd Infantry Division at Chu Lai, was accused of assaulting a 15-year-old girl in his headquarters compound.

Thieu not only fired Gen. Toan but also his own cousin, Hoang Duch Ninh, chief of the Bac Lieu Province in the Mekong Delta. He also transferred or fired 11 of Vietnam's 44 province chiefs in an attempt to consolidate his political position.

As the American presence in Vietnam diminishes, the Tu Do Street tailors in Saigon are switching from making battle insignia to peace badges. Most popular is the inverted-Y peace symbol, "Power to the People" badges with an illustration of a clenched black fist, a head of Jesus Christ embroidered in white and blue or yellow and red, and badges which carry the legend, "Give Peace a Chance."

STATINTL

Wiretaps & National Security

Alan M. Dershowitz

DURING its current term, the Supreme Court will be hearing argument on whether warrantless "national-security" wiretaps are constitutional. The phrase "national security" conjures up the image of spies, sabotage, and invasion, but a considerable number of such taps are conducted against domestic organizations or individuals who are suspected of activities deemed contrary to the national interest. It was recently learned, for example, that such persons as Martin Luther King and Elijah Muhammad and such organizations as the Jewish Defense League and the Black Panther party have been the subject of extended national-security taps. These taps are authorized exclusively by the prosecutorial arm of the government—by the attorney general—without the need for a judicial warrant based on probable cause. How many national-security taps and "bugs"* are currently in operation, and against what sorts of persons, is a well-guarded secret, but bits of information that are slowly emerging raise some disturbing questions.

The case presenting the issue of the constitutionality of warrantless national-security taps involves "Pun" Plamondon, an alleged "White Panther" standing trial for conspiracy to blow up a CIA office in Ann Arbor, Michigan. Plamondon's lawyer, William Kunstler, filed a pre-trial motion asking the government to disclose whether any of the defendant's conversations had been monitored. Motions of this kind are made rather routinely these days in so-called political cases, and—not infrequently—they strike paydirt, as Kunstler's motion did. It elicited an affidavit from the attorney general himself, acknowledging that "Plamondon has participated in conversations which were overheard by government agents," and that no warrant had been obtained. But Mitchell vigorously asserted that the tap—which was on some unnamed person's phone, not on Plamondon's—was legal, since it was "employed to gather intelligence information deemed necessary to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of the government."

ALAN M. DERSHOWITZ, professor of law at Harvard, is currently at the Center for Advanced Study in the Behavioral Sciences at Stanford.

The lower court disagreed. It described the "sweep of the assertion of the Presidential power" to tap without a warrant as "both eloquent and breathtaking," but it declined to "suspend an important principle of the Constitution." It held that "in dealing with the threat of domestic subversion," the warrant requirement of the Fourth Amendment could not be dispensed with. (The lower court did not decide whether a warrantless tap could be authorized to protect the country from "attack, espionage or sabotage by foes or agents of a foreign power," since the government had conceded that the Plamondon tap was not installed for any such "foreign intelligence" purpose.)† The court ordered the government to disclose to Plamondon the transcripts of each of

* A "bug" is a monitoring device concealed anywhere and capable of picking up conversations as well as other sounds; a wiretap picks up only phone conversations. Some confusion has resulted from the fact that "bugs" are sometimes installed in the mechanism of a telephone. The government is fond of citing statistics purporting to demonstrate that the number of "national-security surveillances"—a phrase that includes both bugs and taps—has "significantly declined" over the past few years. These statistics are fallacious for two obvious reasons: 1) they include figures only on the number of warrantless taps, not bugs; and 2) they show a decline around the time the Supreme Court implicitly authorized the use of taps with a warrant. (Prior to that decision, all taps involving national security were warrantless, and were therefore included in the government statistics; now warrants are secured for some of these taps, and only the warrantless ones are listed by the government.)

† The American Bar Association Project on Minimum Standards for Criminal Justice "considered and rejected [a proposal] which would have recognized a . . . power in the President not subject to prior judicial review to deal with purely domestic subversive groups." Instead, it recognized a power limited to "foreign intelligence activities." Thus, it is precisely the power rejected by the ABA committee—certainly no radical organization—that the government is asserting in the Plamondon case. In its brief before the Supreme Court, the government argues that no real distinction can be drawn between foreign and domestic subversion (though in prior cases it had argued in favor of such a distinction). Moreover, if no distinction can be drawn between foreign and domestic subversion, it would seem to follow that warrants should be required in both cases. Finally, a real distinction can be drawn between foreign-intelligence gathering and domestic subversion.

continued

How Times Change (Or did the CIA shadow Dr. Kissinger, too?)

STATINTL

By William Worthy

William Worthy, correspondent of The Baltimore Afro-American, was the first US newsmen (1956-57) to defy the US travel ban on China. The resulting legal hassle over his passport, which was not renewed for 11 years, is recounted in "The Ballad of William Worthy" by folksinger Phil Ochs.

A year or two after returning from China, while I was lecturing for a day at Texas Southern University, a Negro faculty member came up at the end of a seminar and identified himself to me as an economics professor.

In a voice audible to everyone, and with a broad "I know all about you" grin on his face, he said:

"You know, Mr. Worthy, when you were in China, I was working on the CIA's China desk in Washington. Every morning, we used to receive a top-secret report of your movements in China the day before."

Presumably, CIA operatives still function inside China—possibly in the two-payrolls role that Khrushchev once joked about with CIA Director Allan Dulles.

"Oh, I know you," Khrushchev kidded when they were introduced at a Washington reception.

"We read the same reports from the same agents. Why don't we get together and pay those fellows just one combined salary?"

So I can't help but wonder if the more proficient of them got wind of Dr. Kissinger's presence in Peking

and filed hourly reports to the top-level computers in Washington. The speculation isn't entirely far-fetched. After all, however politically primitive, US spies are efficient in fact-finding, and Lyndon Johnson did suspect that the CIA tapped his White House phones.

The day after Mr. Nixon announced his Peking travel plans, NBC News contacted Chinese authorities about the possibility of satellite television coverage. How different this journalistic initiative from the time when I was there. In the 1950s, the mass media consistently played footsie with the Washington myth-makers about the non-existence or the "imminent collapse" of the People's Republic of China. (Ditto revolutionary Cuba not long afterwards.) The gospel according to Secretary Dulles was that any journalistic visits would "lend respectability" to what he decreed to be a tottering, outlawed regime.

Under this stern edict, CBS News, which in its 1955 "Report to Stockholders" had cited me for having made the first broadcast from Moscow in eight cold-war years, adamantly refused to let me take along to China any of their cameras or tape recorders. This was to protect the network from any official charge of "collusion" in my going. But the understanding was that, if I could borrow someone else's equipment and ship back film and tapes, they would be used on the air. They were, despite

Dulles.

Twice from Peking and once from Shanghai I was also able to broadcast for CBS. The first voicecast was, of course, a journalistic scoop, and the cablegram from the New York news desk several hours later expressed professional delight. The signal to Oakland had been clear, the content satisfactory. But there was one problem. Not being attuned to the State Department "non-recognition" nonsense, I had used "Peking" in the broadcast, instead of the old Kuomintang name for China's capital.

Thus the punch-line suggestion. In future voicecasts the news desk would prefer "Peiping—pronounced B-A-Y-P-I-N-G".

If acted upon, the suggestion would have been totally self-defeating, and I hadn't the slightest intention of heeding it. Justifiably, the Chinese would have been offended, and studios for future broadcasts would not have been made available. Knowing that David Chipp, the Reuters correspondent in Peking, would be both amused by and scornful of this typical American childishness, I let him read the cable.

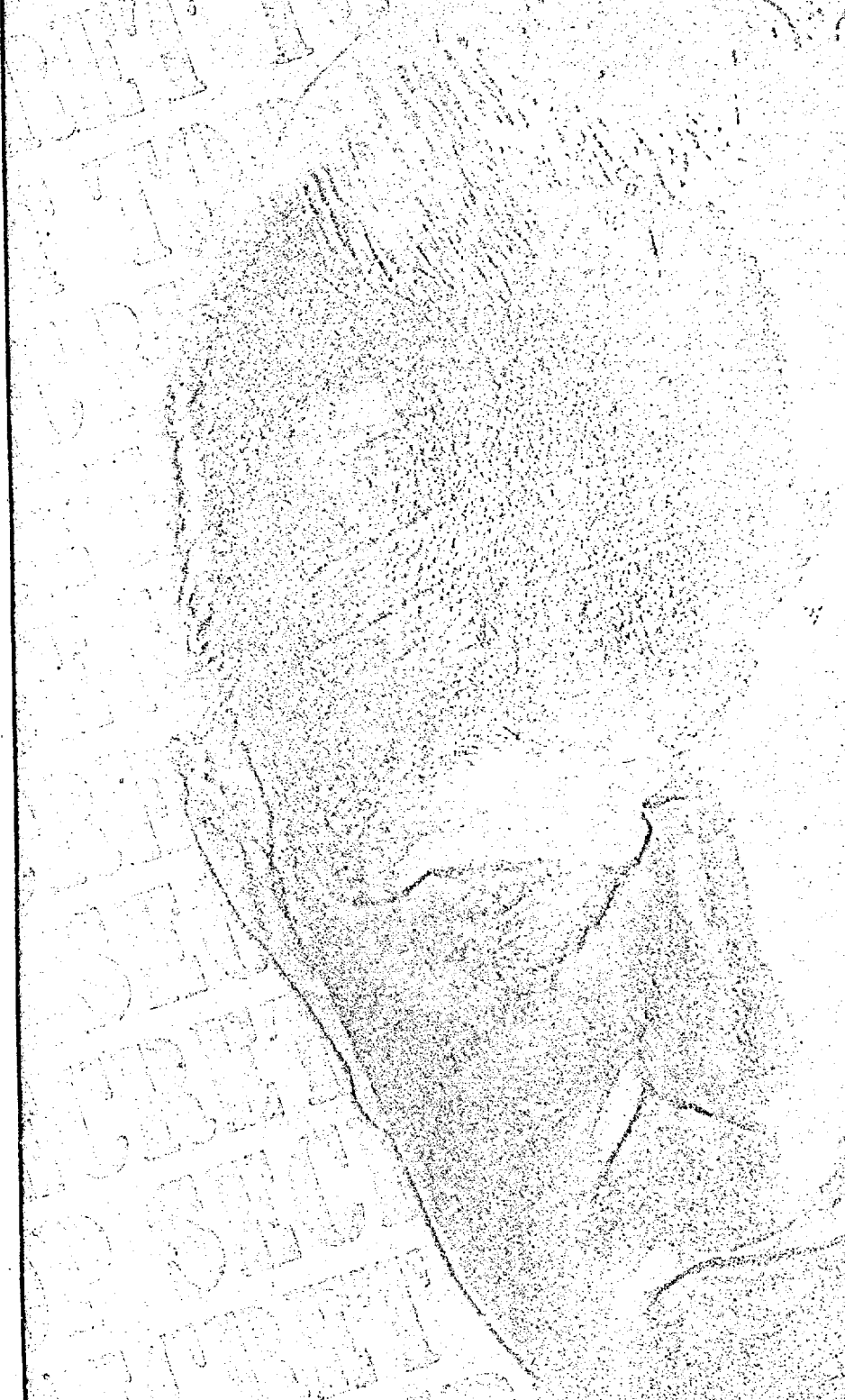
"I'll tell you what you should do, Bill," he said. "On your next broadcast, when you reach the return cue, just say: 'This is Bill Worthy in Peiping. Now back to CBS News in New Amsterdam.'"

To be fair, the bad case of media jitters was not wholly self-induced. From Foggy Bottom, Mr. Dulles was behaving like the nation's foreign as-

continued

November 22 1971 / 50 cents

Newsweek



William Anderson

One Can't Trust Spies Anymore



WASHINGTON, Nov. 6—Some of my best friends are spies.

I was talking to one the other day who was complaining that most Americans seem to think that we don't need any undercover agents, altho it is all right for the other side [sides] to have plenty of them.

There is a little bit of truth in what the spy says. Everybody knows that we have the Central Intelligence Agency because it gets blamed for everything that goes wrong in the spy business.

The spy-in-the-sky case in which Gary Powers got shot down in his high-flying U-2 airplane is perhaps the best known case, but the CIA also took the rap for the ill-fated invasion of Cuba which was to unseat Fidel Castro.

But the CIA is not really all that big and its job gets compounded because many, if not most, of the other government bureaus which do business overseas like to take individual shots at spying. This includes the Federal Bureau of Investigation with agents planted everywhere—from among revolution-ary groups to Earth Day rallies.

At the last demonstration against the White House policies on Viet Nam, a rather small affair as demonstrations go, it was noticed by this reporter that an awful lot of the people mingling with the demonstrators didn't really look the part. Investigation disclosed they were from the Customs Office, Secret Service, Internal Revenue Service, United States Marshal's Office, or the Bureau of Narcotics, to name a few.

Not too many years ago, we learned of a diplomatic trip to Russia by an American [who shall not be named] who took along a group loaded with more gadgets to detect radiation than they could carry at one time. One of the gadgets was shaped like a slightly oversize fountain pen.

After we gave up the U-2 flights over Russia [but not China] the military developed cameras for space satellites that today are launched in secrecy from Vandenberg Air Force Base, Cal., to circle far above foreign nations. The detail from these pictures is amazing—and helpful.

But this sort of thing is never talked about in more conventional places of American government, especially not at the State Department. There is a certain disdain shown toward spies and spying at state, a trait shared by diplomats of many Western nations.

So it was with interest that I listened when another spy told me how William Rogers, secretary of state, had played a key role in helping Egypt purge its nation of Communist spies.

The story the spy told us was that Rogers had been equipped with a wrist watch that could detect electronic eavesdropping equipment. This makes sense because there are any number of minute electronic devices that could be detected by a watch of this kind.

It is also on public record that East Europeans had indeed been expelled from Egypt for planting listening devices in a variety of official meeting places.

In any event, Rogers' watch was supposed to have sounded a signal during a private meeting with President Anwar Sadat that they were under electronic surveillance. Sadat, of course, heard the buzzing. I asked Rogers the other night if the story was true.

The secretary grinned and said he had heard the same story.

"But," he insisted, "it just isn't true." It's getting so you can't even trust spies any more.

STATINTL

5 NOV 1971

Approved For Release 2001/03/04 : CIA-RDP80-016

Pentagon Monitoring Newsmen

By George C. Wilson
Washington Post Staff Writer

The former practice of monitoring conversations with newsmen has been re-instituted in the Pentagon's International Security Affairs office directed by Assistant Secretary G. Warren Nutter.

The ISA operation—sometimes called the Defense Department's little State Department—has rules forbidding officials there from accepting telephone calls from newsmen without prior clearance from Pentagon public information officials, according to officials who work under Nutter.

Also, face-to-face interviews between ISA officials and newsmen must be attended and monitored by information officials. This was the practice under former Defense Secretary Robert S. McNamara throughout the Defense Department, unless the person interviewed chose instead to take the time to submit a written report of the conversation afterward to the information office.

Although those department-wide written rules have been discarded by Defense Secretary Melvin R. Laird, an assistant secretary like Nutter can still invoke them for his own agency.

Jerry W. Friedheim, deputy assistant secretary for public affairs, conceded that this is the case at ISA when newsmen complained on Wednesday about the widespread monitoring at the Pentagon.

Several reporters in a written query asked the ISA for a copy of its monitoring rules. The response ISA issued reads, "Mr. Nutter's internal instructions to his office are an internal matter."

ISA manages many of the military aid programs contained in the foreign aid bill and related legislation.

At a news conference at the Pentagon yesterday, Deputy Defense Secretary David Packard decried the defeat of the foreign aid bill in the Senate and said "we've failed to get the story over" about the importance of military aid.

Asked if more liberal information policies at ISA might contribute to broader understanding about military aid, Packard said he was not ready to say "what we do in the future" about getting the story across.

STATINTL

Capitol Punishment

Spies Spend \$\$

By Art Buchwald

NEW YORK—There was a very angry reaction last week by some Americans to the United Nations vote on China. Sen. Barry Goldwater suggested we kick the United Nations out of New York. Sen. James Buckley called for the United States to refuse to fund it.

In purely economic terms we believe that those calling for the end of the United Nations are making a mistake. The United Nations brings in far more money to New York than it takes out.

For example, the budget for spying among the U.N. members is estimated to be over \$1 billion.

We have the word of J. Edgar Hoover himself that the United Nations has more spies in it than any international organization. And the most important thing about this fact is that *spies spend money*.

A recent survey revealed that U.N. spies were the biggest spenders of any group in New York City. They ate at the best restaurants, stayed at the best hotels, hired the most attractive women, and were the biggest tippers.

An American economist told me that if it weren't for the money that foreign spies spend in the United States, our balance of payments deficit would be twice what it is today.

A top restaurateur said, "We've been in a terrible slump in the past few years since legitimate businessmen have been ordered to cut out lavish spending at lunch or dinner. If it wasn't for the spies attached to U.N. delegations, we would have to close our doors."

"I don't think they counted that much," I said.

"It isn't just the spies that bring in the business," he said, "It's what they bring in with them, too. Every time a Russian spy reserves a table for dinner, we also get a reservation for a table from the FBI, and one from the CIA, and one from the KGB—the Soviet secret service."

"Why would the KGB reserve an extra table if one of their own spies were having dinner there?"

"They don't trust each other."

A hotel manager confirmed that U.N. spies were keeping his place going. "When a Cuban U.N. delegate takes a hotel room, the Secret Service takes the room next to him," he said. "Navy intelligence takes the room on top of him, the State Department security people take the room below him, and we rent out the entire basement for equipment to bug his room."

"We couldn't afford to take care of New York policemen for free if it wasn't for money that U.N. spies bring in."

Another hotel manager said he had rented out an entire floor to Arab U.N. delegates directly over Israeli Foreign Minister Abba Eban's suite, when Eban last came to town.

He said, "The nice thing about spies at the United Nations is that they don't cause any trouble. They are very quiet. All they're interested in doing is getting information and they usually talk in a whisper."

There is great excitement over the Red Chinese coming here to the United Nations. "They will have to assume every Chinese U.N. delegate is a spy," a Chinese restaurant owner said, "and I understand the FBI has already doubled its entertainment budget for its New York City office."

"But," I said, "suppose the Red Chinese delegates turn out not to be big spenders."

"Who cares," he replied. "Every person in New York of Chinese descent will be suspect, and what we don't make on Red Chinese U.N. spies, we'll recoup on the FBI following Chinese people who were born in Brooklyn."

STATINTL

Science fiction--or tomorrow's U.S.?

By Robert Barkan
Pacific News Service

Washington

"1984" may arrive ahead of schedule. While Army intelligence agents have been quietly amassing extensive files on dissidents, scientists have even more quietly been developing the technology that will enable a computer to control "criminal" actions and emotions.

"1984" is still fiction, but no longer science fiction. The technology of the police state is ready. All that remains is for the government to implement it.

The first covert step in that direction may have already been taken. In the January issue of *Transactions on Aerospace and Electronic Systems*, engineer Joseph Meyer proposed attaching miniature electronic tracking devices to 20 million Americans. These "transponders" would be linked by radio to a computer which would monitor the wearers' locations and implement curfew and territorial restrictions.

Pentagon silent

Meyer, a computer specialist, has spent his last 17 years working for the Defense Department. Yet the Pentagon has made no public statement concerning his proposal. Interestingly, Meyer neglected in his article to name the particular Defense Department agency he works for and he gave his home rather than his business address, an uncommon practice in technical journals. Reached by phone in their suburban home, Meyer's wife nervously refused to divulge Meyer's telephone number at work, insisting that he could be reached only at home, early in the morning. The next day, Meyer laconically refused to name which agency of the Defense Department he works for, but a check with the switchboard operator at the National Security Agency (NSA) found an extension for him there.

Meyer's reticence in naming the National Security Agency is understandable. The NSA is the most secretive of the dozen or so agencies that make up the U.S. intelligence community. Established in 1952 by a still-classified presidential directive, the agency has remained shrouded in secrecy. The NSA has more personnel and larger facilities than the Central Intelligence Agency and twice its budget, yet while volumes have been written about the operations of the CIA, very little has been discovered or disclosed about the NSA.

A condition for bail

The transponders proposed by Meyer would be attached to the "subscribers" as a condition of bail or parole. Each subscriber would be identified by a code transmitted several times a minute to a computer via a network of transceivers deployed around town like police call-boxes. The computer would record the "subscriber's" location and compare it with his "normal schedule," checking for any "territorial or curfew restrictions." If the subscriber was out of line, the computer would instruct the transponder to "warn" the subscriber of his violation.

The transponder's would be "attached" to "subscribers" in such a way that they couldn't be removed without the computer knowing it. Tampering with or discarding transponders would be a felony and a subscriber who did so would be forced into hiding "everywhere he goes," sought by the FBI. Meyer wants the transponders assigned "on a fairly long-term basis," so that the "subscriber" "will acquire long experience in not committing crimes."

The scheme's purpose, says Meyer, is to "constrain criminals and arrestees into behaving like law-abiding citizens," but in practice the computer—and its human programmer—would control the everyday activities of the people plugged into it. "Subscribers" would be identified by a code transmitted several times a minute to a computer via a network of transceivers will "stay close to home, to avoid being implicated in crimes." At work a "human surveillance system" will keep them under control.

Estimating that the number of transceivers needed for surveillance in a large city would be about the same as the number of policemen, Meyer has all the details worked out. In New York City's black community of Harlem, for example, the transceivers would be strung at one block intervals "along 110th Street, 114th, 118th, etc., from 8th Avenue to the river." North-south strings of transceivers would be installed "on 8th Avenue and several main streets to the east." Only about 250 transceivers would be "capable of monitoring the whole region on a street-by-street basis."

Like every good engineer, Meyer covers all the "system parameters" in his proposal—including its social implications. If laws, police, prosecutors, courts, prisons, news media and the "society at large" were per-

fect, he says, then his scheme could be approved on the basis of its "efficiency." But he admits that criminal acts are frequently a response to "the social and economic system." Most people arrested are poor, members of minority groups, or "products of deplorable circumstances."

Cost a problem

The Pentagon engineer nonetheless comes out predictably on the side of law and order. The basic problem in preventing the poor and the black from committing the "criminal acts" with which they respond to the system and their deplorable circumstances is to "persuade or condition" them to "play by the rather arbitrary rules of the social system." This can be done, says Meyer, "by providing costs for misbehavior and payoffs for compliance." But the costs are much clearer than the payoffs—"attaching transponders to arrestees and criminals will put them into an electronic surveillance system that will make it very difficult for them to commit crimes, or even to violate territorial or curfew restrictions, without immediate apprehension." Joseph Meyer recognizes that his transponder surveillance system could lead to a "police state," but "the same could be said about police, jails, courts, laws, taxes and so on."

Transponders, he thinks, will help the government protect itself from the people. For example, they might be used as "punitive devices" against political "criminals," that is, "for arrests following riots or confrontations." If the system is successful, Meyer proposes that plans be made for "monitoring aliens and political subgroups." Later, when the U.S. again meddles in the internal affairs of another country, transponders might be used for "defense purposes, to monitor guerrilla or dissident activities in foreign areas."

Rent a transponder

Meanwhile Meyer worries that his system will not work. "To evade the street-surveillance system," he fears, "tunnels could be dug under the streets or movement through the sewer system could be tried." Worse yet, there might be "massive destruction" of transponders in "mutinies and large-scale confrontations."

"An outright revolt by 25 million arrestees and criminals," Meyer warns, "would be troublesome."

The File on J. Edgar Hoover

UNDER J. Edgar Hoover's dictatorial, 47-year rule, the Federal Bureau of Investigation has in the past been widely regarded as one of the finest law-enforcement agencies in the world. Yet now the 76-year-old director's fiefdom shows evidence of crumbling, largely because of his own mistakes. The FBI's spirit is sapped, its morale low, its initiative stifled. For the first time, there are doubts within the bureau and within the Administration about the FBI's ability to serve as an effective agency against subversion. An experienced former CIA agent, until recently an open admirer of the director, remarks unhappily: "Hoover, because of his personal pride, has seriously affected the efficient operation of American intelligence. And personal pride in a matter of national security

professor named Thomas Riha. The FBI had refused to give the president of the university any assurance that the disappearance did not involve foul play, but an FBI agent, acting on his own, told a CIA employee that it did not. The CIA man passed on the message—no foul play—to the president, who then let it slip to the press. Hoover was furious. Because of that fairly obscure incident, he has limited most FBI contacts with the CIA since then to written and telephone messages and occasional direct meetings that he specifically approves.

Sharing the Glory. Given the complexity of most espionage cases, coordination between the two agencies is often crucial. Men from the FBI and CIA continued, on rare occasions, to circumvent Hoover's directive by

out of our way to cooperate. That would mean sharing the so-called glory. It's an infantile view of things."

In recent months, Hoover has displayed a certain vindictiveness in more minor matters. Angered by a TWA pilot's criticism of an FBI attempt to prevent a skyjacking, Hoover first tried to have the pilot fired, then ordered his agents not to fly on TWA any more. Hoover also concluded that the Xerox Corp. was not cooperating sufficiently in an investigation of the theft of documents from an FBI office in Media, Pa. The FBI learned that copies of the documents distributed to newspapers were made on Xerox machines, and Xerox executives, in Hoover's judgment, did not disclose enough about customers, who used the Xerox machines. He proposed replacing all of the FBI Xerox machines with IBM equipment, and was dissuaded only when told it would cost millions.

Ironic Tangle. Seven months before Hoover passed the mandatory retirement age of 70 in 1965, Lyndon Johnson extended his tenure indefinitely. Nixon has been as reluctant as past Presidents to face the political outcry that might follow the repudiation of a legend. A tangle of political ironies surrounds the director's present relations with the Nixon Administration. The President and Attorney General John Mitchell have been hoping for months to ease Hoover out with great ceremony and public thanks for his long, remarkable career.

The Administration has grown increasingly disenchanted with Hoover's performance, believing that the FBI was doing too little in intelligence against Soviet agents and against domestic radicals. Yet last spring, when Democrats in Congress led an attack against the FBI for the opposite reason—what they saw as an overzealous expansion of intelligence investigations—the Administration was forced to defend Hoover and postpone his retirement. There are those who believe that Hoover deliberately embroils himself in political controversies precisely because they serve to prolong his tenure. At least one highly ranked Justice Department official has urged reporters not to write stories critical of Hoover, so that the FBI director can be decorously removed.

Bag Jobs. Hoover's feud with William C. Sullivan, the former No. 3 man at the bureau, is a measure of the Administration's dilemma. At 59, Sullivan is a 30-year veteran of the bureau with an impressive reputation among intelligence officers here and abroad.

Although long a favorite of Hoover's, Sullivan quarreled with his boss a decade ago over his non-Hooverian contention that the Ku Klux Klan represented a greater threat than the U.S. Communist Party. Since 1967, they have been at odds about espionage restrictions, ordered by Hoover,



has no place. If a guy does that, he is a real liability."

For months a feud between Hoover and one of his most senior assistants has shaken the higher levels of the bureau. In the midst of a bureaucratic war of memos, some FBI men have resigned to escape the crossfire. Said one Justice Department official who has followed the battle: "Hoover is flailing out in all directions. Everybody in the FBI is looking for cover." Even more significant is the pattern of damaging isolation in which Hoover has placed the bureau. A year and a half ago, he ordered the FBI to break off direct daily liaison with the Central Intelligence Agency, raising apprehension in the intelligence community about effective counterespionage in the U.S.

Hoover gave those orders in irritation over a minor piece of information that was relayed by an FBI agent in Denver to a CIA employee in 1969. The case involved the disappearance of a Czech-born University of Colorado pro-

meeting privately, without his knowledge. CIA men complained that Hoover's action effectively cut off the international from the national intelligence effort. One former CIA agent argues that Hoover, finding himself under heavy attack, believes that he is safer making fewer moves and allowing fewer initiatives so that there is less possibility of a damaging mistake.

Last July, Hoover increased his bureau's isolation by abolishing the seven-man FBI section that maintained contact with other U.S. intelligence units—including the Defense Intelligence Agency and the individual armed services' intelligence networks. Some observers speculated that Hoover took the action to prove that he was not discriminating against the CIA, that all major contacts could be handled by telephone and mail. In fact, Hoover has never been eager to exchange information with other intelligence agencies and police departments. Says a former FBI official: "We've never gone

Underwriting Invasions of Privacy

Kennedy Justice by Victor Navasky

(Athencum: \$10)

The Army keeps files on civilian public officials. Small town police chiefs keep files on ecology advocates. In 1970, under court approved surveillance, federal and state authorities, using wiretaps and hidden microphones, listened in on almost 400,000 conversations as 30,000 individuals tried to talk privately over home and pay phones, on the street, in their cars and even in semi-deserted parking lots. How did it all come about?

This is no anti-Kennedy diatribe. Far from it. It is an intricate and thorough study of Robert Kennedy's tenure as Attorney General, a scholarly work. Navasky gives Kennedy high marks for bringing intelligent and humane law to the Justice Department, for using the best and most imaginative ideas available to him, for inspiring those who surrounded him, for committing himself to social reform and equal justice. By and large, Navasky says, Robert Kennedy was a "compassionate man... an honest man... a humanitarian." Yet two flaws marred his tenure as Attorney General. He was unwilling to bring J. Edgar Hoover and the FBI to heel, something he might have been able to do, for as the President's brother he was the "maximum" Attorney General. And, he had a careless attitude toward surreptitious surveillance.

When Robert Kennedy came to the department, the FBI paid scant attention to organized crime, and it was hardly conscious of the emerging black battle for civil rights. Kennedy, in a series of skirmishes, pressured the bureau into his battle against the syndicates, and he managed to a limited extent to involve the bureau in the federal government's assault on state-imposed civil rights barriers. And yet this man who had whiplashed veteran politicians to get his brother elected never seriously questioned Hoover's and the bureau's claim to be able to

go its own way, to decide its availability even in those areas Kennedy had introduced to them. As the FBI assumed new responsibilities, it got more money and more men and constituted nearly half of Kennedy's domain, commanding more than 40 per cent of the budget and manpower assigned to Justice. But, since "collision-avoidance was in the Administration's interests," Navasky writes, the net effect of Kennedy's scattered victories over the FBI, combined with his deference to Hoover, was that the Attorney General ceded half his power to the FBI and its director.

For the FBI, maintaining its autonomy even as it assumed new duties carried an additional, delicious connotation. Now it could use the telephone tap and the hidden microphone over a wider range. Despite the impression Robert Kennedy tried to give in his campaigns for the Senate and the presidency, Navasky says, the Attorney General never had any qualms about the use of wiretaps, looking upon them as a "law enforcement necessity rather than as a threat to individual liberties or an invasion of privacy."

Kennedy tried to obtain congressional authorization for the wider use of wiretaps, an extension that other attorney generals and Hoover had based on dubious interpretations of language in national security legislation. Yet each succeeding bill Kennedy submitted contained new and better safeguards against the potential abuse of wiretaps. It's a puzzle. Ten days before taking office, when he was briefed on the Justice Department's tapping procedures in the national security area, Kennedy never bothered to ask for a list of taps in progress, nor did he ever sit down with Hoover to discuss and establish explicit and rigid criteria for national-security wiretapping. He never approved, so he never knew who was being tapped and when.

STATINTL

the wiretaps were more often than not accompanied by hidden microphones -- the bugs used against organized crime in Las Vegas, against the Southern Christian Leadership Conference in Atlanta, against Dr. Martin Luther King in his hotel rooms. It was the hidden microphone that yielded the information on Dr. King's sexual activities and if it went a long way to embarrass Robert Kennedy later, it can only be said that the controversy was a logical outcome of his attitude toward the FBI and the use of wiretapping.

Even before the Kennedys arrived in Washington, J. Edgar Hoover had been carrying on a vendetta against the black leader, a vendetta that gained in shrillness as Dr. King's influence grew. Hoover insisted to Kennedy -- and to anyone else who would listen, including the CIA -- that King was nothing but a Communist dupe. Almost from the moment Robert Kennedy first set foot in the department, Hoover hounded him for permission to put King under wiretap surveillance, and in October 1963, Kennedy gave in. If there were the slightest chance that King was in any way tainted with Communists, the administration wanted to know about it before Southern congressmen could use the information in the upcoming battle over the Civil Rights bill. Since the Kennedys didn't believe that King was under Communist influence, they thought the tap might be useful in persuading Hoover he was wrong. But the more important justification was simply convenience. "In the last analysis," Navasky writes, "Robert Kennedy authorized the tap to avoid problems with the FBI."

Kennedy knew about the taps. Did he know about the bugs?

Navasky thinks not. But Kennedy, he says, made no real attempt to find out about them, an "uncharacteristic lack of curiosity on his part." Kennedy's experience on the McClellan committee, and his experience with Internal Revenue Service bugging procedures should have alerted him to possible abuse. But if it did not it was not because, as Kennedy-phobes might assume, he chose to wink at the procedure. His lack of concern about bugs, says Navasky, was "consistent with his casual approach" to electronic surveillance generally. "To the extent that Kennedy was ignorant of the FBI's bugging practices, it was an adminis-

Clean Embassy for Kosygin Visit

STATINTL

BY EUGENE GRIFFIN

Chief of Canada Bureau

(Chicago Tribune Press Service)

OTTAWA, Ont., Oct. 2—The Russian embassy was condemned as ugly when it was built but will be as attractive as money can make it when Soviet Premier Alexei Kosygin arrives here on Oct. 18 for a visit.

A contractor estimated that the Russians are spending \$20,000 or more on new furnishings, fresh paint and new grass to transform their forbidding looking diplomatic base into a thing of beauty.

Floors Polished

Floors are being sanded and polished, walls painted, trees pruned, shrubbery planted and new sod is replacing old behind the high iron fence that encloses the grounds. A brick wall also shuts in a greenhouse and garden where the Russians grow their own vegetables, including sweet corn.

Kosygin, the first Soviet premier to visit Canada, will tour the country for a week after a round of receptions in Ottawa as the guest of Prime Minister Pierre Trudeau.

Soviet Ambassador Boris P. Miroshnichenko, who lives in the embassy, has 31 officers on his diplomatic staff. The United States has 34 officers at its embassy of Renaissance style architecture on Wellington Street facing Parliament Hill.

The Russian Embassy was built in 1956 at a cost of \$340,000 after fire destroyed the former embassy, an old mansion in the Sandy Hill district which the Soviet Union had purchased in 1942 from the estate of an Ottawa lumber baron.

A city council building committee criticized plans for the new embassy, a squarish, three-storey structure, as "disappointing and dull." The Federal District Commission also attacked the design, especially the "dull arrangement of windows." The commission said

that the Russian building created a monotonous and unhappy effect in its neighborhood.

Both the old and new embassies have been publicized as spy centers, starting with the exposure of the first Russian spy ring in Canada in 1946 by Igor Gouzenko, a cipher clerk who defected from the embassy with a quantity of evidence.

On 1965, after Canada had expelled two Russian diplomats because of espionage activities, the Russian newspaper *Ozvestia* said that the new embassy had been bugged by the U. S. Central Intelligence Agency during its construction.

Tells U. S. Role

The paper said that an American adviser had guided Canadian intelligence operatives in placing American microphones in the walls of the embassy as it was built.

Various small anti-Communist demonstrations have taken place outside the fence of the embassy and abortive attempts have been made to bomb or burn it.

The burning of the old embassy, however, was considered accidental, originating during a New Year's Eve party.

Security is tight at the embassy. Iron gates are seldom open. When a Tribune reporter took pictures of the embassy from across the street, a man appeared in the embassy doorway to watch him. He was soon joined by a second man, who took the reporter's picture.

New Bug-Killer Developed to Foil Secret Telephonic Super-Snooper

By Ronald Kessler
Washington Post Staff Writer

A group of former military intelligence wiretap experts say they have developed a method of counteracting a still-classified bugging device that transforms any telephones into an open, transmitting microphone.

Even the name of the recently publicized bugging device is classified, they said, and declined to reveal it.

The experts, who say they have worked with the Central Intelligence Agency and Federal Bureau of Investigation on electronic surveillance, said the secret device was developed by government intelligence agencies more than 10 years ago, and they described as accurate a Washington Post story last Friday disclosing the existence of the device.

What is unique about the device, the story quoted Clyde Wallace, a manufacturer of bugging equipment, as saying, is that it bugs and taps from remote locations without the need to physically enter the premises and install any listening equipment.

Wiretapping is interception of telephone calls, while bugging is surreptitious eavesdropping on room conversations with the help of electronic aids.

The device, Wallace told a group of federal law enforcement and security investigators, can be placed anywhere on a telephone line, on a telephone pole, inside a cable vault, or in telephone company switching offices. Or it can be connected to leased lines that permit monitoring of conversations from secret rooms.

The device places a radio frequency wave on the line. The wave activates a switch in the telephone to be bugged, permitting sound waves from the room where the phone is installed to be transmitted down the telephone line from the telephone mouthpiece, even when the receiver is on the hook.

According to Wallace, two federal agencies are already using the device. Both the CIA and FBI declined to comment last week on whether they are the agencies.

The former military intelligence experts, who have formed a company to manufacture bugging and debugging equipment, said the countermeasure they have developed against the secret bug has been tested on it and is effective, although they said they do not currently have the bug in their offices.

The company, formed last June, is Dektor Counterintelligence and Security, Inc., in Springfield. Four of its officers have extensive backgrounds in installing and detecting bugs and taps in the military. One of the officers, Arnold E. Preston, was a senior instructor and researcher in telephone countermeasures at the Army Intelligence School at Ft. Holabird, until he joined the company last spring.

Allan D. Bell Jr., president of Dektor and holder of more than half its stock, retired in 1968 as a lieutenant colonel after 15 years in military intelligence and counterintelligence, including work on security matters in the office of the Secretary of Defense.

On his resume, Bell, 44, lists 12 military decorations and awards, 37 publications on intelligence and security, and 11 James Bond-like inventions given to military intelligence, including concealed lock-picking equipment and vehicle surveillance devices.

One invention Bell, through his company, is marketing is a device to detect lies by electronically measuring the voice of the subject as he tells a lie. The device would permit checks on truth or falsehood without the knowledge or permission of the subject.

Bell and his colleagues left military intelligence, they say, because of frustration with what they call the "overkill" of their bugging and debugging discoveries.

Bell wouldn't say how frequently the government may use the secret bugging device or whether even more sophisticated devices have been developed.

"My career through the years has been keeping my mouth shut," Bell, smiling, said.

Eavesdroppers do not necessarily use the most sophisticated devices available, Bell said. "When a person goes on a bugging job, his choice of devices is based on such factors as importance of clarity, amount of time the bug will be in use, need for undetectability, and the accessibility of the area," he said.

If a room can be entered to install a bug, it generally will be, Bell said, for the sake of clarity. One of the best places to do the bugging is in a telephone, because it is usually in a central location for the clearest pick up of conversation and comes equipped with its own power and wires leading outside.

By bugging a phone, the eavesdropper can intercept both telephone calls and room conversations. The most "interesting" conversations, Bell said, are those that occur within five minutes after the subject has finished a telephone call. During this time, Bell said, he may tell an associate or a secretary what he really thought of the person he was talking with.

There are about 12 ways to bug a phone, most of them requiring some alteration of the instrument itself. Some can only be detected by taking x-rays of the phone, Bell said.

Bell said any of the methods including the secret bugging device that does not require alteration of the phone can be foiled with Dektor's Telephone Security Device, a neat box that fits under the telephone.

What it does is quite simple. It disconnects the phone and stops all signals in it.

Many security agencies instruct employees in sensitive jobs to manually unplug their telephones from wall jacks when they are not in use, Bell said. A separate bell signals the user that he has a call, and he then connects the phone.

There is a problem with this clumsy method, Bell said: The bell itself can be used as a bug.

What happens, he explained, is that the wires coiled around the field of a permanent magnet in the bell vibrate when sound waves strike them, and these vibrations can be transmitted down the telephone wire to create an effective bug.

The Dektor device, which costs \$100 for a single line telephone and \$477 for a five-line model, eliminates this problem, Bell said, by supplying independent electrical current—rather than telephone system current—to the bell, cutting off any connection between the bell and the telephone line. The bell is activated by a light rather than an electrical switch, eliminating the possibility that the switch could be bypassed with radio waves, Bell added.

The device cuts off the remaining telephone connections both physically, with a switch, and electrically, by short-circuiting all 50 separate connections that are housed in a five-line telephone.

The security device does nothing to prevent eavesdropping while the telephone is being used, Bell said. There are only two ways to prevent interception of the call itself: foregoing telephone calls, and using expensive scramblers on both ends of the conversation, he said.

New Bug All Ears--Snoops Through Hung-Up Phone

By Ronald Kessler

Washington Post Staff Writer

A breakthrough in electronic listening devices permitting any home or office to be bugged and tapped without entering it was disclosed by a wiretap expert at a conference of federal law enforcement and security investigators here yesterday.

The device can be placed anywhere on a line leading to the phone to be tapped — on telephone poles, in underground cable vaults, or in telephone company switching offices miles away. It picks up both telephone calls and conversations in the room where the phone is installed, even when the receiver is on the hook.

This feature, said government bugging experts who were queried yesterday, would make it unique.

According to Clyde Wallace, a bugging equipment manufacturer who disclosed the development, the device is already being used by two federal investigative agencies.

Wallace described the device at a symposium of the Association of Federal Investigators at the Mayflower Hotel. Others on the three-day agenda were officials of the Justice Department, Federal Bureau of Investigation, Bureau of Narcotics and Dangerous Drugs, and Treasury Department.

Spokesmen for the FBI and Central Intelligence Agency declined yesterday to comment on whether their agencies were the ones alluded to by Wallace in his speech as using the device.

The FBI has primary responsibility for court-approved wiretapping, which is interception of telephone calls, and bugging, which is monitoring of room conversations through electronic devices. The CIA conducts extensive electronic surveillance outside the U.S. but is not supposed to operate domestically unless the matter is related directly to its foreign intelligence work.

After his speech, Wallace expressed surprise and some dismay that the device had been present while he talked.

He declined to answer any questions on the new device.

During the speech, however, Wallace described it as the first method for simultaneously tapping a phone and bugging the room where it is installed without tampering with the phone or even going near the premises.

To tap and bug a phone, he said, the device is placed anywhere on the telephone line running to it. It then emits a radio frequency, which trips a switch in the phone. This switch normally prevents conversations in the room from traveling over the telephone wire. When it is bypassed by the signal, the phone becomes an open microphone, transmitting both room conversations and telephone calls to the listener.

Normal phone calls can be made while the device is in operation, according to Wallace, who said he is developing his own version of the device.

Last year, a cut-off switch was found by an electronics expert to be bypassed on the civil defense telephone in the office, of Maryland Gov. Marvin Mandel, making the phone capable of transmitting conversations from Mandel's office. The telephone company attributed the situation to a wiring error.

Other devices, called infinity transmitters or "harmonica" bugs, can bug and tap phones simultaneously, but they all require physical entry to permit rewiring of the phone or installation of a bug.

Government bugging experts interviewed yesterday said no public mention had been made before of a device that would not require entry, and several expressed surprise at the development.

However, Bernard Fensterwald, former chief counsel of former Sen. Edward E. Long's Subcommittee on Administrative Practice and Procedure, which held extensive hearings on government surveillance, said he has had information

for some time from nonpublic disclosures during the committee's investigation that security agencies, such as the CIA, use such a device.

Wallace earlier this year was investigated by the FBI to determine if any devices sold by the Spy Shop, which he owns, violate federal wiretap laws, according to FBI sources.

Wallace said he operates strictly within the confines of the law. The outcome of the FBI investigation could not be learned yesterday.

Asked about the propriety of an FBI official appearing on the same agenda with the target of an FBI probe, an FBI spokesman said the FBI representative appeared on a different day than did Wallace. Other than that, he said, the bureau would not comment.

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**ELLSBERG'S PETITION
DENIED BY U.S. JUDGE**

Special to The New York Times

PORTLAND, Me., Aug. 10—The United States Court of Appeals for the First District today denied the petition of Dr. Daniel Ellsberg to compel a Boston Federal district judge to hold a hearing to determine whether illegal wiretapping had been used to obtain an indictment against him.

Judge Frank M. Coffin ruled in a 17-page opinion that Federal Court Judge Arthur Garrity Jr. of Boston "had no choice but to issue the removal order on presentation of the indictment and a copy of the arrest warrant."

Judge Garrity had signed a warrant last week ordering Dr. Ellsberg's removal to California by Aug. 16. Dr. Ellsberg, who was charged with illegal possession of Government documents, has said he gave the Pentagon papers to the press.

Dr. Ellsberg had sought to postpone his removal until a hearing had determined whether illegal wiretapping had been used. The Government has declined to say whether wiretaps were used, and has taken the position that its duty to disclose this does not arise until a later stage of prosecution.

Judge Coffin heard arguments last Friday in Portland, where he is spending his summer vacation.

JUL 23 1971

Charges of Illegal Wiretaps Detailed in Ellsberg Brief

BOSTON, July 23 (UPI) — Lawyers for Daniel Ellsberg filed a nine-page brief with a Federal magistrate today, detailing their contention that because of illegally obtained wiretap evidence Dr. Ellsberg should not stand trial for leaking the Pentagon papers.

An assistant to Magistrate Peter A. Princi said a ruling would be issued next week.

Dr. Ellsberg, a former Pentagon and State Department aide, would be ordered to California to stand trial on charges of unauthorized possession and distribution of the 47-volume study of the Vietnam war if the magistrate rules against him.

Last month a Federal grand jury in Los Angeles returned a two-count indictment against Dr. Ellsberg, who worked on the secret documents and has admitted leaking them to the press.

The magistrate's recommendation must be approved by a United States District Court judge in Boston before becoming official, but that is considered largely a formality.

The Government argued that the wiretap question should be raised at the trial, not at a removal hearing.

STATINTL

Ellsberg Recounts Tap On McNamara

Ex-Aide Says Military Secretly Recorded Secretary's 1964 Calls To Pacific Command

By PHILIP POTTER
Washington Bureau of The Sun

Washington, July 9—Daniel Ellsberg, the former Pentagon official charged with illegal possession of top-secret documents on the Vietnam War, said today the military concealed from Robert S. McNamara that it had taped his telephone talks with Pacific commanders during the Vietnam war.

When Mr. McNamara learned in 1968 of the taping by reading a 1965 study made for the Joint Chiefs of Staff on the controversial 1964 Tonkin Gulf incident, Dr. Ellsberg said, the former Defense Secretary was "reluctant" to release the study.

"McNamara's testimony at the time [August 6, 1964, before the Senate Foreign Relations Committee in behalf of the Tonkin Gulf resolution sought by President Johnson] had been quite misleading and that I think was why he was reluctant to let that [1965] study go out," Dr. Ellsberg said.

1968 Testimony

Dr. Ellsberg was alluding to appearances by Mr. McNamara before the Senate Foreign Relations Committee headed by Senator J. William Fulbright (D., Ark.), during its 1968 investigation of the Tonkin Gulf affair. Mr. Fulbright had accused the defense secretary of suppressing in his 1964 plea for passage of the resolution data indicating the Navy had doubts about North Vietnam's attack August 4 of that year against two American destroyers in the Gulf of Tonkin.

President Johnson had seized the occasion of this attack, purportedly the second in two days by North Vietnamese torpedo boats on U.S. destroyers in the gulf, to launch retaliatory air

strikes against North Vietnamese torpedo boats and to get congressional authority to pursue the Vietnam war.

Both Mr. McNamara and Dean Rusk, the Secretary of State, spoke for the resolution, which passed the Senate with only two dissenting votes, by former Senator Wayne Morse (D., Ore.) and former Senator Ernest Gruening (D., Alaska), and passed the House without dissent.

Confusion Over Attack

The 1965 study, made for the Joint Chiefs of Staff by a weapons systems evaluation group and obtained by the New York Times recently, tells of an August 4, 1964, telephone talk between Mr. McNamara and Adm. U.S. Grant Sharp, the Pacific commander, in which the defense secretary learned that there was confusion over whether a second attack on the destroyers had actually taken place.

He was assured in a later talk with Admiral Sharp that the admiral was satisfied on the basis of information from the task group commander of the two destroyers that the attack was genuine. The study stated that the Pentagon had other confirming evidence, including intercepted radio messages from North Vietnam, saying that their vessels were engaging destroyers and that two of their torpedo boats had been sunk.

Dr. Ellsberg, at a breakfast meeting with a group of reporters here today, said the 1965 study had been "deliberately held" from the secretary when it was made, because "they did not want the secretary to know they had complete tapes of his telephone talks with overseas commanders in which the [Pentagon] scrambler lines" had been used.

The study, he said, included records of the Central Intelligence Agency.

Mr. Ellsberg, who said he had access to the study before Mr. McNamara did, said one reason it had been held so closely by the Pentagon's joint military staff was that "there was a great deal of dirty linen in it," as well as the fact that Mr. McNamara's talks with Admiral Sharp "were revealing about their information and their uncertainty as to what had happened."

He said Mr. McNamara's reluctance to turn the study over to the Congress when he did learn of it in 1968 had been excused by Mr. McNamara on grounds it did not tell the whole story of why the administration performed as it did in regard to the Tonkin Gulf affair.

First Reading

At a February 20, 1968, appearance before the Fulbright committee, when Mr. McNamara was pressed for comment on the contents of the study, he said he had not read all of it and added, "I first learned of it a few days ago when you asked for it."

Dr. Ellsberg said he cited the episode as evidence of what he called "the multiple barriers" within the government to a free exchange of information.

He said that when he decided to leak secret documents to the New York Times and other newspapers, "I frankly expected to spend the rest of my life in prison."

He still expects a long stay there, he said, although his lawyers now question whether he can be convicted under existing law because his intent was not to harm the nation but the "opposite."

"Showed More Sense"

In the course of his discussion with reporters, Dr. Ellsberg said he felt that "President Johnson showed more sense than any of his advisers" in his attitude on the war.

Dr. Ellsberg illustrated this by relating that he had been told by an observer at a White House meeting where Mr. Johnson was being pressed to send ships into the Tonkin Gulf to "move the President had replied: 'I've a right to go where I want, but that don't mean I

send Lady Bird and Linda to Lafayette Park at 3 in the morning."

In another development relating to the controversial Pentagon study, Mr. McNamara, now president of the World Bank, broke his silence by releasing a letter that described his motive for ordering it made.

The letter, from a former defense department analyst, Laurence J. Lejere, related part of a conversation with Mr. McNamara on July 20, 1968, in which the secretary explained what he had in mind.

It represented Mr. McNamara as having "commented that a thorough critique on Vietnam probably would do more to reveal the weakness of the national security process than almost anything that could be undertaken."

Mr. McNamara was represented as having said he would rule out participation in the critique by anyone who had been in a position of responsibility or who was in a position to influence its findings, but added "it would be all right to use me as a source of information."

He disclosed that he had already made (in 1967) arrangements for the collection "of data and records that would make such a postmortem feasible."

Those remarks, Mr. Lejere wrote that Mr. McNamara, seemed to define the objective of the enterprise as "a data collection for future use in the writing of a definitive postmortem."

Mr. McNamara has declined comment on the timing of the unauthorized release of the documents, including lengthy analyses by anonymous participants in the study, but reportedly always intended that it become public property at a time when it could be used productively and positively.

STATINTL

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

McNamara Misdemeanors Congress About Gulf of Tonkin--Ellsberg

BY DAVID KRASLOW

Times Washington Bureau Chief

WASHINGTON — The secret transcripts of former Secretary of Defense Robert S. McNamara's phone conversations with overseas commanders prove that McNamara deceived Congress in testifying on the Tonkin Gulf incidents in 1964, Daniel Ellsberg charged Friday.

"It was a striking example of executive (branch) deception," Ellsberg said at a breakfast with newsmen.

The former government and Rand Corp. official has admitted leaking a top-secret Pentagon history of the Vietnam war to the New York Times, but he spent much of his session Friday discussing another top-secret study of two alleged attacks by North Vietnamese gunboats on American destroyers.

Ellsberg said the latter study was so sensitive, in large part because it disclosed the taping of McNamara's conversations, that not even McNamara and Gen. Earle G. Wheeler, then chairman of the Joint Chiefs of Staff, knew of its existence when the Senate Foreign Relations Committee asked for it in 1968.

Did Attack Occur?

The study that Ellsberg focused on Friday was a command and control analysis of the Tonkin Gulf incidents on Aug. 2 and 4, 1964, and how American military and civilian authorities reacted to them. It was made in 1965 by the Defense Department's weapons systems evaluations group for the staff of the Joint Chiefs.

The Tonkin Gulf incidents, especially the second one, helped create a climate in Congress for the quick and easy passage on Aug. 10 of the Tonkin Gulf resolution. That resolution was frequently cited by the Johnson administration as authority for and as evidence of congressional support for enlarging America's role in the Vietnam war.

Ellsberg said the secret transcripts of McNamara's conversations on Aug. 14 with Adm. U. S. Grant Sharp in Honolulu revealed confusion and great

uncertainty by both men over whether a second attack had occurred. Sharp was then commander of all Pacific forces.

Yet, Ellsberg said, McNamara went before the Foreign Relations Committee on Aug. 6 and gave "highly misleading" testimony in support of the Tonkin Gulf resolution in which he said he was certain of the second attack.

"The documentary evidence simply was not sufficient to reach that conclusion," Ellsberg said. "I find it hard to believe that McNamara had no doubt about that second attack."

The uncertainty over the Aug. 4 incident largely arises from a possibly erroneous interpretation of radar blips on the destroyer Turner Joy that enemy torpedoes had been launched against it.

When McNamara testified before the Foreign Relations Committee on Feb. 20, 1968, he said he was just as certain then as he was in 1964 that the second attack had taken place.

Phone Calls Taped

Ellsberg said he had access to the command and control study while a consultant to the Joint Chiefs of Staff. Later Ellsberg became one of a team of 36 experts who compiled the 47-volume Pentagon history of the war.

Ellsberg said that all calls placed through the Pentagon's national military command center were monitored, and that the Joint Staff concealed the Tonkin Gulf study from McNamara because they didn't want him to know that all of his phone talks with Sharp had been taped.

A well-placed Pentagon official said Friday that a defense secretary's telephone calls placed through the command center are not routinely recorded. Efforts to obtain

comment from McNamara, now president of the World Bank, on Ellsberg's latest charges were unavailing.

The Foreign Relations Committee was repeatedly rebuffed in its efforts to obtain a copy of the command and control study from the Pentagon. It was finally made available to Congress last month along with the larger study on the condition that the secrecy classification would be respected.

Right of Privacy

McNamara and Gen. Wheeler complained to the Foreign Relations Committee in 1968 that the Tonkin Gulf study contained errors of fact, had omitted pertinent material, and that its authors had not interviewed either McNamara or Wheeler.

Other points made by Ellsberg:

—The government has a right to privacy and that it is "good for all of us that it be successful in keeping secret" information on such matters as current negotiations, contingency planning, and current military and intelligence operations.

But he said the information he has leaked falls into none of those categories.

Ellsberg said it would make him happy if what he has done will create uncertainty among government officials they can keep secret information that conceals murder and covert operations to overthrow friendly governments and that enables those in authority to deceive the public and send Americans to war.

—The phased leaking of portions of the Pentagon study to various newspapers was not a planned operation but evolved in response to the unexpected legal moves by the Nixon Administration to block publication.

Ellsberg said he is grati-

fied by the attention that the leaked material has received. He said President Nixon and Atty. Gen. John N. Mitchell should be thanked for helping to dramatize the issue by their actions.

—As an "insider" who had lived on a diet of secret information for 12 years, he said he had come to feel it has been "unhealthfully easy" for government officials to manipulate newspapers and manage the news by controlling the flow of classified data.

One of his subordinate motives in leaking the study was to demonstrate this to newspapers, he said. "I thought it would be better for our democracy if newspapers were tougher to deal with," he said.

—The Pentagon study documents the "enormous irresponsibility of most high officials dealing with national security over the last 20 years . . ."

—If the price of his act of conscience is many years in jail, so be it. Ellsberg is under indictment by a federal grand jury in Los Angeles.

STATINTL

JUL 1971 STATINTL

Data Denied McNamara, Ellsberg Says

By ROBERT M. SMITH

Special to The New York Times

WASHINGTON, July 9

Daniel Ellsberg asserted today that Pentagon officials working for the Joint Chiefs of Staff kept from Secretary of Defense Robert S. McNamara the existence of a study of the 1964 Tonkin Gulf incident.

Dr. Ellsberg, who has been indicted on charges of unauthorized possession of secret documents in the Pentagon papers case, said that the Defense Department officials "definitely and deliberately withheld it from the Secretary of Defense until Fulbright raised the question.

"The reason they were so jealous of it," said Dr. Ellsberg, "was they did not want the Secretary of Defense to know they had certain data—tapes of the Secretary's conversations with joint and subordinate commanders overseas. [They] Didn't want it known their file of CIA messages was so complete."

Mr. McNamara, now president of the World Bank, was called for comment on Dr. Ells-

berg's assertion but did not return the call.

Dr. Ellsberg, a 40-year-old senior research associate at the Massachusetts Institute of Technology, made his remarks to a small group of reporters at a breakfast meeting here.

He said that he had been a consultant to the Pentagon in 1968 when the Senate Foreign Relations Committee held its hearings on the Tonkin incident. The North Vietnamese were reported to have attacked American destroyers in the Gulf of Tonkin in August, 1964, and Congress had responded with a resolution giving its approval to "all necessary steps" taken by the President to repel "further aggression" in Southeast Asia.

"I remember the flap raised" by Senator Fulbright's request, Dr. Ellsberg said.

The transcript of the hearings on Feb. 20, 1968, show that Senator Fulbright said he had asked the pentagon for its "command and control documents."

In his response, Mr. McNamara said that he had "never

hear of the study when you requested it. General Wheeler [Earle G. Wheeler, chairman of the Joint Chiefs] was not aware of it."

'High Official' Cited

Mr. McNamara told the committee that "the author of this particular study did not have access" to all the appropriate information and that he did not "think you want evaluative reports sent over here that are incomplete."

Dr. Ellsberg said that he was told by "a very high official" on the operations staff of the Joint Chiefs that the study was regarded as "sensitive" because it used tapes of Mr. McNamara's conversations through the war room to commanders, including Admiral U. S. Grant Sharp, Commander of Pacific Forces.

Dr. Ellsberg, who has said that he gave the Pentagon papers "to the American people through the press," today added that "there was at least one other source" of the documents to one newspaper. He named neither the source nor the newspaper.

STATINTL

STATINTL

Number 366

CONFIDENTIAL

THE ASIA LETTER

AN AUTHORITATIVE ANALYSIS OF ASIAN AFFAIRS

Published by THE ASIA LETTER Co. Tokyo Hong Kong Washington Los Angeles

STATINTL 29 June 1971

Dear Sir:

STATINTL

THE C.I.A. IN ASIA (II): No intelligence operation in Asia is as well-heeled as that of the U.S. Central Intelligence Agency (C.I.A.).

The annual working budget of the C.I.A. runs over US\$600 million.

That's just a starter.

The agency spends far more than that in Asia alone if you count the cost of some of the "borrowed" services from other U.S. Government agencies. For instance:

---U.S. Air Force planes are used to monitor foreign nuclear tests and collect air samples. The agency, while having its own cryptographers, draws on the Army's corps of 100,000 code specialists and eavesdroppers to tap Asian communications.

---C.I.A. specialists often operate off U.S. Navy ships in the Pacific, usually involved in electronic surveillance.

---The agency also is privy to information from the Defense Intelligence Agency (D.I.A.) which has a substantial operation of its own in Asia.

The D.I.A. spends from its own budget more than US\$1 billion a year flying reconnaissance planes and keeping satellites aloft.

Those satellites allow C.I.A. analysts to know more---from photographs, taken 130 miles up---about China's topography than do the Chinese themselves.

---The U.S. State Department's intelligence section also feeds a considerable amount of confidential data it collects through its embassies, consulates and travelling diplomats to the C.I.A. This includes information gathered by agents of the Federal Bureau of Investigation (F.B.I.) the Justice Department and the U.S. Treasury (Secret Service) often attached to diplomatic missions abroad.

The C.I.A. also works closely with the intelligence services and police forces of the countries considered America's allies in Asia, exchanging information with them.

Where does all the C.I.A. money go?

It funnels out in myriad directions: To pay for the agency's overt intelligence gathering activities, to finance "dirty tricks" and other clandestine capers, to prop up ousted or failing politicians and to pay for "disinformation" and other psychological warfare ploys.

Despite the C.I.A.'s oft-deserved sinister image, a good deal of its funds are expended on open intelligence gathering operations.

These go for subscriptions to newspapers, periodicals and other publications and salaries for those who must scan them for intelligence tidbits.

It is estimated that more than 50% of the C.I.A.'s world-wide intelligence input comes from such overt sources. (An estimated 35% comes from electronic spying and less than 15% from JAMES BOND-type, cloak-and-dagger operations.)

An exception is Asia.

A greater amount of the C.I.A. funds expended in Asia go into covert activities.

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JUN 22 1971

Hoover Brands Charges False

Appearing before members of a House appropriations subcommittee, FBI Director J. Edgar Hoover testified about the number and locations of wiretaps placed by his department.

None, he said, was being used on congressmen.

His testimony, given in a closed session several months ago, has just been released.

DIRECTOR HOOVER made it unmistakably clear that the FBI never had any electronic coverage on a congressman or on Central Intelligence Agency phones as had been charged.

"At no time in the history of the FBI has this ever been done," he declared.

The Democratic leader of the House of Representatives, Hale Boggs of Louisiana, had charged earlier this year that the FBI was

bugging the phones of some congressmen. But he failed to produce evidence proving his charge.

Had there been evidence, it would have been circulated by the media just as the unfounded charges were.

HOW MUCH DAMAGE was done the FBI by this attack? It is hard to say. Its excellent reputation and record will stand it in good stead and Mr. Hoover's testimony should help repair damage done to its image.

But there always are those who will believe the worst about an individual or an organization. It seems likely that those who started and supported the false charges against the FBI were well aware of this.

Special Report

The Wiretap

How Much

Really Goes On?

How extensive is wiretapping by federal agencies? Is it a necessary evil or has it become a threat to American society? To find out, Washington correspondent Kelly spent weeks interviewing officials, FBI agents and former agents and pouring over court records.

By HARRY KELLY
News American
Washington Bureau

WASHINGTON — Two blocks from the home of Congress is a three-story, concrete building with locked, steel-sheathed doors. Unlike the liquor store on one side and the woman's shop on the other it carries no signs of advertising. It wears an air of mystery and intrigue.

Pedestrians walking on the other side of Pennsylvania Avenue, past the big annex of the Library of Congress, can see men moving behind the blinds on the second and third floors. The ground floor is almost faceless except for the closed garage doors.

"I think that building with the garage doors is the center of FBI wiretapping on capitol hill," says a 35-year-old senator's assistant with passionate conviction. "I can't prove a damn thing, but I know it."

Up another block, beyond the street-corner vendor selling out flowers, is a small shop with a giant poster in the window bearing the warning "Shhh, Someone is Listening."

ALONG WITH the warning is a bigger-than-life size picture of FBI Director J. Edgar Hoover with enormously magnified ears.

Is this what President Nixon calls "hysteria" and Attorney General John Mitchell describes as "paranoia?"

The building which the Senate aide denounces as a covert FBI wiretap center for eavesdropping on members of Congress is an FBI installation all right.

It is the crypto-analysis section of the FBI crime laboratory where everything from horse race bookie's mysterious jottings to the code of the master Soviet spy Rudolph Ivanovich Abel have been broken.

Has an unreasonable fear of federal electronic surveillance activities developed — fueled in part by Mitchell's own tough talk, disclosures of surveillance, and Democratic leader Hale Boggs' charge that his telephone been tapped by the FBI?

The evidence indicates that federal agencies do more wiretapping and bugging than they officially admit — in a trend that has increased significantly — but still do not do as much as many critics fear.

"Lord, there couldn't possibly be as much electronic interception as people seem to think there is," says a former official. "There isn't that many agents to do it or money around to monitor the damn taps or tapes."

The average cost of a wiretap for electronic interception last year was put at \$12,106.

ALTHOUGH THE FBI gets practically all the wiretap publicity, other federal agencies are involved to a lesser degree in the electronic interception of conversations, including the Secret Service, the Bureau of Narcotics and Dangerous Drugs, the Customs Bureau and the Internal Revenue Service.

The Central Intelligence Agency is forbidden by law to carry on domestic intelligence gathering operations, so it turns most of these missions over to the FBI.

Although Attorney General Mitchell has ridiculed the far-out view of some in Washington who feel every room is bugged and that every phone is tapped and that the FBI is tapping the CIA, and the CIA is tapping the FBI, there is testimony that the FBI did tap an official CIA telephone.

In Washington, the center of FBI wiretapping is reliably reported to be the FBI's Washington field office, one block from the Justice Department and only three blocks from the Chesapeake and Potomac Telephone company.

"In the old days," recalls a former agent, "if you wanted to tap someone's telephone, you'd climb the pole outside his house, hook up the tap

and they run it to a car or truck at the foot of the pole. Now there are a hell of a lot more wires and cables, and gadgets. It's a lot more complicated."

The FBI is understood to lease 450 telephone lines that run from the telephone company to the Washington field office and can be used for tapping and bugging.

SOME OF THESE lines, according to former Attorney General Ramsey Clark, are used to tap telephones and teletypes of foreign missions and foreign nations working for other countries.

A telephone company spokesman said he "couldn't talk about that" — the leased lines — and then added quickly "I'm not aware of it. If there is such a thing you'll have to direct that query to the FBI or the Justice Department . . . we can't talk any more about the government's telephone service than we can about yours."

He acknowledged that when the FBI presents a court order for a wire tap under the organized crime act or in a national security case approved by the attorney general, the telephone company personnel will identify the line for the FBI but does not make the attachment.

An FBI spokesman declined to comment about any leased wire telephone lines.

The FBI, and other federal agencies, have authority to tap and bug under the 1968 omnibus crime bill and presidential orders in organized crime cases with a court's approval and in national security cases.

Most of the current controversy has developed over Mitchell's claim of the right to use wiretaps in the surveillance of domestic

in the surveillance of domestic groups, such as the Black Panthers, the Weatherman and others deemed to be radicals or dangerous.

The Justice Department is now appealing court decisions denying the government has such a wiretap right without court order.

THE JUSTICE Department and the FBI have acknowledged in court or in other statements the wire tapping, bugging or "overhearing" of the late Rev. Martin Luther King, boxer Muhammad Ali, black militant H. Rap Brown, five of the defendants in the Chicago seven trial, black panther leader David Hilliard and Sister Elizabeth McAlister in the alleged plot to kidnap presidential adviser Henry Kissinger.

Clark, a critic of wiretapping who said he rejected all FBI requests to use taps in domestic security cases, said he knew of no case where Hoover tried to go around his back to use a tap or bug without his approval.

The city's folklore is full of stories adding to the shadows around the practice of wiretapping.

Robert Amory, Jr., said high officials of the White House showed him evidence that the FBI was tapping his official telephones when he was deputy director of Intelligence for the CIA from 1952 through 1962.

Now a Washington lawyer, Amory said he believes the phones were tapped because he favored Red China's admission into the United Nations in the 1950s.

He suggested that the tapping was part of the tugging and hauling between the CIA and FBI at that time.

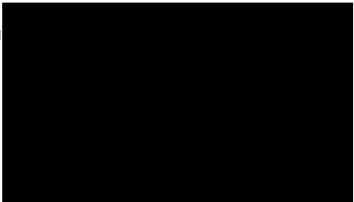
At the start of the bitter foreign policy debate in the Johnson administration, a go-between tried to smooth relations with a high administration official. Their meeting splintered on disagreement over a point with the high official reportedly contending, "we know this is true. In this city of ugly devices we know many things."

IN A CONVERSATION on the general subject of wiretapping an official of the Law Enforcement Assistance Administration in the Justice Department suddenly blurted: "Some people here think these phones are tapped. I say the hell with them. Let them listen." The official has since left the department.

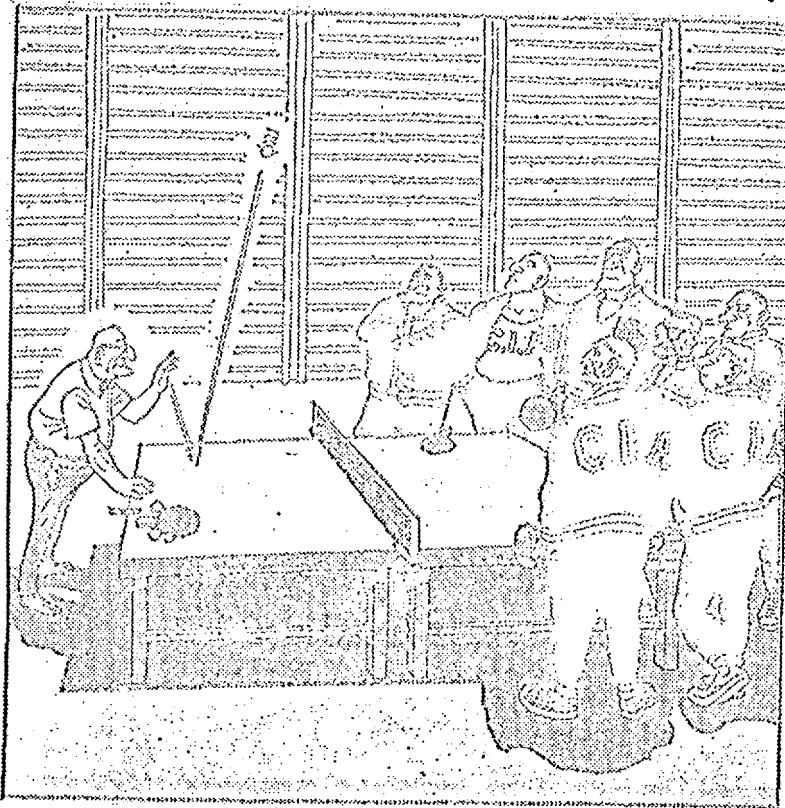
The debate, with its constitutional and political overtones, has also developed the brassy ring of Washington's favorite bureaucratic sport — the numbers game.

STATINTL

8 JUNE 1971



STATINTL



"Now, men, with this type of ping-pong ball you can pick up a conversation three miles away."

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8 JUN 1971

16 times this year

STATINTL

Hoover's life threatened

(AP) — The FBI received 23 threats on the life of Director J. Edgar Hoover, last year and 10 so far this year. That's why the FBI has four armored cars.

Mr. Hoover disclosed in testimony made public today that both he and Attorney General John N. Mitchell have used the \$27,000 cars in getting around New York City and Los Angeles.

ARMORED CARS

"The armored vehicles are used for protective purposes," Mr. Hoover told a closed door house appropriations subcommittee hearing March 17.

The other two cars are kept in Washington.

The FBI, Mr. Hoover also told the committee, currently is tapping 47 telephones and has secretly planned at least six microphones for security reasons or to investigate organized crime. None of them is being used on congressmen, he said.

He said he "wanted to put the record straight" in the secret testimony.

House Democratic Leader Hale Boggs of Louisiana charged earlier this year the FBI was bugging congressional telephones. However, he never produced evidence of his charges.

DENIAL

Mr. Hoover cited a newspaper article (Washington Post) which he said raised "suspicion that Sen. Birch Bayh's (D-Ind.) office was bugged during the "Judge Clement Haynsworth controversy." Judge Haynsworth's nomination to the Supreme Court was rejected by the Senate last year, with Sen. Bayh among the more vocal Haynsworth opponents.

"We, of course, never had an electronic coverage of senator Bayh or any other senator or congressman," Mr. Hoover said. "Furthermore, the charge that the FBI has tapped CIA phones is absolutely false. At no time in the history of FBI has this ever been done."

"I would like to add, also, we have never tapped a telephone of any congressman or any senator since I have been director of the bureau," he said.

Mr. Hoover said his testimony on FBI electronic surveillance was cleared by Attorney General John M. Mitchell prior to his March 17 appearance before the subcommittee.

"We are operating 33 telephone surveillances and four microphone installations in bureau cases in the security field," Hoover reported, and said two additional telephone taps were waiting to be installed.

HITS CLARK AGAIN

Mr. Hoover also took exception to a recently published book by former Attorney General Ramsey Clark, who was critical of Mr. Hoover's handling of the FBI.

Mr. Hoover recalled how Mr. Clark praised him and the FBI during Mr. Clark's term as attorney general, citing a speech he made in 1967.

"When I listened to the recording of that speech and read what Clark had said in his book I was so outraged it caused me to make the statement that he is a 'jellyfish,'" Mr. Hoover said.

"He did the same thing to me," Rep. John J. Rooney, D-N.Y., subcommittee chairman said. "He (Clark) spoke at a dinner in my honor at the Waldorf Astoria in New York and lauded me to the skies. As a matter of fact, it was to me a little sickening, he was laying it on so heavy."

"He was too sirupy," Hoover interjected.

"He later attacked me and endorsed my primary opponent, ignoring everything he had said just a year or so before that," Mr. Rooney added.

"He did the same thing to me," Mr. Hoover said.

Russia still poses the main threat to American security, Mr. Hoover said and added that Moscow has encouraged terrorist acts by domestic protest groups to further its goal of overthrowing the U.S. government.

In 1970 "new left and black extremists stepped up their violent and terroristic tactics" while "old line communist countries, intensified their intelligence operations, targets against the United States," he said.

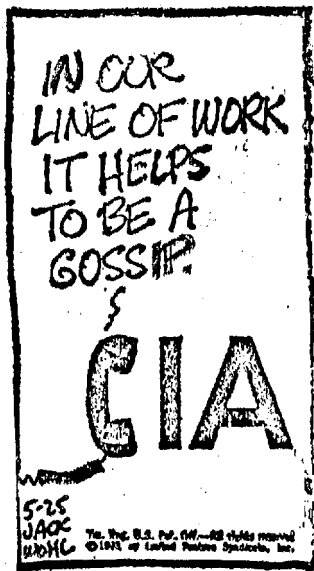
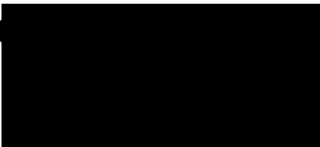
"The most serious threat to the security of our country is Soviet Russia and its satellites," he said.

He also warned that "despite its differences with the Soviet Union, Red China continues to regard "the United States as the common enemy of the people of the world and its propaganda is designed to stimulate disruption of our society."

He voiced the warnings in support of his budget request for \$318.6 million for 1972, which is \$44.2 million more than last year and which along with \$14 million he got last month in a supplemental appropriation, would allow for 1,053 new agents to bring the FBI agent force to 8,873.

Mr. Hoover also announced that the FBI opened six new "foreign liaison posts" during the past year in Lebanon, Venezuela, Denmark, Bolivia, Nicaragua and Israel making a total of 17 such posts "to develop and maintain a close, cooperative relationship with the police and other investigative agencies of the countries which they cover."

2 5 MAY 1971



STATINTL



Joseph Alsop

Overheard in Egypt

STATINTL

EVERY WORD exchanged between Secretary of State William Rogers and Egypt's President Anwar Sadat; all that passed between Sadat and Rogers' main aide, Joseph Sisco; indeed just about all leading Egyptians' conversations, over many months, with the U.S. man-on-the-spot, Donald Bergus—all these must have been in Soviet hands a few hours after the conversations took place.

This is only one of the more obvious meanings of a simple set of facts, all well-documented by now, and all full of interest for anyone interested in the Middle Eastern crisis. As already reported in this space, President Sadat's first act was sending packing a group of East Bloc technicians after Sadat had successfully dealt with his main enemies.

THE TECHNICIANS were about a dozen East Germans who ran the vast domestic wiretapping and bugging machinery formerly controlled by the Egyptian secret police boss, Sharawy Gomaa, who is now in jail. Officially, the East Germans worked on contract. Officially, too, the East Germans were not sent home by Sadat.

They were informed, in very plain terms, that they were no longer welcome in Egypt. That was enough for them. They piled onto the next plane home—as anyone would have done in their position, with the threat of interrogation hanging blackly over them.

The East Germans' mere former presence in Egypt is a fact of cardinal significance. After all, if Soviet or East German technicians ran the domestic wiretapping machinery available to the attorney general, what should we think about our own country? Certainly, we should be very foolish to think that the U.S. was any longer really independent.

In reality, in short, Egypt came close to being a subject country before the near-revolution that President Sadat has so boldly achieved. But it will be surprising indeed if he has managed to remove more than half of the Soviet-contrived wiring, both electronic and human, including human wiring in the all-important army.

So there is Sadat, who has begun to pull out the Soviet wiring, whose dealings with the Americans are also known, word by word, to Egypt's recent masters in Moscow. Thus the question asked before in this space becomes extra-vivid now. The question is: What will the Soviets do now?

But the wiretapping authorized by Attorney General John Mitchell and carried out by the FBI, is the merest fleabite compared to the wiretapping and bugging formerly controlled by Sharawy Gomaa and directed and managed by his East German technicians. Every wire in Egypt, of any importance, was well-known to be tapped. President Sadat has publicly declared that his own house was bugged by the wiretappers.

IF THE "technicians" had been Poles or Hungarians or Czechs, one might construe the problem differently—although with small likelihood of being right. But the "technicians" were East Germans, no doubt personally selected by the secret police of the loathsome aging, now retired boss of East Germany, Walter Ulbricht.

In these circumstances, there can be no doubt whatever that carbons of every transcribed conversation were handed over, that same day, to Soviet Ambassador V. M. Vinogradov, or to the Soviet military viceroy in Egypt, Colonel General Vasilii V. Okunev, or maybe to the local KGB representative, who is faceless. Since Sadat's house was bugged, according to Sadat himself, all

of the president's conversations must have been passed on with special urgency, as above noted.

As to Bergus' endless "confidential" talks with his chief Egyptian chum, Nasser's former propagandist, Mohammed Hassauein Heikal, maybe Heikal knew the score, and took Bergus into the desert when he had something major to say. But Heikal was much hated by both Sharawy Gomaa and the Soviets' chief Egyptian supporter, the jailed vice president, Ali Sabry, so Heikal, too, must have been a prime target of the East German wiretapping and bugging experts.

THE UNINTENTIONAL openness of recent U.S. diplomacy in Egypt is only the beginning of the story. Moreover, consider, for example, the former secret police boss, Gomaa. Can anyone suppose that Gomaa hired East Germans to manage his wiretapping and bugging apparatus without a very clear idea of what he was doing?

Given some things some people now suppose in this country, the answer has to be that someone probably can manage to suppose that Gomaa acted innocently. But if you are realistic, or even rational, what Gomaa did must be taken as meaning that he was a full-fledged, knowing and consenting agent of Soviet power. And the same must obviously be said of a good number of President Sadat's other enemies.

NEW YORK TIMES

9 MAY 1971

STATINTL

U.S. Shifts Domestic Wiretap Plea

By FRED P. GRAHAM
Special to The New York Times

WASHINGTON, May 8—The Justice Department asked the Supreme Court today to uphold the Nixon Administration's assertion that it had the legal authority to use wiretapping against allegedly subversive domestic groups without obtaining prior court approval.

However, in appealing an adverse decision on this point to the Court, the Justice Department dropped its assertion that the "inherent power of the President to safeguard the security of the nation" gives the executive branch the authority to forgo the usual warrant procedure when the subjects of the wiretaps are suspected of plotting against the Government.

Civil libertarians and some lower court judges have ridiculed that argument as tantamount to an assertion that the agents of the President can ignore any of the Bill of Rights when they believe national security is at stake.

Solicitor General Erwin N. Griswold omitted the "inherent power" argument today in an appeal filed in the Supreme Court. He tacitly conceded that the Government was bound by the Bill of Rights in domestic security cases, as in other criminal investigations. But he argued that the Bill of Rights, in the Fourth Amendment, does permit the Government to eavesdrop without court orders in such cases.

The appeal brought to the Supreme Court for the first time a widely discussed controversy involving the highest considerations of national security, individual privacy and the separation of powers.

It grew out of two Supreme Court decisions. The first, Katz

v. United States in 1967, said wiretapping and other electronic eavesdropping is covered by the Fourth Amendment's prohibition against "unreasonable searches and seizures." The ruling declared police wiretapping illegal unless a court order was obtained first, but the Katz opinion left open whether the warrant procedure was required in "national security" cases.

The second decision, Alderman v. United States in 1969, said any criminal defendant had a right to see all transcripts of his conversations picked up over an "illegal" police listening device. The purpose is to let defendants be assured that no illegally obtained evidence is being used against them.

Controversial Cases

This meant that if warrant-free foreign embassies, militant leaders and racial extremists were held to be "illegal," the Government would be forced either to turn the transcripts over to defendants or to drop the cases against them.

Government lawyers conceded privately that some defendants in controversial cases had been overheard over devices planted in such highly sensitive locations that the Government could never afford to admit that it had done the wiretapping.

This has led Attorney General John N. Mitchell to assert in a series of cases that, although the defendants were overheard over wiretaps placed without court authority, the Government did not have to disclose the transcripts because the taps were nonetheless legal.

In the case it appealed today, Federal District Judge Damon J. Keith of the Eastern District of Michigan rejected this argu-

ment and ordered the Justice Department to turn wiretap transcript over to Lawrence R. Plamondon. He is a member who has been accused of conspiracy in the bombing of a Central Intelligence Agency office in Ann Arbor, Mich.

The United States Court of Appeals for the Sixth Circuit affirmed Judge Keith's ruling. It said that the Government might have the power to forgo court warrants in investigating that foreign agents were saboteurs. He said the purpose of the Fourth Amendment was to shield Americans from police searches unchecked by the courts.

In asking the Supreme Court to review that decision, Mr. Griswold stressed that the Fourth Amendment outlaws only "unreasonable" searches and seizures — a qualification that he said "obviously implies some flexibility."

He noted that the Supreme Court had recognized certain exceptions when searches might be made without search warrants—such as when arrests are being made or when evidence may be destroyed. And he argued that "this narrow and important area of national security" should be recognized as another of those exceptions.

In a final hint that the Government does not consider its arguments to be exceptionally strong, Mr. Griswold asked that if the Court held the warrantless wiretaps to be illegal, it should modify the Alderman decision. He asked that in domestic security cases the Government be allowed to let the trial judge and not the defendants see the transcripts to decide if information obtained there was being used by the prosecution.

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2 MAY 1971

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Third-Ear Eavy

STATINTL

By RUSSELL BAKER

OBSERVER

WASHINGTON, May 1--Every so often in Washington a man is compelled by events to pass harsh, unpleasant judgment upon himself. This is such a time. "Is the F.B.I. tapping your telephone?" a man asked over lunch the other day. It was an invitation to a self-judgment.

"A frivolous question," the reader who does not know Washington will say. "Idle luncheon chit-chat. The straight man's line inviting a bono reply." Not so at all.

The question is deadly grave despite its apparent light-headedness. Behind the smile it is labeled with skull and crossbones.

A wrong answer could be ruinous. Since Congressman Hale Boggs accused the F.B.I. of tapping his telephone, it has become a mark of social and professional distinction in Washington to have your telephone tapped. As Democratic leader of the House of Representatives, Mr. Boggs is a big man. If the F.B.I. is tapping big men, everybody who wants to be thought a big man desperately needs to have his phone tapped.

In short, the only thing worse than having the F.B.I. tap your phone is not having the F.B.I. tap your phone.

Thoughtful Washingtonians will smile at this. And yet, though they would not admit it if you drove bamboo splinters under their fingernails, those who secretly suspect that they are not being tapped go half mad with jealousy when, at dinner in a fashionable house, some man they consider a peer announces his conviction that the F.B.I. is plugged into his telephone line.

No one in his right mind, of course, would openly admit any longer that his telephone is not being tapped. Parker T. Buxbaum, who for years had been the lobbyist here for the snuff industry, was released two weeks ago after carelessly telling a neighbor that he had no reason on earth to believe that his phone was tapped.

Highly placed snuff sources say privately that they wanted to be represented by someone important enough to get his telephone tapped. One Washington correspondent has already been recalled to Middle America after indiscreetly telling his publisher that he was "probably too small-fry for the F.B.I. to waste a tap on."

Well, no one would any longer answer, "No," when asked, "Is the F.B.I. tapping your telephone?" That would be tantamount to admission that you do not get invited to church at the White House, that the Kennedys do

not call you by your nickname. Still, every man eventually has to answer the question to his own satisfaction, and in doing so he must pass

judgment about his value on the great Washington scales.

The problem arises because it is very difficult if not downright impossible to tell whether the F.B.I., or anyone else, is tapping your telephone. If a person cannot know for a fact, then he can only ask himself, in the privacy of his heart, "Is it likely?" Or, to put it another way, "Am I big enough to deserve a wiretap?"

It is obvious, with only the slightest reflection, that F.B.I. resources for tapping must be comparatively limited. First call on these apparently goes to the foreign espionage operators who infest Washington, and if other countries have espionage operators on anything even vaguely approaching the scale of our own C.I.A., this alone would tie up several hundred thousand F.B.I. taps.

Then there is the Mafia. That seems to take a lot of taps. There would surely be high priority given to people in Government. If Congressman Boggs rates a tap, Spiro Agnew must rate a dozen since it is very important for the President to know what he plans to say next.

Among newsmen, there are N.B.C. and C.B.S., which would absorb almost as many taps as the Pentagon. To show that the F.B.I. does not favor the electronic over the print media, equal taps would have to be accorded to all members of the Gridiron Club.

There are, of course, the great lobbyists for the nation's great industries, who know how to use influence to get themselves tapped before the common man gets his turn.

Weighing all this leads to a depressing conclusion, which many another Washingtonian must have come to in the black grimness of 3 A.M. during these last few weeks.

Waking there in the bottom of night, at that awful hour when no man can lie to himself, how many of us have admitted that, finally, we were not worth tapping? No, no point in trying to brazen it out there when the world seems about to end. The likelihood that the F.B.I. is tying up precious tapping equipment to record day after day, week after week, year after year, decade after decade, that daily eighteen hours of conversation among adolescents—the likelihood is negligible. And the dreadful judgment is made soundlessly.

"I am not worth tapping."

At lunch later in daylight, we will not let anyone suspect it for an instant. But we know, we know, we know that there is someone who knows at the F.B.I.

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200190001-2

Those Federal Sneaks

Harriet Van Horn

STATINTL

By instinct and tradition, Americans hate a sneak. Nobody is ever very surprised to learn that the words "sneak" and "snake" have descended to us from a single old Teutonic root "Sniken" — meaning to crawl or creep.

Given our instinct, — plus what's left of our traditions — the sweetest news this chilly spring is the sudden visibility of the whole creepy, crawly, shifty, shabby, underhanded apparatus of official U. S. sneakery.

"They sent forth spies, which should feign themselves just men," says the Bible. And our government has followed suit, especially in the feigning of just — or even rational — motives. There appears to be not only an FBI agent behind every mailbox but a frantically busy "Red squad" in every village and town.

The good folk whose bumper stickers implore you to "Support Your Local Police" are now finding the police supporting them. Local constabularies are now receiving special funds to recruit and pay secret informers.

But soon the informer may be punning for cover. According to Frank Donner's splendid piece on surveillance in a recent New York Review of Books, the indignant citizens who pilfered the files of the FBI office in Media, Pa., will soon be relasing the names of FBI informers. That agent lurking behind your mailbox may shortly be lurking behind a palm tree in some banana republic, and glad of the job. Sneaks, when exposed, are rarely praised by neighbors for their gallant actions.

Incredible as it seems, no less than 20 federal agencies are now engaged in spying on all of us, including, one supposes, whole legions of spies who don't know they're being spied on. It could all be dismissed as a rollicking game — were it not so sinister.

The agencies now stuffing their data banks with tiresome facts about you and me include: the FBI, the Army, the CIA, the Secret Service, Internal Revenue, the Intelligence Division of the Post Office, the Civil Service and the Department of Health. In nine cases out of 10, such surveillance is illegal.

but it goes on and will continue to go on until irate citizens demand that it be topped.

Considering the paranoia, not to say sheer lunacy, that prevails in this spy network, you would have to be blind and dumb and living in a hollow tree to escape being watched by a creature the FBI calls an "Informant" and decent people still call a sneak.

If you've led a busy, useful life and you've not made it to the Agitator Index, the Suspected Subversive File or the Persons of Interest List, well, you must be doing something wrong. And you are clearly remiss in one of your prime duties as a citizen, which is to give J. Edgar Hoover's agents something to do.

It isn't necessary to be a Black Panther or a peace marcher to be classed as "suspicious" by the FBI. "Political intelligence indiscriminately sweeps into its net the mild dissenters along with those drawn to violence," Donner tells us. "Thus peaceful, moderate, lawful organizations — from the NAACP to the Fellowship of Reconciliation — become intelligence targets on the theory that they are linked to communism or subversion."

Equating dissent with subversion has always been the custom of the radical right, and of all mindless reactionaries. To deny the right to dissent is to deny the need for social change. And that, of course, is what too many government agencies are as their highest duty.

One of the more distasteful aspects of the FBI's surveillance program is its corruption — no other word will do — of young students. Bureau agents now are authorized to recruit informers from junior colleges, youngsters 18 and 19. These junior agents are classed as PSI (Potential Security Informant) or PRI (Potential Racial Informer).

Time was when I thought we were living in a PPS (Potential Police State). Now I know it's simply a PS, and has been for some time.

Horrifying as it is to realize how our free, democratic society is being eroded through the growing power of a domestic spy system. It is perhaps more chilling.

ing to discover what the CIA is up to all around the world.

On television a few years ago, Sen. Wayne Morse blamed the "credibility chasm" in American opinion on the evil work of the CIA. On the Dick Cavett Show we heard Capt. Robert Marasco of the Green Berets tell in detail how he murdered a "triple agent" in Vietnam. He committed this murder, he said, because the CIA had ordered him to do so. "But why?" persisted Cavett and guest Brian Bedford. "Because he was my agent," came the answer.

Capt. Marasco also charged in the course of this appalling interview, that the CIA had arranged the auto accident, that very nearly killed him last year. Why? Well, maybe because he was no longer their agent. And he knew too much. Could there be any more terrifying commentary on the state of the union in this year 1971?

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APR 20 1971

NO BLANK CHECK FOR GOVERNMENT

Victory for Due Process: Appeals Court Pulls Checkrein on Wiretaps

The United States Court of Appeals for the Sixth Circuit in Cincinnati has prudently short-circuited the government's broadly asserted wiretap powers, upholding a Detroit federal court ruling that the Justice Department is violating the Constitution by wiretapping without prior court authorization.

The ruling challenges Attorney Gen. Mitchell's assertion of the so-called "inherent" powers of a president to authorize electronic or other surveillance techniques in cases involving the national security, including his own authority, representing the White House, to alone determine the need "to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of government."

In other words, the executive branch has an "inherent right" to tap wires any time it suspects a domestic

organization of being radical or subversive, and can do so without a warrant.

Both the district and appeals courts said not so—that no such right exists under the Constitution—and we salute the rulings as forthright and unequivocal support of the Fourth Amendment requirement that warrants be issued, on probable cause, before a place is searched.

Electronic snoopering has been gaining ground at every turn, and it has been all too easy for the government to get court permission to conduct electronic spying. As we noted when the question first arose (in connection with the Michigan trial of three "White Panthers" charged with bombing the Ann Arbor offices of the Central Intelligence Agency), to ignore due process of law by giving government such power without even a court check could lead to a time when due process is meaningless

and Americans are subject to the whims of whatever administration is in power.

The Supreme Court will doubtless have the final word on this, and it must be hoped the appeals court finding is upheld. In the name of our essential freedoms, the "inherent right" argument ought to be knocked in the head for good. If Mr. Mitchell had his way, the government could snoop on anybody or any group at any time—and who would decide whether a given person or organization was radical or subversive?

Even granting the best of intentions on the part of the present administration, this is an open-ended doctrine that in the wrong hands could lead to spying without limit. This is inimical to the functioning of a free society.

If a president has the power to suspend one constitutional protection, in the name of national security, then he has the power to suspend all others by the same fiat—free speech, free press, trial by jury, due process of law. Such power cannot be countenanced.

If the government deems it necessary to the national security to use wiretap or similar methods of surveillance, then it must first convince a judge there is probable cause for the action. No responsible judge will hesitate if convinced the security of the nation is involved.

of the subsoil beneath the continental shelf, over, or under the navigable waters of the United States, its territorial waters or the high seas. It includes the transporting, erecting, constructing, operating, servicing, maintaining, repairing or dismantling of structures utilized in such operations, as well as the furnishing of food and lodging in connection with such an undertaking and the transportation of personnel and raw or refined minerals to, from or between such locations.

The bill defines the terms "employee" and "employer" for the purposes of this act only. The nonapplicability of the Longshoremen's and Harbor Workers' Compensation Act to the master or member of a crew of a vessel is expressly eliminated respecting employees under this bill unless they are solely and exclusively so engaged under manning requirements set forth by the U.S. Coast Guard.

This bill will also provide a remedy for a number of American nationals presently employed in over water locations, far removed from our shores, who now have no certain method of recovery.

Mr. President, in addition to meeting the recommendations as contained in the previously mentioned panel reports, it will, in my opinion, clarify and confirm the intent of the Congress to extend the jurisdiction of the Longshoremen's and Harbor Workers' Compensation Act to cover these operations, as endeavored in the Outer Continental Shelf Lands Act. This congressional intent has been greatly clouded, if not destroyed, by the judicial decisions rendered since the passing of that act.

I believe this is necessary, basic legislation to establish or restore a workmen's compensation system of benefits and procedures for occupational disabilities, without regard to fault, in this area of industry. It would restore the basic objectives of such a system for both employees and employers in the marine extractive industries as it exists for the vast majority of all other industries.

Mr. President, I urge the members of the Senate Labor and Public Welfare Committee to give this bill every possible consideration when the Committee holds hearings on bills previously introduced to amend the Longshoremen's and Harbor Workers' Compensation Act. Two major bills have previously been introduced in the Senate to make basic changes in the compensation benefit system for permanent or temporary disability coverage under this act, and as the committee studies these proposals, I hope it will see fit to include this particular measure in the final version of the bill.

I ask unanimous consent that the text of my bill be printed at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1547

A bill relating to compensation in the case of disability or death of marine petroleum workers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATINTL STATINTL
Section 1. This Act may be cited as the "Marine Petroleum Workers' Compensation Act of 1971".

APPLICATION OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Sec. 2. (a) EXTENSION OF ACT.—Except as otherwise provided in this Act, the provisions of the Longshoremen's and Harbor Workers' Compensation Act, including all amendments which may hereafter be made to such Act, shall apply in respect of the injury or death of an employee which results from an injury (as defined in paragraph (2) of section 2 of such Act) which occurs while working or performing duties in the furtherance of a marine extractive operation.

(b) MARINE EXTRACTIVE OPERATION DEFINED.—For purposes of this Act, the term "marine extractive operation"—

(1) means any undertaking conducted for the purpose of exploring for, drilling, developing, producing, or transporting by pipeline the natural resources of the subsoil when such undertaking is conducted upon, over, or under the navigable waters of the United States, its territorial waters, or the high seas, or from an artificial island or structure erected on or resting on any of such waters or seas;

(2) includes transporting, erecting, constructing, operating, servicing, maintaining, repairing, or dismantling any fixed, movable, floating, or floatable structure or artificial island used in such an undertaking while at such a location or while being transported to, from, or between such locations; and

(3) includes the furnishing of food and lodging in connection with any such undertaking and the transportation of personnel, and raw or refined minerals, to, from, or between such locations.

(c) OTHER DEFINITIONS.—When applying the Longshoremen's and Harbor Workers' Compensation Act for the purposes of this Act—

(1) The term "employee" means any individual in the service of any person under a contract of hire, express or implied, oral or written, who is engaged in any work or in the performance of any duties in the furtherance of a marine extractive operation.

(2) The term "employer" means any person who makes a contract of hire, express or implied, oral or written, with any individual to work, or perform any duties, in the furtherance of a marine extractive operation.

(d) EXCEPTION.—In applying the second sentence of section 3(a) of the Longshoremen's and Harbor Workers' Compensation Act, paragraph (1) of such second sentence shall not apply, but no compensation shall be payable under this Act in respect of the disability or death of any individual solely and exclusively engaged in full-time duty as the master or member of a crew of a vessel provided for in the manning requirements as set forth by the United States Coast Guard.

SOLE AND EXCLUSIVE REMEDY

Sec. 3. (a) PURPOSE OF ACT.—It is the purpose of this Act to restrict the remedy of an employee, his legal representative, husband or wife, parents, dependents, next of kin, and anyone otherwise entitled to recover damages on account of the injury or death which results from an injury (as defined in paragraph (2) of section 2 of the Longshoremen's and Harbor Workers' Compensation Act) while working or performing duties in the furtherance of a marine extractive operation to the compensation provided by such Act pursuant to this Act.

(b) OTHER REMEDIES BARRED.—Such remedy shall be in lieu of, and an absolute bar to, all other claims of the employee, and those claiming through or by virtue of him—

(1) against the employer in respect of in-

of the Act of March 3, 1907 (Jones Act; 46 U.S.C., sec. 683), or the Act of March 30, 1920 (Death on the High Seas Act; 46 U.S.C., sec. 761 et seq.), or arising from the unseaworthiness of any platform, artificial island, barge, rig, vessel, or other floating equipment in use by such employer at the time of such injury or death in connection with a marine extractive operation (whether or not such platform, artificial island, barge, rig, vessel, or other floating equipment is owned by the employer); and

(2) against the platform, artificial island, barge, rig, vessel, or other floating equipment in use by such employer in respect of injury or death arising from unseaworthiness when the platform, artificial island, barge, rig, vessel, or other floating equipment is owned by the employer at the time of the accident.

By Mr. NELSON:

S. 1550. A bill to provide for more adequate protection of the constitutional rights and civil liberties of individuals through the establishment of a commission to investigate the domestic surveillance and intelligence-gathering activities being carried out by the Government and to make recommendations to the Congress for measures to insure that such activities do not infringe upon or threaten the rights of individuals guaranteed by the Constitution. Referred to the Committee on the Judiciary.

THE CONSTITUTIONAL RIGHTS AND CIVIL LIBERTIES PROTECTION ACT OF 1971

Mr. NELSON. Mr. President, I introduce a bill to establish a commission, entitled "The Constitutional Rights and Civil Liberties Protection Act of 1971," and I ask that it be appropriately referred.

I think there is cause to be deeply disturbed by a number of developments recently which seem to indicate an alarming trend in this country toward the use of police-state tactics. Just over 4 years ago on February 23, 1967, I spoke on this issue on the Senate floor specifically directing attention to the disclosures of CIA subsidization of domestic organizations; the widespread use of wiretapping; the Government funding of propaganda books for the U.S. Information Agency; and the growing abuses of private and corporate spying.

Since that time, such activities have quite obviously expanded and proliferated within the Federal bureaucracy as evidenced by such recent disclosures as the widespread Army spying and FBI surveillance of Earth Day events last year.

This type of activity, carried out under a cloak of secrecy, is contrary to the public interest. Clandestine intelligence operations constitute a continuing threat to our existence as a free and open society and this threat is amplified so long as Congress—as the representative of the public—has no suitable mechanism or capability to continually and accurately monitor the activities of governmental intelligence agencies. Congress must be in a position to assure the public that the interests of national security are balanced by constitutional guarantees of political freedom and individual civil liberties.

(1) 6 Senators, to be appointed by the President pro tempore of the Senate—

(A) 3 of whom shall be from among individuals recommended by the Majority Leader of the Senate; and

(B) 3 of whom shall be from among individuals recommended by the Minority Leader of the Senate;

(2) 6 Representatives, to be appointed by the Speaker of the House of Representatives—

(A) 3 of whom shall be from among individuals recommended by the Majority Leader of the House; and

(B) three of whom shall be from among individuals recommended by the minority leader of the House; and

(3) twelve members not otherwise employed by the Federal Government to be selected by the Senators and Representatives appointed to the Commission from among persons who, as determined by such Senators and Representatives, are qualified to serve on the Commission and who are representative of the broad public interest to be served by the Commission.

(b) For the purpose of selecting members of the Commission under paragraph 3 of subsection (a), six members of the Commission shall constitute a quorum. For any other purpose, twelve members of the Commission shall constitute a quorum.

(c) The Commission shall elect from among its members not otherwise employed by the Federal Government a Chairman and a Vice Chairman, who shall serve as Chairman in the absence of the Chairman.

(d) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission.

(e) (1) Members of the Commission who are otherwise employed by the Federal Government shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

(2) Members of the Commission not otherwise employed by the Federal Government shall receive compensation at a rate which is the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code, for each day (including travel-time) they are engaged in the performance of their duties as members of the Commission, and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

DUTIES OF THE COMMISSION

Sec. 3. The Commission shall investigate the domestic surveillance and intelligence-gathering activities of the Government and the impact of such activities on the constitutional rights and civil liberties of individuals in order to determine—

(1) which Government agencies are conducting domestic surveillance and intelligence-gathering activities;

(2) under what authority of law such activities are being carried out;

(3) the manner in which, and methods by which, such activities are being carried out;

(4) the activities and persons who are the subjects of domestic surveillance and intelligence-gathering activities;

(5) the type of information which is being gathered and compiled through such activities;

(6) the manner in which information gathered through such activities is stored, the uses made of such information, and the persons to whom such information is made available;

(7) the extent of cooperative domestic surveillance and intelligence-gathering activities carried out by the agencies of the Government;

(8) the impact of such activities upon the constitutional rights and civil liberties of individuals; and

(9) what measures are undertaken, or should be taken, in connection with such activities to insure that such activities do not infringe upon or threaten the rights of individuals guaranteed by the Constitution.

POWERS OF THE COMMISSION

Sec. 4. (a) The Commission is authorized—

(1) to hold such hearings, take such testimony, and sit and act at such times and places as it deems advisable in order to carry out its duties;

(2) to employ and fix the compensation of such employees, and purchase or otherwise acquire such furniture, office equipment, books, stationery, and other supplies as may be necessary for the proper performance of its duties;

(3) to obtain the services of experts and consultants in accordance with the provisions of section 3169 of title 5, United States Code;

(4) to obtain the services of any organization (contracts entered into under the authority of this paragraph shall not be subject to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any provision of law requiring advertising), and

(5) to use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States.

(b) Each department, agency, and instrumentality of the Government is authorized to furnish to the Commission, upon request of the Chairman, such information as the Commission considers necessary to obtain in order to carry out its duties.

(c) (1) The Commission shall have power to require by subpoena, signed by the Chairman, the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under investigation. Members of the Commission and employees of the Commission designated by the Chairman may administer oaths and affirmations, examine witnesses, and receive evidence.

(2) Subpenas issued by the Commission under this subsection may be enforced, depositions taken, and witness fees paid in the manner provided in section 9 of the Federal Trade Commission Act (15 U.S.C. 49) and the provisions of section 10 of such Act (15 U.S.C. 50) are made applicable to the jurisdiction, powers, and duties of the Commission, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State in which such evidence is kept.

(d) With the consent of the head of the department or agency concerned, the Commission may use, on a reimbursable basis, the services of personnel, information, and facilities of any department or agency of the Government.

REPORTS

Sec. 5. Within 1 year after the date of enactment of this Act, the Commission shall report to the Congress its findings, conclusions, and recommendations, including any recommendations for legislation it may have. The Commission is authorized to make such interim reports and recommendations as it deems appropriate. All reports of the Commission shall be made public. The Commission shall terminate 30 days after the date on which it submits its final report to the Congress.

PAYMENT OF EXPENSES

Sec. 6. All expenses and salaries of the Commission shall be paid by the Secretary

of the Senate, from funds appropriated for the Commission, upon vouchers signed by the Chairman.

AUTHORIZATION OF APPROPRIATIONS

Sec. 7. There are authorized to be appropriated to the Commission \$5,000,000.

Mr. NELSON. Mr. President, I ask unanimous consent that the text of my speech delivered on February 23, 1967, entitled, "The Alarming Trend Toward Police-State Tactics" be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

THE ALARMING TREND TOWARD POLICE-STATE TACTICS

Mr. NELSON. Mr. President, I think there is cause to be deeply disturbed by a number of developments recently which seem to indicate an alarming trend in this country toward the use of police-state tactics.

I refer to the following developments: First, The lavish subsidization of the National Student Association and other private domestic organizations by the Central Intelligence Agency.

Second, The widespread use of wiretapping and eavesdropping by Government agencies.

Third, The subsidization of supposedly legitimate books by the U.S. Information Agency, primarily for propaganda purposes.

Fourth, The use of private detective agencies by large corporations such as General Motors to harass a private citizen such as Ralph Nader.

Fifth, The widespread practice of industrial spying to discover competitor's corporate secrets.

Sixth, The use of a private detective agency by the State of Florida, allegedly to conduct a widespread investigation into crime and corruption.

All of these developments have provoked considerable publicity, and most of them have been criticized in one way or another. When we view all of these developments and others like them as a developing trend or pattern in our society, I think we have reason to be gravely concerned as to whether the United States of America, perhaps unwittingly and unwittingly, is veering away from its traditional role as a free society and drifting toward a passive acceptance of the repulsive practices of a police state.

All of these disturbing developments have certain things in common.

In the first place, all have been carried out under a cloak of secrecy. That alone raises grave questions of public policy. Although there might be a few selected instances where secrecy can be justified by Government agencies or by giant corporations dealing with public questions, as a general rule secrecy is inevitably contrary to the public interest and a step toward corruption and tyranny.

Even more important than their common cloak of secrecy, all of these six activities have involved an element of dishonesty.

When our world-famed intelligence service took over the largest student organization in America, it was not merely an act of secrecy. It was an act of out and out dishonesty. Time after time our Government has denied Communist charges that American students abroad were being used as spies. Now it appears possible or even probable that these statements issued by our Government by students themselves and even their parents were lies. Note that the CIA urged the NSA to deny it was subsidized—in other words, to state that Ramparts magazine, rather than the NSA or the CIA, was lying about this

15 APR 1971

Nelson 'outraged'

Spying fight boils, a senator bubbles

By DAN THOMASSON
Scripps-Howard Staff Writer

The White House called government snooping on private citizens "totally repugnant" and an outraged U.S. senator today proposed creation of a national commission to investigate and oversee domestic surveillance activities of the FBI, Central Intelligence Agency and the military.

That was the upshot of yesterday's charges by Sen. Edmund S. Muskie, D-Maine, that FBI agents had spied on 40 to 60 Earth Day anti-pollution rallies throught the nation last year.

The outraged senator was Gaylord Nelson, D-Wis., a founder and co-chairman of Earth Day.

Calling the alleged FBI activities "far beyond the limits that are tolerable in a free society," Sen. Nelson introduced legislation to set up the surveillance commission at a cost of \$5 million.

'SIMPLY NOT TRUE'

His action came as White House Press Secretary Ronald L. Ziegler said Sen. Muskie's accusations were politically oriented, "totally misleading and simply not true."

Mr. Ziegler, visibly angered by the charges from the leading candidate for the Democratic presidential nomination, suggested that if the FBI had conducted surveillance activities at the Earth Day meeting here and elsewhere last April it was to keep watch on persons who had a long record of violence and not to spy on the event itself.

At the same time, Mr. Ziegler added: "If they (the FBI agents) were there for surveillance of Earth Day, it would violate administration policy."

COMPARISON

Mr. Ziegler compared Sen. Muskie's charge — backed up by copies of FBI reports on last April's Earth Day rally here, including notation that Sen. Muskie himself had spoken — with allegations last week by House Democratic Leader Hale Boggs, La., that the FBI had tapped congressional telephones.

But unlike the administration's quick, unqualified denial of Rep. Boggs' charges, the White House left open the possibility that FBI agents had snooped at the Earth Day rallies.

Mr. Ziegler told reporters at his afternoon briefing (after refusing to comment on Sen. Muskie's charges earlier) that administration policy is to conduct surveillance in the areas of organized crime and national security and "nothing beyond that is occurring."

Sen. Muskie's charges came as the furor over FBI activities under the guidance of its 76-year-old director, J. Edgar Hoover, continued to mount. Sen. Muskie said in his Senate speech yesterday that his Earth Day activities and those of another senator had been under surveillance.

An aide to Sen. Nelson, who with Republican Rep. Paul N. McCloskey Jr., Calif., helped found Earth Day, said he didn't know if Sen. Nelson had

been spied upon "but I assume it is probable since he spoke at the Berkeley, Calif., rally."

Sen. Nelson proposed a 24-man commission for investigating and overseeing domestic surveillance activities by government agencies. The commission would include six members of the House, six from the Senate and 12 from the public to be selected by the congressional members, who would be equally divided between the political parties.

The chairman of the commission would have the power to subpoena records, receive information or require the assistance of all departments and agencies. The chairman also could authorize public hearings.

STATINTL



KALAMAZOO, MICH.
GAZETTE

STATINTL

E - 58,086
S - 60,100

APR 12 1971

Wiretapping Should Be Subject To A Prior Court Order

A strong blow for individual rights has been struck by the majority of a three-judge panel of the nine-member U.S. Sixth Circuit Court of Appeals.

The panel, in a 2-1 decision last week, upheld a Detroit Federal District Court's ruling that wiretapping without a court order, even in cases involving national security, is illegal.

The specific case involved White Panther party members charged with conspiracy in the 1963 bombing of an Ann Arbor Central Intelligence Agency (CIA) office.

The Detroit jurist had said that without the requirement of a court order prior to any search, "law enforcement officials would be permitted to make their own evaluation as to the reasonableness, the scope, and the evidence of probable cause for search."

He declared that the requirement for a prior court order, however, would make any authorized search reasonable and not in violation of Fourth Amendment protection against "unreasonable searches and seizures."

The office of U.S. Atty. Gen. John N. Mitchell has not yet indicated whether it will appeal the split decision to the full Appeals Court bench, which has jurisdiction over Michigan, Ohio, Tennessee and Kentucky, or the U.S. Supreme Court, or whether it will let the ruling stand. Atty. Gen. Mitchell has maintained in the past that a president has the power to authorize phone taps to gather "national security" information.

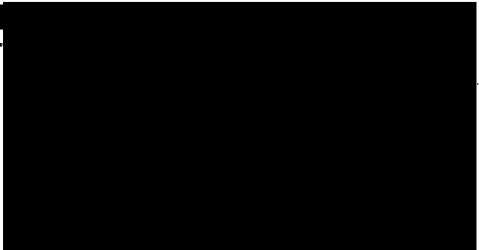
If the decision is appealed, it is to be hoped that the current judicial finding is upheld.

Certainly any responsible judge would not hesitate to authorize wiretapping if he is convinced by the investigating authorities that the national security is involved. And nothing would be lost. But for such wiretapping to be allowed without a prior court order could give law enforcement officers great latitude in defining "national security." This could open the door to wiretapping "security" investigations of a dubious nature and compromise the free society of which Americans long have been proud.

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WASHINGTON POST
12 APR 1973



Titillating Tidbits

By Jack Anderson

It has been the FBI's practice to collect titillating tidbits about prominent people, which turn up in the course of other investigations.

The FBI learned from its wiretaps at the Soviet Embassy, for instance, that ex-Attorney General Ramsey Clark had telephoned Soviet Ambassador Anatoly Dobrynin last December about possibly going to Russia to observe the trial of 12 Russian Jews who allegedly had plotted to hijack a plane to fly them to Israel.

J. Edgar Hoover immediately sent a secret message about Clark's plans, quoting a "highly reliable source," on the FBI teletype to the White House, Pentagon, State Department and Central Intelligence Agency.

STATINTL

BATTLE CREEK, MICH.
ENQUIRER & NEWS

APR 11 1971
E - 40,908
S - 44,235

IN OUR OPINION:

Constitutional rights protected by ruling

An assault on the rights guaranteed the American people by the Fourth Amendment was dealt another blow Thursday in Cincinnati when a U.S. Circuit Court of Appeals ruled that the government does not have the right to use wiretaps on U.S. citizens without court permission, even in cases which involve national security.

The Fourth Amendment deals with unreasonable searches and seizures and search warrants.

It is ironic that the Nixon Administration, which came to power partly on a law-and-order platform would be party to that assault.

But Atty. Gen. John Mitchell in his zeal to catch possible criminals has overstepped the limits on police activity established by the Constitution, according to rulings by two U.S. judges.

The latest ruling, which becomes law in Michigan, Ohio, Tennessee and Kentucky, is the nation's first appeals court ruling on wiretapping in matters of national security.

It resulted from the trial of White Panther party leader Lawrence R. Plamondon, one of three persons accused of conspiracy in the 1968 bombing of an Ann Arbor Central Intelligence Agency office.

Federal Judge Damon J. Keith led in that case that the govern-

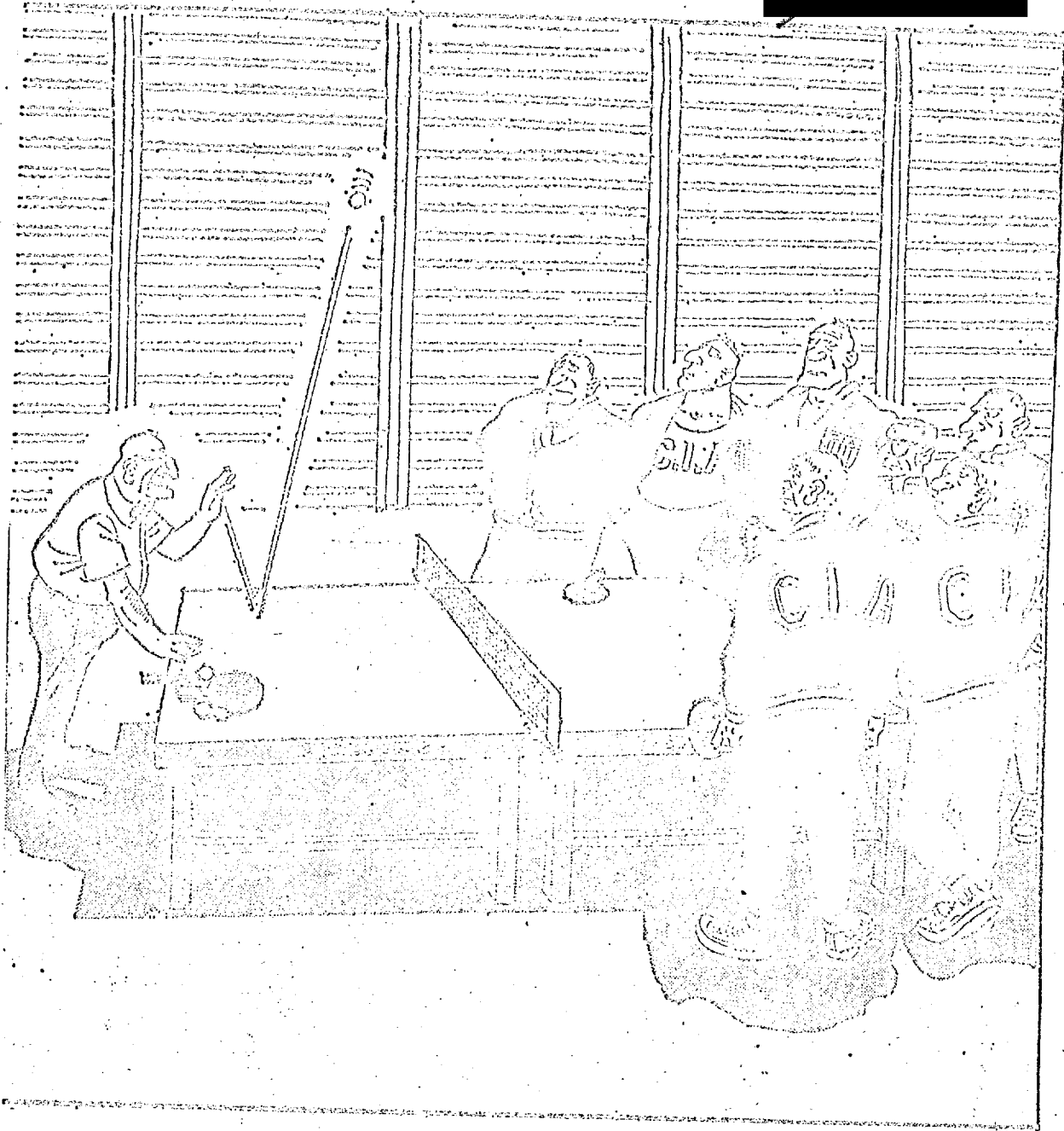
ment must disclose its wiretap logs of Plamondon's phone conversations, which were obtained without a judicial warrant. The point was that the wiretap was an invasion of privacy and amounted to a police search.

Judge Keith's comments on his ruling are of particular importance. He explained that not just Plamondon's rights were at stake, but that it concerned "the possible infringement of a fundamental freedom guaranteed to all American citizens."

Most of us might think that we as average citizens are not affected by such things, only those who engage in criminal activity are. Recent disclosures of military and FBI surveillance of "average" citizens, however, should be enough to remind us that equal application of the law is the best protection from abuse of our rights.

As Keith pointed out, we must not leave up to law enforcement officials the evaluation of whether probable cause exists to place a wiretap. That must remain the power of the courts.

Indications are that the government may appeal the ruling to the Supreme Court. If that happens, we believe the high court should send the assault on our Fourth Amendment rights to a final defeat.



"Now, men, with this type of ping-pong ball, you can pick up a conversation three miles away!" Jack in The Evening Standard, London

BEST COPY

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Offbeat

Washington

STATINTL

By VERA GLASER AND
MALVINA STEPHENSON

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When House Democratic Leader Hale Boggs accused FBI Chief J. Edgar Hoover of tapping his telephone, some Republicans in the White House felt sympathy pains.

Staffers in President Nixon's high command have suspected for months that their lines are tapped, not by the FBI, but by their own top brass. Several appear positive their conversations are monitored. Some take calls only at home.

Apprehension is growing that the alleged tapping extends to residence calls.

Although Attorney General John Mitchell flatly denied Hoover is tapping lines into Capitol Hill, the FBI chief himself told these reporters in 1969 that the CIA, Defense Department, Internal Revenue Service, and other intelligence agencies tapped phones "all over town" on their own authority, until President Lyndon Johnson clamped down.

Hoover said he opposed such goings-on without the specific approval of the attorney general, which is now required.

In the Johnson Administration, Special Assistant Marvin Watson was nicknamed "Big"ears" by underlings when he foiled their efforts to talk to outsiders on the Q.T.

Mrs. Boggs is not nearly as positive as her husband that Hoover's G-men have them under surveillance. "I don't know how you could tell if your wires were tapped," she said.

Hidden Talents

Besides his investigative work, the FBI is good at baby-sitting.

The Houston physician who treated 9-year-old Marty Mitchell, the attorney general's daughter, during her Texas visit, confirmed the G-men's hidden talents.

Dr. Henry Withers, whom Mrs. Martha Mitchell made famous by tagging him "a seedy-looking character," is on call for VIP's at the posh Warwick Hotel, owned by his brother-in-law, multimillionaire Texan John Meccum.

Apparently unaware of Withers' connections, Mrs. Mitchell decided she didn't like his locks. She ordered him to call another doctor for consultation before he had time to examine Marty.

Their heavily publicized clash drew about 1,200 sympathetic letters and long distance calls to Withers, he said in a telephone interview. Some were carbon copies of messages to President Nixon and the attorney general.

Withers termed Mrs. Mitchell "obnoxious," but praised the FBI.

"The agent acted in the capacity of mother," he recalled. "He took me in, introduced me to the little girl, and very gently backed out and left the door open during my examination. When I left, I gave him the instructions. He was one of the nicest men I ever met."

In a final salvo, Withers said, "everybody asked me why Mrs. Mitchell's husband can't shut her up."

Reagan to Asia

President Nixon, who is under fire from liberals and conservatives in his own party, has quietly outfoxed the latter by making a deal with Ronald Reagan.

Those who had hoped to dump Nixon in 1972 in favor of the California governor have had the rug pulled out from under them.

In a private White House huddle in February, an Asian tour was scheduled for Reagan in October. Billed now as a "trade mission" to Japan, the trip also will include Vietnam, with Reagan probably traveling in Air Force One, the President's plane. The foreign travel will help build him up for 1974, when

Reagan completes two terms in the California State House. At that time, he expects to be considering four options:

1. He may spend two years raising money for the GOP at dinners around the United States, and run for President in 1976. Reagan would be in his mid-sixties by then, but his intimates are urging him to consider it.

2. He may challenge Democrat Alan Cranston for his Senate seat.

3. He may become an ambassador, like his close friend Walter Annenberg, U.S. envoy to London.

Nancy Reagan talks often to Lee Annenberg via transatlantic telephone. Annenberg contributed heavily to Reagan's campaign, is credited with sparking his interest in the foreign service.

4. Reagan may accept a cabinet or diplomatic post shortly before his gubernatorial term ends, as a means of setting up an incumbency for Lt. Gov. Ed Feinecke, Reagan's brand of Republican, in the State House.

Equal Rights

Some Republican women presidential appointees are miffed at the administration's on - again - off - again tactics on the Equal Rights Amendment.

On April 2, 17 members of the Citizens Advisory Council on the Status of Women stomped in a body into the House Judiciary Committee.

They were burned up over earlier testimony by Assistant Attorney General William H. Rehnquist. The Justice Department, he told the committee, now has "reservations" about the amendment to wipe out sex discrimination, although Nixon endorsed the amendment in his 1968 campaign.

Subcommittee Chairman Don Edwards (D-Calif.) introduced each annual reauthorization bill, she stood up to be counted, despite the administration's coolness to the measure.

The group was led by Chairman Jacqueline Gutwillig of Arizona, a personal friend of Deputy Attorney General Richard Kleindienst. Even that apparently does not give the ladies a pipeline to power.

U.S. Is Expected To Appeal

By Roy Reynolds
(News Staff Reporter)

Wiretap Ruling

The U.S. Justice Department is expected shortly to ask the Supreme Court to reverse a ruling of major importance the U.S. Sixth Court of Appeals issued yesterday in a phone tapping case rising from the 1969 bombing of the Central Intelligence Agency's Ann Arbor office.

An Appeals Court panel ruled 2-1 that the Justice Department acted unconstitutionally by failing to obtain court authorization before tapping the phone of Lawrence R. (Pun) Plamondon of the locally based White Panther Party.

The ruling upholds a Jan. 25 decision by U. S. District Judge Damon R. Keith. He ruled that evidence collected in the phone tap was obtained in violation of the Fourth Amendment to the U.S. Constitution and must be given by the Justice Department to Plamondon's lawyer, William Kunstler.

Plamondon is charged by the Justice Department with committing the bombing, and is also charged along with two other White Panther members, John Sinclair and John W. Forrest, with conspiracy to bomb the CIA office. The bombing took place on Sept. 29, 1969.

If the Appeals Court ruling is not appealed, or if it is upheld by the Supreme Court, the Justice Department would apparently be compelled to drop at least some of the charges.

U.S. Atty. William R. Guy Jr. of the Justice Department's Detroit office said yesterday the Appeals Court ruling has "significant impact insofar as the traditional powers of the President are concerned." He expressed the opinion that the Justice Department "will be compelled to seek a ruling from the Supreme Court."

Guy said another possibility would be to ask for a ruling by the entire nine-member Appeals Court rather than the three who issued yesterday's ruling. He added that "if I had to speculate now, I would guess that we would take it to the Supreme Court."

The Appeals Court ruling was issued by Judge George Edwards of Detroit and Harry Phillips of Nashville, Tenn.

They said Atty. Gen. Mitchell's contention that the executive branch of the federal government can legally eavesdrop on anyone it considers a security threat "suggests that constitutional gov-

ernment is too weak to survive in a difficult world . . . We hold in dealing with the threat of domestic subversion, the executive branch of our government . . . is subject to the limitations of the Fourth Amendment of the Constitution when undertaking searches and seizures for oral communications by wire."

Dissenting Judge Paul C. Weick argued: "I see no reason why the powers of the President should be any different in dealing with either foreign or domestic subversives; both are equally harmful, both or either could result in the destruction of the government."

The government argued before the Appeals Court, and is expected to reiterate before the Supreme Court, that "When the President . . . determines that certain individuals or groups pose a

danger to the internal security of the United States as to warrant the use of electronic surveillance to gather intelligence information concerning the activities and plans of such individuals and groups, the Fourth Amendment does not require the additional safeguard of a prior warrant."

The Fourth Amendment, added to the Constitution in 1791, states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be searched."

Approved For Release 2001/03/04 : CIA-RDP80-0160

CINCINNATI, OHIO
ENQUIRERAPR
M - 189,425
S - 302,445

9 1971

Court Ruling On Wire Tap Slaps Justice Department

The U. S. Court of Appeals in Cincinnati ruled Thursday that Attorney General John N. Mitchell must get court approval to eavesdrop in "domestic subversion" cases.

The ruling, a major defeat for the Justice Department, was the first by a federal appeals court on the issue.

Mitchell has insisted for the past two years that he could authorize on his own the use of wiretaps or hidden microphones to gather data about domestic threats to national security.

The department is now expect-

ed to appeal the issue to the Supreme Court.

Until Thursday, Mitchell's view of his authority had been upheld by two federal trial courts and rejected by two others.

The new ruling was in favor of a white Panther Party member facing trial on a charge of bombing a Central Intelligence Agency at Ann Arbor, Mich., on Sept. 29, 1968.

The opinion was written by Judge George Edwards, Detroit, Mich., with Chief Judge Harry Phillips, Nashville, Tenn., concurring and Judge Paul C. Welck, Akron, Ohio dissenting.

The ruling makes it illegal to eavesdrop on militant or radical groups and individuals in this country without a court order.

Thus, the Justice Department would be required, in any criminal cases against such groups or individuals, to hand over the logs of its secret eavesdropping to defense lawyers.

The defendant, Lawrence Robert (Pun) Plamondon, is one of three White Panther party members charged with the bombing.

In oral arguments before the three-judge Sixth Circuit panel last February, the government maintained the secrecy of certain electronic surveillance information can-

be important for the protection of the country's citizens.

Arguing in reverse, William M. Kunstler of New York, one of the defense attorneys in the stormy trial of the "Chicago Seven" and a defense counsel for the White Panther Party members, told the court that the Fourth Amendment was at stake in the case.

Judge Edwards wrote:

"The government has not pointed to, and we do not find, one written phrase in the Constitution, in the statutory law, or in the case law of the United States, which exempts the President, the attorney general, or the federal law enforcement from the restrictions of the Fourth Amendment in the case at hand."

The District Court judge in Detroit, Damon J. Keith, was proper in finding that the conversations of Plamondon were illegally intercepted, the appellate court ruled, adding that his disclosure order was not an abuse of judicial discretion as the government had maintained.

GARDEN CITY, N.Y.
NEWSDAY

E - 427,270

APR 9 1971

STATINTL



NATIONAL

Federal Wiretaps Limited

The U.S. Court of Appeals in Cincinnati ruled yesterday that the Constitution forbids wiretapping without a court order in "domestic subversion" cases.

Rejecting the Nixon administration's claim of "inherent power" to tap the phones of suspected radicals without a judge's permission, the divided Sixth U.S. Circuit Court of Appeals held that the defense was entitled to inspect the records of the surveillance. Such surveillance is now carried out on approval of the U.S. Attorney General.

The court, in a 2-1 decision, ordered information on tapes, which were made by wiretapping without a court-issued warrant, disclosed to Lawrence R. Plamondon, a White Panther party member. He is charged with two others with the bombing of a Central Intelligence Agency office in Ann Arbor, Mich., on Sept. 29, 1968. The court affirmed the decision of U.S. District Court Judge Damon J. Keith, who had ruled that the U.S. attorney general had no authority to disregard the Fourth Amendment of the Constitution in such a case involving domestic security.

Stage Set for Supreme Court Test

Unless reversed by the Supreme Court, the decision—backed up by the binding disclosure order—would cripple the administration's program of domestic surveillance on dissident groups, according to the Justice Department. The decision can only set the stage for the ultimate test at the next and last level, the Supreme Court. It was a major setback for Attorney General Mitchell. FBI director Hoover testified in Congress a year ago that there were 36 telephone taps and two planted microphones under executive but not judicial authorization "in the security field." He has given the latest figures in secret and the House Appropriations Committee has not released them.

9 APR 1971

**WHITE HOUSE VIEW
OF WIRETAP RIGHT
DENIED ON APPEAL**

**U.S. Court Finds No Inherent
Power to Eavesdrop on
Radical Organizations**

By FRED P. GRAHAM

Special to The New York Times

WASHINGTON, April 8—A Federal Court of Appeals rejected today the Nixon Administration's assertion that Federal agents may legally wiretap radical groups without court approval.

Declaring that there was not "one written phrase" in the Constitution or statutes to support the Justice Department's view, the United States Court of Appeals for the Sixth Circuit in Cincinnati ruled that Government wiretapping of such groups without warrants violates the Constitution.

The ruling was the first one by a Federal appellate court on Attorney General John N. Mitchell's contention that the executive branch has the inherent power to eavesdrop on "dangerous" groups that he considers a threat to the Government.

Appeal to Top Likely

The Justice Department is expected to appeal the decision to the Supreme Court. It has conceded in several prosecutions involving militants that eavesdropping was used without court approval. However, a spokesman said that no final decision could be made today because there had not been sufficient time to study the decision.

Today's ruling upheld a decision made by Federal District Judge Damon J. Keith in Detroit, in the trial of three members of the White Panther party who were accused of conspiracy in the bombing of a Central Intelligence Agency office in Ann Arbor.

that it had overheard conversations of one of the defendants.

Lawrence R. Plamondon, over a wiretap that was approved by the Attorney General but not by any court.

Implied Power Alleged

In an affidavit, Mr. Mitchell made the assertion, which had not been made by any previous Attorney General, that the executive branch had the inherent power to use wiretapping "to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of government."

He said that this authority was implicit in the President's constitutional duty to wage war and protect the country. Thus he said that the wiretap had been a legal one and that the Justice Department did not have to disclose the overheard conversations to Mr. Plamondon.

Judge Keith ordered the Government to disclose the material or drop the case. The Justice Department asked the Sixth Circuit court to overturn that decision, which it refused to do today by a 2-to-1 vote.

The majority opinion was by Judge George C. Edwards Jr. and was joined by Chief Judge Harry Phillips. It held that the Fourth Amendment's prohibition against unreasonable searches and seizures requires Government agents to obtain warrants to wiretap domestic radicals, just as in any other criminal investigation of the land.

Judge Edwards cited the "historic role of the judiciary to see that in periods of crisis, when the challenge to constitutional freedoms is greatest, the Constitution of the United States remains the supreme law of the land."

He noted the Government's assertion that the "awesome power sought for the Attorney General will always be used with discretion," but he said that "even in very recent days" this has not always been the case.

The opinion dismissed the Government's "inherent power" claim, stating that the Supreme Court had said that no such Presidential powers exists when it ruled that President Truman had illegally seized the nation's steel mills in the Korean War period.

The court noted, however, that it did not decide one way or the other on the President's wiretapping powers where attacks, espionage or

sabotage by a foreign power or its agents were involved.

In his dissent, Judge Paul C. Weick said that the President had the sworn duty "to protect and defend the nation from attempts of domestic subversives, as well as foreign enemies, to destroy it by force and violence." He said that the threat to the Government was as great when mounted by a domestic group and that such groups may be aided and abetted by foreign powers.

William M. Kunstler, commenting on the ruling, said:

"I hope that this decision means that the Federal courts are going to stand in the way of the wholesale erosion of the Fourth amendment by the Mitchells, the Hoovers and the other high and low placed snoopers."

Mr. Kunstler, the New York lawyer, represented Mr. Plamondon in the case decided today.

STATINTL

Domestic Wiretaps Curtailed

Appeals Court Curbs Watch On Radicals

By John P. MacKenzie
Washington Post Staff Writer

The United States Court of Appeals in Cincinnati ruled yesterday that the Constitution forbids wiretapping without a court order in "domestic subversion" cases.

Rejecting the Nixon administration's claim of "inherent power" to tap the phones of suspected radicals without a judge's permission, the divided Sixth U.S. Circuit Court of Appeals held that the defense was entitled to inspect the records of the surveillance.

Such surveillance is now carried out on approval of the Attorney General.

Unless reversed by the Supreme Court, the decision—backed up by the binding disclosure order—would cripple the administration's program of domestic surveillance on dissident groups, according to the Justice Department.

The decision, which becomes the law of the Sixth Circuit states of Michigan, Ohio, Kentucky and Tennessee, can only set the stage for the ultimate test at the next and last level, the Supreme Court. But it was a major setback for Attorney General John N. Mitchell.

Another test case is working its way through the Ninth Circuit on the West Coast. A final Supreme Court decision is unlikely before the fall term.

FBI Director J. Edgar Hoover testified in Congress a year ago that there were 38 telephone taps and two planted microphones under executive but not judicial authorization "in the security field." He has given the latest figures in secret and the committee has not released them.

The court upheld the order of U.S. District Judge Damon J. Keith in Detroit to disclose the records on eavesdropping to Lawrence (Pun) Plamondon, minister of defense of the White Panther Party, and his lawyer, William M. Kunstler, so they can search for a link between the prosecution's evidence and the illegal surveillance.

Plamondon and two other White Panthers, members of a group that advocates radicalizing young people by rock music, are awaiting trial on a charge of conspiring to blow up the Central Intelligence Agency offices at Ann Arbor, where the party is based.

The court of appeals divided sharply both on the legality of the warrantless wiretap and the right of the accused to inspect the records rather than permit a judge to decide whether they might be "relevant" to the prosecution or defense of the charge.

Judge George C. Edwards, former Detroit police chief and long an advocate of wiretapping under court supervision, wrote the majority opinion. He was joined by the circuit's chief judge, Harry Phillips of Nashville. Judge Paul C. Weick of Akron dissented.

Edwards, a noted liberal in other areas of the law, was instrumental in 1967 in obtaining the approval of the Judicial Conference of the United States for then-pending wiretap legislation. He suggested that the Justice Department use the law that passed in 1968, with its procedure for getting warrants, in combating subversion as well as organized crime.

The judge scolded the administration for claiming that courts have no business interfering with wiretaps for collecting intelligence on subversives. The Constitution, he said, divides the nation's "sovereign power" into three

branches and "was designed to require sharing in the administration of that awesome power."

Despite urgings that "the awesome power sought by the Attorney General will be used with discretion," said the judge, "obviously, even in very recent days, this has not always been the case."

Judge Weick's dissent said there was no difference between the validity of executive power to wiretap in foreign cases—a point the majority

did not reach—because the danger from both sources was severe.

"At a time when our soldiers are fighting on foreign soil and there is turbulence at home, thereby confronting the President on two fronts with many serious, perplexing and complex problems," the dissent said, "a heavy responsibility rests on his shoulders to protect not only our fighting men abroad but also the people at home from the destruction of their government by domestic subversives."

STATINTL

WASHINGTON, D.C.

ROLL CALL

APR 1 1971
WEEKLY - 9,048

The man got a reading on his meter which indicated something underneath the floor, according to William Wise, Bayh's press secretary. "So we took a poker and banged on the floor till we didn't get a reading any more," Wise recalls.

The Senate Sergeant-at-Arms, Robert C. Dunphy, is requested at least once a month to trace Senators' telephone lines for taps. He uses a special electronics aide along with the assistance of telephone company experts. However, no taps have been found.

Ironically, a Senate sub-committee is currently investigating recent allegations of widespread spying on civilians and politicians by the military. The hearings, chaired by Sen. Sam Ervin (D-NC), were prompted by a former army intelligence agent who disclosed that the Army spied on several politicians including Sen. Adlai Stevenson (D-III) and Rep. Abner Mikva (D-III).

Although Attorney-General John Mitchell himself has said he would not approve taps on Members of Congress and would fire anybody under him who attempted it, surveillance could nevertheless be carried out by several other federal agencies with or without the knowledge of the Justice Department.

Actively accumulating data and compiling dossiers on Americans although not necessarily authorized to do so by law have been the Secret Service, FBI, Justice Department, State Department, CIA, Civil Service Commission, Internal Revenue Service, Defense Department, and the Department of Health, Education, and Welfare.

Ervin, one of the Senate's leading constitutional authorities, has been alarmed over government snooping for some time and is now more convinced than ever that some sort of "right to privacy" legislation must be introduced.

E - 50,662

STATINTL

MAR 11 1977

AS THE CHRONICLE SEES IT

Mitchell's 'White Panther' Appeal Bald Attempt to Flout Due Process

Columnist James J. Kilpatrick turned his attention Tuesday to the so-called "inherent" powers of a president, commenting in his regular column on Michigan's "White Panthers," and the action of the Justice Department in gathering evidence against them.

The "Panthers" (three were indicted) have been charged with bombing the Ann Arbor offices of the Central Intelligence Agency. The Justice Department, at direction of the President, used electronic surveillance (wiretapping or its equivalent) to build a case for prosecution—without first obtaining a warrant from a judge.

When the case went to court, U.S. District Judge Damon J. Keith ruled flatly that the attorney general has no authority for such surveillance without prior court approval. The Justice Department appealed his ruling, and another stemming from a similar case, to the Sixth U.S. Circuit.

Attorney General Mitchell is arguing on appeal that "the President, acting through the attorney general, may constitutionally authorize the use of electronic surveillance in cases where he has determined that, in order to preserve the national security the use of such surveillance is reasonable."

His department elaborated, in response to editorial protest, that it is the first responsibility of the state to

preserve itself; that this responsibility is implicit in the nature of government itself, and need not be explicitly set forth in the Constitution, and that the President has the intrinsic right, in the name of national security, to do whatever he thinks necessary to preserve the state from being overthrown.

It was further asserted that Presidents Roosevelt, Truman and Johnson authorized the same actions in other years.

Obviously, the assertion of a right doesn't necessarily make a right, and no amount of argument can convince us that the government's action doesn't amount to a direct violation of the Fourth Amendment requirement that warrants be issued, on probable cause, before a place is searched. The protection thus afforded is what Judge Keith invoked against the President—and with very good reason.

It has been all too easy for the government to get court permission to conduct electronic spying. And to ignore the due process of law by giving government such power without even a court check could lead to a time when due process is meaningless and Americans are subject to the whims of whatever administration is in power.

As columnist Kilpatrick said, "If a president has power to suspend one constitutional protection, in the name of national security, he has power to suspend all others by the same fiat—free speech, free press, trial by jury, due process of law.

No such presidential power can be countenanced. If the government deems it necessary to the national security to tap phones or otherwise spy on suspects, then it must first convince a judge there is probable cause for the action.

The doctrine promulgated by the attorney general would remove the Fourth Amendment as a buffer between the rights of the citizens and the desires of government. It would rip away the public's shield against domestic despotism. It will be a black day for the nation if the appeal is upheld.

THE POISONOUS TREE

CARL COHEN

Mr. Cohen teaches philosophy at the University of Michigan, Ann Arbor. He is the author of two books soon to be published: *Democracy* (University of Georgia Press) and *Civil Disobedience* (Columbia University Press).

Secret, electronic surveillance of private citizens, by government agencies, is a serious invasion of privacy, and does irreparable damage to the decency of our civic life. How can it be stopped? One legal weapon against it, which can have important effect, is the refusal of the courts to use or to receive evidence in this unsavory way. Over the retention and strengthening of that weapon legal battle now rages.

Some background, first. The Fourth Amendment of the U.S. Constitution lays it down that:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

On this basis it is a long-standing principle of our courts that the government may not build its case against a defendant in a criminal action upon evidence obtained by unconstitutional methods. Even where that evidence, were it to be accepted, might clearly establish guilt, it must not be accepted, or even heard, because permitting any use of it is direct encouragement to law enforcers to gather such evidence in future cases. In applying this important exclusionary principle to search by wire tap, the U.S. Supreme Court also held in 1969 (*Alderman v. United States*) that the government must disclose to a defendant any record of conversations he participated in, or which occurred on his premises, which the government acquired by means of any illegal electronic surveillance. (The practical importance of this ruling appears in the current Plamondon case, cited below.)

But when is electronic surveillance legal and when illegal? The Omnibus Crime Control and Safe Streets Act of 1968, far less restrictive in this regard than it ought to be, does lay down strict conditions within which electronic surveillance may be carried out. Probable cause to believe that criminal activity is in progress must be sworn to before surveillance is undertaken, and a duly constituted court or magistrate must authorize specific surveillance and issue a warrant therefor. Unauthorized electronic surveillance by government officials is a serious crime. But the Act also provides, unhappily, for exceptions to its own restrictions. By its own words the Act does not

limit the constitutional power of the President to take such measures as he deems necessary to protect the Nation against actual or potential attack or other hostile acts of a foreign power, or to obtain foreign intelligence information deemed essential to the security of the

United States, or to protect national security information against foreign intelligence activities. Nor shall anything contained in this chapter be deemed to limit the constitutional power of the President to take such measures as he deems necessary to protect the United States against the overthrow of the Government by force or other unlawful means, or against any other clear and present danger to the structure or existence of the Government. . . .

Through this hole in the dike the Attorney General of the United States and his subordinates have surged, and the federal courts now face the difficult problem of restraining the zeal of law enforcers eager to tap the wires of anyone who might, by their lights, be deemed a threat to "national security." The threat, more deeply understood, is from the government—and the privacy of citizens is its victim.

The rub lies here. Who decides what is necessary for "national security"? The President, acting through the Attorney General, is authorized to conduct electronic surveillance without judicial warrant to protect the nation against the hostile acts of foreign powers. That is itself worrisome. But is the exception to be enlarged? Is wire tapping to be permitted, and its results received by the courts, in matters of alleged *internal* security?

The issue is not only theoretical. A case now before the U.S. District Court, Eastern District of Michigan, presents the practical problem starkly. The defendants are charged with conspiring to injure government property, and one of them, Lawrence "Pun" Plamondon, is charged with the actual bombing of a CIA office building in Ann Arbor. The trial is about to begin. Electronic surveillance of Mr. Plamondon's conversations has been conducted by the government, undertaken admittedly *without* the judicial authorization that the law requires. The sealed logs of these wire taps have been delivered to the court, and with them an affidavit from the Attorney General. This affidavit does not assert that at the time these wire taps were installed, law-enforcement agents had probable cause to believe that criminal activity was actually being plotted. (If such probable cause could have been shown—that, for example, the illegal overthrow of the government by violence was being planned—a proper warrant could surely have been obtained.) The affidavit argues, badly, that the Attorney General, as agent of the President, *may by himself authorize* electronic surveillance of "attempts of domestic organizations to attack and subvert the existing structure of the government." Therefore, he concludes, wire tapping in this case, although without judicial warrant or control, is yet legal.

It is to the enduring credit of the U.S. District Court, in the person of Judge Damon J. Keith, that this argument by the government has been flatly rejected. Keith's forceful and distinguished opinion, handed down on January 25, affirms the constitutional right of citizens to be protected from such unauthorized electronic searches. He makes

PORT HURON, MICH.

TIMES HERALD

FEB 22 1971

E - 38,124

S - 38,331

Cracker Barrel Court Methods

(The following guest editorial is reprinted from the Feb. 11 edition of Detroit News.)

Why should a lower court of appeals spend its time hearing a case if, regardless of that court's decision, the case must go to the Supreme Court, anyway?

That question deserves some attention from Chief Justice Warren Burger, foe of judicial delay.

The case in point arises from the trial of three White Panthers charged in the bombing of CIA offices in Ann Arbor in 1968. During that trial, Detroit Federal Judge Damon J. Keith ruled that the wire-tapping of the conversations of one of the defendants was illegal.

This ruling runs contrary to the understanding and practice of the Justice Department, which says it has a right to eavesdrop on suspected subversives. The Justice Department considers such eavesdropping a logical and legal extension of its legally-sanctioned practice of tapping the telephone lines of embassies whose activities it suspects.

Last week, Judge Keith granted the government a postponement in the trial of the White

Panthers pending a decision on the wiretapping issue from the 6th Circuit Federal Court of Appeals in Cincinnati.

Everybody concerned has made it clear that every avenue of appeal will be exploited and that the final ruling must come from the U.S. Supreme Court. Therefore, what the circuit court of appeals says will be completely academic; the arguments and the deliberations will waste the time and the money of the taxpayers. Meanwhile, the original trial which gave birth to the wiretapping issue must also halt.

Why couldn't the appeal have gone directly from Judge Keith's court to the Supreme Court, eliminating the costly and unnecessary delay?

In his speech last August to the American Bar Association convention, Chief Justice Burger observed: "In the supermarket age we are like a merchant trying to operate a cracker barrel corner grocery store with the methods and equipment of 1900."

The wiretapping case is a perfect example of cracker barrel methods that need to be streamlined.

Wiretap Use Is Supported By Kleindienst

Defending the administration's claim of an inherent right to wiretap dissident domestic groups, Deputy Atty. Gen. Richard G. Kleindienst maintains there is no difference between Americans and foreigners if their aim is to destroy the government.

"The whole question of internal security is not a divisible subject matter," Kleindienst, the No. 2 man at the Justice Department said in an interview, "You can't divide subversion into two parts—domestic and foreign."

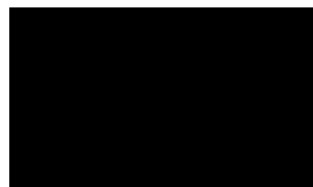
He commented in response to questions about the controversy generated by disclosures that the government "bugged defendants in the Chicago Seven trial and heightened by two recent court ruling that electronic surveillance of domestic groups without a court ruling in unconstitutional.

The Justice Department asked the 6th Circuit Court of Appeals in Cincinnati Feb. 5 to set aside a ruling by U.S. District Court Judge Damon J. Keith in Detroit in the case of an alleged bombing by White Panther Lawrence "Pun" Plamondon.

Keith held that the attorney general, acting for the President, has no authority to conduct electronic surveillance in domestic national security cases without prior court approval — though it does when foreigners are involved. Two other federal courts—in the ruling by a California federal judge in a Black Panther case, are involved. The Justice Department has appealed a similar Chicago Seven case and a case in Kansas—have upheld the government's position.

STATINTL

STATINTL



DYERSBURG, TENN.
STATE GAZETTE

E - 6,119

FEB 19 1973

COULD BE A REASON

There is no doubt that a lot of persons have been shaken on learning that the Federal Bureau of Investigation and the Central Intelligence Agency has been "snooping" on civilians.

To what extent or how long the practice has been going on has not been determined, and those who investigate are not likely to reveal too much about their plans, or their probes would be of little value.

This, however, is known. The practice is not new. There have been several instances where knowledge of the snooping came out in trials and convictions of persons found guilty of violating Federal income tax laws and other Federal regulations.

That these steps may have resulted in less crime or violation of laws that not only cost citizens money in losses incurred by the criminal actions, but also in court trials, convictions and eventual punishment, but these facts do not seem to be used very broadly to balance against the investigations which led to convictions.

Those who are now howling about the snooping do not seem to be the least bit impressed by the results that have been obtained in past instances. They appear to be more concerned over the possibility that they may be snooped on than they are in the prevention of crime.

It is almost a certainty that very few little fish are likely to be the objective of investigations. No time possibly will be wasted on them. They are too unimportant and their transactions are certain to be too little to occupy the time and attention of those who draw sizeable salaries in their jobs, or profession, as investigators.

It also would seem more than likely there might have to be some suspicion pointing at those who get snooping attention. Otherwise it would be a waste of time. Perhaps that is the reason some are so upset about the investigations. They were not disturbed until they learned the practice was in effect.

LEWISTON, IDAHO

FEB 15 1971

M - 21,770

S - 22,477

No Jellyfish

After reading the letters by Mel Arrasmith of Clarkston and Mrs. Milt Cunningham of Absahka, I would like to say your impressions of Mr. Wing are wrong. Mr. Wing is not a Communist, nor is he a jellyfish. He is a patriotic American and a humanitarian. Mr. Wing, myself and many others would protest just as quick and just as loud if the privacy and freedom . . . of the John Birch Society, D.A.R. or the Black Panthers (was violated).

The FBI, CIA and others have tarnished their image by their illegal tapping of phones, setting their undercover spies on our highest seats of learning, keeping secret files on everyone, even demanding files from our libraries to find out who read what and why.

Have we forgot so soon how Sen. Joseph McCarthy strode across the political stage, betraying the Bill of Rights and fomenting hatred and suspicion across our whole nation?

Mrs. Cunningham, how do you think a freedom-loving man like Patrick Henry, who said "Give me liberty or give me death," would feel?

And Mel Arrasmith, when you ask in your letter "Why we shouldn't fight communism by any means," have you come up with something new we hadn't thought of before?

Justice Louis D. Brandeis observed half a century ago, "Government is the potent, omnipresent teacher, for good or ill. It teaches all of the people by its example." If government tries to solve its problems by large scale violence, its citizens will assume that violence is the normal way to solve problems. If government itself violates the law, it brings the law into contempt and breeds anarchy. If government masks its operations, foreign, and domestic, in secrecy its end is a closed society. And if government shows by its conduct that it rejects freedom and justice for even one, freedom and justice will end for everyone of us.

Whenever the government embraces the principle that the end justifies the means, then we have already lost, and in the process we have lost the right to a free society.

SALLY SCHMALTZ

Lewiston, Idaho

STATINTL

Approved For Release 2001/03/04 : CIA-RDP80-01601R0002001900012
Private Wiretapping: Now Extensive

Second of two articles.

By Ronald Kessler
 Washington Post Staff Writer

Five blocks from the Justice Department, a cubbyhole storefront displays replicas of bugging devices cleverly concealed in cigarette lighters and martini olives.

Inside, the manager quotes prices of \$119 to \$1,000 for what he describes as surreptitious listening devices guaranteed to be easily hidden, difficult to detect, and highly sensitive.

Few merchandisers of bugging devices display replicas of their wares as openly as this shop on New York Avenue at 14th Street NW. But the variety and sophistication of the store's equipment lend support to the view, expressed by debugging experts, that wiretapping and bugging are prevalent in Washington and throughout the country.

Thanks to the transistor, miniaturization of bugging devices is no longer a problem. To further avoid detection, private snoopers have turned increasingly to transmitters instead of wires to carry signals. A strict federal wiretap and bugging law enacted in 1968 has raised fees and made some wiretappers more cautious but, experts say, hasn't reduced the level of eavesdropping.

"If I wanted someone to do bugging, I could easily find 15 people in this area.

All you have to do is dangle enough money," says Kenneth Smith, a Falls Church debugging expert who was once an Internal Revenue Service wiretapper. Harold K. Lipset, a San Francisco bug detection expert, claims bugging is "less dangerous than betting, harder to prove and more profitable."

Wiretappers do not readily admit their occupation. They are more apt to say they are detection or electronics experts (many of whom, of course, won't tap). But they will readily name others in the wiretap business and occasionally display their bugging equipment or laboratory.

From these and other observations, it appears a Washington resident who wants to hire a wiretapper would have little difficulty.

Justice Department officials contend that private bugging has been reduced by enactment of the wiretap provisions of the Omnibus Crime Control and Safe Streets Act.

In an interview, Attorney General John N. Mitchell said complaints of bugging and tapping have dropped from 100 a month to only 30 a month since 1968. One to two persons are convicted each month, he said.

Mitchell said he knows of the Spy Shop on New York Avenue but was not aware it might sell bugging devices. Other Justice officials said they had been told by owners of the shop that no illegal devices were sold to the public.

As this reporter entered the shop recently, the manager, George Michaels, was demonstrating to an apparent customer a steel box the size of a large box of matches.

Michaels called it "the executive box" and said it permits telephones to be tapped safely. When the receiver is on the hook, Michaels said, the box turns off the tap, thus preventing detection, and while it is in operation the box reduces the drain on the phone wire through use of capacitors. In addition, he said, the box protects tape recorders from power surges that occur when the telephone bell is rung.

Michaels connected the box to a telephone on the counter and dialed information. After receiving the number and address of a Washington hotel, he rewound a tape recorder also connected to the device and played back his conversation with the information operator.

"How much?" the customer, a scedy-looking man in his 30s, asked.

"Three hundred dollars," Michaels said.

"Do you take credit cards?" the customer wanted to know.

The shop displays decals of three credit card companies, but Michaels said only the executive box.

"That's all right, I don't have any credit anyway,"

the man said, promising to come back with the money later in the week.

During the demonstration, a D.C. policeman had wandered into the store, smiled at Michaels, and said inexplicably, "Something on the side." Later, a police cadet came in.

"Are you with a police department?" Michaels asked this reporter after he had been asked the price range for bugging devices.

"No," came the reply, and Michaels explained that bugging is against the law and that bugging devices can only be sold for "certain good reasons."

"I work for someone, and I can't say what it's for, but it's for a good purpose," Michaels was told.

Up to \$1,000

The manager quoted prices for bugging transmitters "smaller than a pack of cigarettes" with ranges of up to five blocks.

One device, for \$600, picks up room conversations and taps telephone calls when placed in a phone, Michaels said. Other devices were described as being particularly hard to detect because they transmit on high-frequency wavelengths.

No sale was made and in a subsequent interview, the Spy Shop's owner, C. R. Wallace, said no illegal devices are sold.

When a customer walks in, he said, "we would tell him that we don't sell bugs or wiretap equipment. If he identified himself properly as being from government or law enforcement, we'll sell bugging equipment with a contract. What we sell to the public is legal."

The 1968 wiretap law permits private individuals to make or sell bugging devices for law enforcement agencies if they are under contract to do so. Without a police agency contract, the law prohibits manufacture, distribution, possession or advertising of devices "primarily useful for the purpose of surreptitious interception" of wire or oral communication.

Also prohibited is the use of any device to intercept wire or oral communication.

Penalties for violations is not more than a \$10,000 fine or not more

than five years in prison or both.

An almost identical law became effective in D.C. Feb. 1. The Maryland state wiretap law is slightly stricter than the federal law. Virginia has no state wiretap or bugging law, according to Assistant Attorney General James E. Kulp.

The Spy Shop's wares appear cumbersome when compared with those made by Bernard B. Spindel, of Holmes, N.Y., a former wiretapper who was considered by FBI and telephone company officials to be the top private eavesdropping authority in the country until his death last week. Some former FBI wiretappers say he was more versatile than FBI tappers.

Spindel lived in a sprawling combination house and laboratory with his wife, seven children, and two dogs. His clients have included James R. Hoffa, the former Teamsters Union president, and various Mafia figures.

Last July, Spindel was released from jail after serving 14 months for conspiring to wiretap. Before his death he said he sold equipment under contract to law enforcement agencies through his wife's company and taught wiretapping to police and intelligence agents.

In one of the five rooms of his laboratory, Spindel proudly showed his basic product: a microphone-amplifier combination or microphone-transmitter each the size of an aspirin tablet.

Concealment

The bugs are commonly concealed under furniture, in thermostats or heat registers, under moldings or carpeting, or behind electrical outlets.

If the transmitter bug is used, the signals are received and monitored from a nearby rented room. If the amplifier device is used, Spindel made a connection to a spare telephone wire by painting a clear conductive fluid on the walls. No wire can be detected. The bug may then be monitored from a distant point if the proper arrangements can be made with telephone company employees.

FBI Wiretapping: How Widespread?

First of Two Articles

By Ronald Kessler
Washington Post Staff Writer

Nearly every year for the past 15 years, FBI Director J. Edgar Hoover has reported to Congress the number of telephone wiretaps operated by his agency in national security investigations. The number never exceeds 100, and in recent years it has fluctuated between 30 and 50.

How Hoover arrives at these figures is not known. One well-informed source quotes FBI agents as saying the monitoring devices on many FBI taps are turned off a day before Hoover's congressional appearance, then reactivated—the taps still in place—a day later.

Ramsey Clark, the former attorney general, says information given to him while he headed the Justice Department indicated the taps were "thinned out" before Hoover's testimony:

Whatever the method, Clark, a present and a former FBI man, and a telephone company source all claim that the actual number of FBI taps exceeds the number Hoover reports to Congress. Clark claims that the true number was at least double the number reported by Hoover.

Even more widespread than wiretapping and bugging, both government and private, The Washington Post was told in interviews, is the fear of tapping, a condition thought by many to be as harmful as the fact.

About a quarter of the senators, congressmen, lawyers, businessmen and journalists responding to a Washington Post questionnaire said they have suspected or believed that their telephones were tapped or their offices bugged.

Attorney General John N. Mitchell, in a recent interview, discounted such talk as being symptomatic of paranoia.

"The misconception about wiretapping goes almost to the point of absurdity," Mitchell said.

feel everybody in Washington is tapped, and the CIA's tapping the FBI, and the FBI's tapping the NSA (National Security Agency).

"Of course, it couldn't be further from the truth." The FBI and other government agencies have authority under the 1938 Omnibus Crime Control and Safe Streets Act and Presidential orders to tap or bug under two circumstances: in major criminal cases, only after obtaining approval of a judge, and in national security cases, only with the approval of the attorney general.

The number of court-ordered surveillances has increased from none in 1968 to 33 when Mitchell took over in 1969 to 213 last year, court records and Justice Department figures show. National Security

But it is the national security category that is the frequent subject of controversy, and here there appear to be three sets of figures.

The first, unchallenged through the years, is the public accounting given by Hoover in annual testimony before the House Appropriations Subcommittee. The testimony last March followed the standard format:

"Our investigation coverage is also enhanced through the limited and closely controlled use of telephone and microphone installations," Hoover stated. "Currently—Feb. 14, 1970—we are operating 33 telephone surveillances and two microphone installations in bureau cases in the security field. All were authorized in advance and in writing by the Attorney General..."

Mitchell declined to either confirm or deny Hoover's figures. "I have a hell of a lot better things to do than read the testimony of people in the department on the Hill," he said.

Clark's View

But Ramsey Clark, who was followed as Attorney General by Mitchell in January, 1969, said in an interview in his Washington law office, "I don't think the Hoover testimony ever purported to give the full extent of FBI wiretapping."

Clark said Hoover in his congressional report is apparently counting only one category of national security taps: those on foreign nationals or persons working for foreign nationals in this country. Apparently excluded, Clark said, are taps on domestic security targets (persons suspected of plotting to overthrow the government) and taps on foreign missions. Combined, these categories represent the second set of figures and would be at least double the number cited by Hoover, Clark said. The highest number of taps is in Washington, he added.

"Mr. Hoover, according to information given to me while I was at Justice, will pull taps off before he testifies, and he coaches his language. Of course, you have to thin them out (the taps) anyway," Clark said.

Clark said he was unaware of any further categories of FBI taps, but information given to The Washington Post indicates there is still a third set of figures. "Leased Lines"

In Washington, a well-qualified source who requested anonymity said the FBI leases 450 lines that can be used for tapping and bugging. Several of the lines, he said, are sometimes used for one tap, as when a foreign embassy has five or 10 incoming circuits as well as special teletype and telegraph lines, all of which are to be intercepted. Many other lines in the tapping cable are attached to single telephones, the source said.

According to this source, the 450 lines run from Chesapeake & Potomac Telephone Co.'s downtown exchange, the nucleus of the D.C. telephone network, to the FBI's Washington field office, a distance of three blocks. The field office, housed in the Romanesque former national headquarters of the Post Office Department on Pennsylvania

Avenue, is in turn a block from the Justice Department.

In C&P cable records, the 450 lines are listed as "special test circuits" rather than leased lines.

The source said taps are placed on lines in Washington by C&P employees, then routed from the various exchange offices to the downtown exchange, where the tapped wires are connected to the FBI's listening cable.

"Soundman"

A former FBI "soundman"—wiretapper and bugger—says he has seen at least one of the "tech rooms" in the field office where the lines are monitored. A telephone company source reports that the FBI removes its monitoring equipment from tapped lines when the lines or tapped telephones require repair.

Both the FBI and telephone company declined to comment; the telephone company on the grounds that discussion of telephone lines or customers would violate its obligation to insure secrecy of communications.

Mitchell, referring to the reported 450-line cable, said, "Anybody who told you that is absolutely out of his cotton-picking mind."

Mitchell said all FBI taps and bugs are approved by him. He said he has "no problem whatsoever accepting the clear records that we have."

He added, "All you have to do is prove to me that these taps are on there at the FBI's activation, and whoever put them on there will be out on the street looking for a job."

"200 Lines"

According to a former FBI "soundman, who asked not to be identified, widespread FBI tapping is not new. He says that he personally serviced 200 surveillance lines, almost all of them wiretaps, in New York City around 1960. The taps were monitored from an average of six rooms leased in apartments and office buildings throughout the city, he said. During that period of time, congressional hearing transcripts show, Hoover was testifying to fewer than 100 taps throughout the country.

STATINTL

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FEB 6 1971
M - 189,425
S - 302,445

Federal Government Seeks Wiretap Charge Immunity

In a case against a White Panther Party member, the U. S. Department of Justice came to a federal court in Cincinnati Friday seeking an order against a U. S. District Court judge in Detroit, Mich.

The issue revolves around the question of whether it is lawful for the attorney general of the United States to authorize and conduct certain electronic surveillance.

It arose over the case of Lawrence Robert (Pun) Plamondon, a White Panther member facing trial in Detroit on a charge of bombing the Central Intelligence Agency office in Ann Arbor, Mich.

Against the opposition of Attorney General John N. Mitchell, U. S. District Court Judge Damon J. Keith, Detroit, ordered the government to disclose to Plamondon logs of government electronic surveillance of conversations in which he participated.

The Justice Department asked the Cincinnati-based U. S. Court of

Appeals for the Sixth Circuit to order Judge Keith to vacate his disclosure order. The request was in the form of what is known as a petition for a writ of mandamus.

In commanding the disclosure, the petition says, Judge Keith limited the Justice Department to only two courses of action, "either of which," it said, "would result in grave and irreparable harm to legitimate governmental interests."

The first course of action, the petition says, would be the disclosure of sealed information that "would prejudice the national security."

The second course would be to refuse to comply with the order, "in order to protect the national security," which would result in a dismissal of the indictment against Plamondon.

The logs of the surveillances, according to the petition, were given to the District Court judge in Detroit in the form of a sealed exhibit for Judge Keith's inspection only. Records show that when Plamondon's attorneys claimed the surveillance was illegal, Judge Keith granted their motion to disclose the information.

Notified by the Justice Department that an appeal would be made to the Sixth Circuit, which reviews lower federal courts in Ohio, Michigan, Kentucky and Tennessee, Judge Keith postponed the opening of Plamondon's bombing trial until Tuesday.

In asking the mandamus writ, the Justice Department claims that the power of the attorney general, acting for the President of the United States, to authorize and conduct certain electronic surveillance is legal.

The Sixth Circuit is now in one of its three-week sessions that started last Monday. How soon the appellate judges will act on the Justice Department petition cannot be determined.

THE ISSUE brought up in this case has been decided by four U. S. District Courts, two upholding the power, two denying the power. It has not as yet been resolved by a federal court of appeals.

STATINTL

6 FEB 1971

U.S. Appeals Curb on Domestic Wiretap Action

Associated Press

The Justice Department has appealed a district court ruling that it is unconstitutional to eavesdrop on phones of domestic groups without a warrant.

The ruling, the department said yesterday, "could result in grave and irreparable harm to legitimate government interests."

The department asked the 6th Circuit Court of Appeals to order Judge Damon J. Keith of Detroit to vacate a decision favoring Lawrence R. Plumondon, a White Panther being tried on charges of bombing a Central Intelligence Agency office in Ann Arbor, Mich.

Keith has ruled that electronic eavesdropping on Plumondon by the government was unconstitutional and ordered logs of the surveillance turned over to his attorney. He gave the government until Tuesday to comply with the order. The judge drew a distinction between the Plumondon case and the government's right to eavesdrop against foreign subversives even without prior judicial approval.

STATINTL

JUDGE REAFFIRMS CURB ON WIRETAPS

Ruling Could Limit Power
to Prosecute Radicals

By AGIS SALPUKAS
Special to The New York Times

DETROIT, Jan. 25.—A Federal District Court judge here, in the second such decision in a month, reaffirmed today that the Attorney General does not have the right to order wiretaps without a court warrant in domestic cases on the ground of protecting the national security.

Judge Damon J. Keith of the Eastern Michigan District held today that the wiretaps obtained of Lawrence R. (Pun) Plu-mondon, one of three members of the White Panther party on trial on charges of conspiracy in the bombing of a Central Intelligence Agency office in Ann Arbor, were unconstitutional.

Unlike the ruling of Jan. 12 by Judge Warren J. Ferguson in Los Angeles, in which the Government was given 30 days to appeal, Judge Keith's decision today said that the wiretap evidence must be turned over immediately to the defense attorneys.

48 Hours to Decide

But Judge Keith did give the Government 48 hours to decide on what to do after Ralph B. Guy Jr., the United States Attorney for the Eastern District, told the court that only Attorney General John N. Mitchell could make the decision because matters of national security were involved. Mr. Guy said that he was unable to reach the Attorney General this afternoon.

According to Mr. Guy, the Government can decide to drop the case, it can make the wiretaps available to the defense or it can appeal the judge's decision to the Supreme Court.

Mr. Guy said in an interview that, if the decision stood, it could make it impossible for the Government to gather wiretap evidence on domestic groups without a court order. Attorney General Mitchell has maintained that this power was granted in the Omnibus Crime Control and Safe Streets Act of 1968.

Complications Seen

If the wiretaps are held illegal, Mr. Guy said, anyone whose conversations are tapped could not be prosecuted by the Government even if it turned up other evidence later.

In his decision Judge Keith said: "An idea which seems to permeate much of the Government's argument is that a dissident domestic organization is akin to an unfriendly foreign power that must be dealt with in the same fashion.

"There is a great danger in an argument of this nature, for it strikes at the very constitutional privileges and immunities that are inherent in United States citizenship."

The judge held that the Government was in error when it contended that "attempts of domestic organizations to attack and subvert the existing structure of government" were a crime.

Judge Keith denied a second motion in which the defense asked that young people between 18 and 21 should be able to serve on juries. The defense contended that radicals such as the three defendants could not get a fair trial from juries made up of people over 30 because the jurors would take out their hatred of the youth culture on the defendants.

The Supreme Court ruled recently that 18-year-olds have the right to vote in Federal elections, but the lists from which jurors are chosen are based on voter registration rolls of 1968, which does not include the 18-year-olds.

The judge postponed until Thursday the trial of Mr. Plu-mondon, who is charged with bombing the C.I.A. building; John A. Sinclair, who is serving a 10-year sentence for possession of marijuana and is charged with conspiracy; and John W. Forrest, also charged with conspiracy.

Their defense attorneys are William M. Kunstler and Leonard I. Weinglass, who helped defend the Chicago 7 last year, and Hugh M. Davis.

STATINTL

NEW YORK'S RED SQUAD

BOSS IS WATCHING

CLAUDIA DREIFUS

Miss Dreifus is a free-lance writer working in New York, whose articles on political and social questions have appeared in The Realist, New York Scenes, the East Village Other, and elsewhere. Her book on feminism and women's rights, The Feminine Experience, will be published by Lancer in July.

The New York left-wing political scene is as tense these days as a camp under siege. People will not talk freely on private telephones. If a call must be put through, the parties arrange in advance to talk from phone booths. The lawyer William Kunstler dares not interview his clients in his own office. For important client-lawyer meetings, he sends a secretary out to rent a hotel room under a pseudonym. A friend was found recently shoveling fine Afghanistan hashish into the toilet bowl. "Gotta dump the stuff," he said. "I'm being watched. They're after me on political stuff, so I'm not going to give them a chance to get me on a dope rap." And no political meeting is complete unless there is a guessing game, in which all participate, as to which of those present is the actual representative of the police, or other law-enforcement organization.

Not just in New York but all around the country people, particularly radical Left political people, feel someone breathing down their necks. In addition to surveillance by the FBI, CIA, Army Intelligence, Navy Intelligence and Air Force Intelligence, there exists in almost every major city a supersecret department of the police, a "Red Squad," dedicated to keeping an eye on the political activities of the citizenry. San Francisco, Chicago, Buffalo, Los Angeles and New Orleans have their police snipers. New York's Red Squad is called the Bureau of Special Services.

This secret branch of the police will not be found in published official New York City records. Since the fiscal year 1966-67, the Bureau of Special Services (BOSS) has followed the practice of its big brother, the CIA, of hiding budget information in appropriations for other agencies. In 1967, a payroll for seventy-five civil service employees was reported at \$781,758. However, that figure did not take into account moneys expended on untold numbers of police informers. David Burnham, *The New York Times's* veteran police reporter, estimated that BOSS expended more than \$1 million that year. Since then, radical political activity has increased in New York City, and it is quite likely that BOSS's budget is now several millions.

The location of BOSS is as well hidden as its finances. Ray Shultz, a reporter for the underground *East Village Other*, once tried to serve a subpoena on a Red Squad detective. His search for the man disclosed that BOSS's headquarters are dispersed in four separate places, including an office in the Police Department's Community Relations Department on East 22nd Street and another office in the Police Athletic League Building on East 12th Street.

But while little is known about BOSS's money and geography, some important information is available as to its activities. According to the Police Department Book of Rules and Procedures, Section 1/34.O, BOSS, a subsection of the Bureau of Detectives, has several functions: to investigate labor disputes, to guard visiting dignitaries, to cooperate with the United States Immigration and Naturalization Service in deportation investigations, to maintain files on persons arrested or seizures made in connection with anarchistic or other unlawful literature [sic], and to conduct other investigations as directed by the Chief of Detectives or other competent authorities. It is this power to "conduct other investigations" which makes BOSS a dangerous secret organization. For this clause permits Red Squaders to tap telephones, infiltrate political organizations, collect files, bug apartments and offices, visit people at their place of business to ask embarrassing questions, and in general to visit upon ordinary citizens a host of other plagues on their civil liberties.

Even the International Association of Chiefs of Police admits that BOSS does a lot more than the official mandate specifies. A 1967 IACP report said: "Actually these [mandated] functions have been greatly expanded and presently involve surveillance over a wide range of public activities. Surveillances are maintained and investigations conducted in matters involving illicit and unlawful conduct on the part of many groups." The police chiefs do not note the criteria BOSS uses to determine "illicit and unlawful conduct." BOSS apparently feels responsibility for keeping an eye on groups—the NAACP, for example—that most other citizens would consider utterly respectable. Last year, a BOSS detective visited various political and religious organizations, including the Ethical Culture Society of New York, a humanist sect esteemed in this city. The officer demanded that the Society file a list of its officials, members and activities with the Bureau. When Algernon Black, one of the organization's leaders, protested to then Police Commissioner Howard Leary, he was told that the police were just conducting a "routine investigation."

The International Association of Chiefs of Police report on BOSS lets other cats out of the bag. In a matter-of-fact, cost-efficiency-minded way, it notes some of BOSS's most glaring bureaucratic deficiencies—and its insidious character. "It has already been established that there is an enormous amount of routine clerical work involved in the operation of the Bureau of Special Services. During 1965 there were approximately 180,000 name

STATINTL.

DETROIT, MICH.

NEWS JAN 16 1971

E - 592,616

S - 827,086

Rulings conflict in CIA bombing, wiretap evidence

By JEFFERY HADDEN
News Staff Writer

Federal Judge Damon Keith has been asked to choose between two conflicting court rulings in deciding whether to permit wiretap evidence at the trial of three White Panthers charged in the bombing of Ann Arbor's CIA office.

At issue is the question of whether the U.S. attorney general must obtain a Federal Court warrant to tap the telephone of a person suspected of plotting against the government.

The defendants are Lawrence R. (Pun) Plamondon, 25, charged with the actual bombing, which occurred Sept. 29, 1968, and John Sinclair, 28, and John W. Forrest, 21, both accused of conspiracy.

U.S. Atty. Gen. John N. Mitchell has admitted in an affidavit that federal agents had tapped Plamondon's telephone without a warrant from a federal judge.

FEDERAL LAW permits wiretaps without court warrants in cases involving sus-

pected foreign subversives, but bars them in domestic criminal cases. The law is unclear on domestic subversion cases, observers say.

Defense attorney William M. Kunstler told Keith he knows of only one previous case in which a federal judge had ruled on precisely the same issue. He cited a decision earlier this week by a California judge who said that warrants are required.

Assistant U.S. Attorney John H. Hausner, however, said a federal judge in Kansas had ruled last September that such wiretaps were legal in cases designated by the attorney general as involving threats by domestic insurgents against national security.

THE CONFLICT grows out of a pretrial motion in which Kunstler has asked Keith to bar the wiretap evidence against his clients. Keith gave no indication on when he would announce a decision.

The defense is also asking that 18-year-olds be authorized to sit on the Panthers' jury.

It cited the recent U.S. Su-

preme Court ruling granting 18-year-olds the right to vote in future federal elections. Presently, jury rolls are taken from voter registration lists which still do not reflect the 18-year-old vote decision.

Several defense witnesses have testified that the federal court system, in its jury selection procedures, is weighted against persons under 29.

Dr. Gerald Kline, an assistant journalism professor at the University of Michigan, testified yesterday that youths are suspicious of the traditional political process.

BECAUSE OF THIS, Kline said, many refuse to register to vote and hence would not be summoned to jury duty.

The defense concluded yesterday's session with the testimony of State Rep. Jackie Vaughn III, Detroit Democrat.

Vaughn said "many young people regard the traditional political system as 'hopelessly lost.'"

Campaigning for the state 18-year-old vote amendment last year revealed a large amount of prejudice against youths, Vaughn said.

WAUKEEGAN; ILL.
NEWS-SUN

E - 37,289

JAN 16 1972

STATINTL

Supports surveillance

On Dec. 16 it was revealed that in Illinois some 800 persons were under secret surveillance by the CIA, as told by a former member in CIA in Illinois.

Then followed much criticism by some of those who were mentioned as being under surveillance by the military. Such secret surveillance should be permissible in order to determine grassroots classification and identification of activities of selected persons who object to procedures and policy making policies of the U.S. government. When an elective or appointive public servant takes the oath, he or she should be a subject to secret surveillance by the U.S. Government and-or its government agencies.

I support such secret surveillance by the military and-or the U.S. government. I feel that every elective or appointive public servant under the oath, should be a subject to such surveillances without the invasion of privacy.

Such surveillance could produce concrete evidence that a member of Congress, or the U.S. Senate, could possibly be working with underground anarchists, and revolutionary groups in a direction to reject society, foreign policies and other administration policies.

This could easily apply to government employees and professional educators, as well as civic organizations. It should be noted with all the revolutionary movements in the United States, and throughout the world, that more secret surveillance should be conducted of individuals, group organizations and elective officials.

Any political party member who rejects secret surveillance by the CIA or the U.S. government should be subject to rejection by the voters on election day.

CHARLES BREEDEN

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SUN

JAN 3 1971

E - 48,843

S - 39,576

Model Cities and highways fouled up

By JACK ANDERSON

REP. JOHN MOSS, D-Calif., would like to put a stop to secretarial eavesdropping. It's a common practice among government officials to put their secretaries or recording devices on the phone to take down conversations. More than 5,000 telephone-monitoring devices are now in use in federal offices around Washington.

There may be some excuse for the Federal Bureau of Investigation or the Central Intelligence Agency to use the gadgets. But Moss sees no reason for the Agriculture Department to have 266, the Veterans Administration 72 or the Farm Credit Administration 14 of them. Even the Peace Corps has five secret eavesdropping devices. He is considering a bill that would bar the use of federal funds for purchasing the gadgets or, alternately require explicit congressional permission for third-party eavesdropping.

STATINTL