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# Military Retirees In U.S. Jobs Listed

By L. EDGAR PRINA  
Copley News Service

WASHINGTON — More than 77,655 retired military personnel are now holding civilian jobs in the federal government.

This first breakdown of the number of former career servicemen working for Uncle Sam was made by the Civil Service Commission with the aid of a new computer program and the cooperation of the various military finance centers.

Rep. David N. Henderson, D-N.C., asked the CSC to undertake the study. He released its findings.

Of the 77,655 military retirees identified in the agencies covered, 72,087 are receiving retired military pay; the others presumably are drawing pensions from the Veterans Administration.

## FIGURES GIVEN

The federal civilian work force stands at 2.8 million. The work force of the agencies covered in the commission study totals 2 million because the following agencies were excepted for security reasons: Central Intelligence Agency, National Security Agency, Federal Bureau of Investigation, the White House and the Postal Service.

The 77,655 military retirees account for only 3.9 per cent of the pertinent work force. Less than 5 per cent (about 3,500) of all the retirees are retired regular officers.

Over the years, there have been charges that too many retired officers had been setting themselves up in high-paying civilian jobs prior to their retirement.

A number of congressmen

have objected to any person drawing more than one federal government check at a time.

A retired regular officer suffers some penalty if he works for the government as a civilian. Under the law he is allowed to keep approximately \$2,700 plus half the remainder of his retirement pay. Thus, if his retirement pay were \$10,700 a year, he would be able to retain \$6,700. He could, of course, keep all his civilian pay.

Retired reserve military personnel, career or otherwise, who work as civilians for the federal government suffer no pay penalties.

Among the highlights of the Civil Service Commission study were these:

—The Defense Department accounts for 81 per cent of the 77,655 military retirees. By comparison, it makes up 52 per cent of the covered work force of 2 million.

## OUTNUMBER OFFICERS

—Enlisted retirees outnumber officers by more than 3 to 1 or 76 per cent to 24 per cent.

—Eighty per cent of the retirees are regulars and 94 per cent of these are enlisted. Of the 20 per cent who are non-regulars, 94 per cent are former officers.

—Of the officers, 64 per cent had retired at the major and lieutenant colonel levels. There are 70 generals and admirals in the overall group and 36 of them are regulars in full-time, permanent positions.

# Keeping Up... With Youth

by Pamela Swift

## CIA Recruiting

The War in Vietnam has caused more problems than it has resolved. One of these is the problem of recruiting competent university graduates for the Central Intelligence Agency.

Despite its honorable and brilliant director Richard Helms, the CIA has suffered a tarnished reputation among some students, not only because of its past infiltration of campus groups but also because of its clandestine operations in Southeast Asia as well as its cloak-and-dagger ambience, all of which is anathema to many young people.

Still, the agency needs recruits. How does it get them? One method is through open solicitation, and another is through covert means.

The open method is best exemplified in a recent interview in *The Daily Texan* with William B. Wood, the Southwest personnel representative for the agency.

Called upon and questioned by Danny Douglas, a young University of Texas journalism student, Wood is quoted as having said: "I want to make it clear that we do not run a clandestine organization, and there is no cloak-and-dagger purpose in our hiring students."

Wood, according to the interview, then went on to point out that professional opportunities existed in the CIA for seniors and graduate students of almost any discipline—journalism, history, political science.

"We are also interested," he explained, "in students with foreign language knowledge, especially unusual languages like Laotian and Swahili."

Wood's pitch for young recruits was frank and forthright.

Now, consider another CIA approach. It is best described in the following letter recently sent to this department.

Dear Pamela Swift,

My curiosity was first aroused by a cryptic advertisement in *The Chicago Tribune* which announced, "Russian linguist important, interesting position for a person with native fluency in written and spoken Russian." I enclose a copy of the advertisement.

In spite of the fact that I am not a fluent speaker of Russian, I did major in Russian in college, so I sent off a letter of inquiry. Within a week I received a letter of reply with the heading, "Headquarters U.S. Army Research Translation Group."

I enclose a copy of the letter, with the word "colleague" misspelled.

After reading the letter several times I inquired through many friends about the U.S. Army Research Translation Group. I looked through several Department of Defense directories. No one seemed ever to have heard of it. I wondered what it was.

Again, curiosity triumphed,

Telephone number given in the letter. A secretary connected me with Colonel Stratton. My conversation with him was relaxed and brief although it seemed to me that he spoke English with some sort of foreign accent.

Colonel Stratton warned me that the average student who majored in a Slavic language generally lacked sufficient command of the spoken language. I inquired about job details, and the colonel was rather hazy. All he would say was that the job entailed transcribing and translating Russian language tapes into English.

## Classroom meeting

We arranged to meet at a military location, and I subsequently wandered around there for a while before I found the right room. It was a classroom with fixed seats.

Colonel Stratton turned out to be a man with gray hair and rather long sideburns, at least for a military man. He sat at the instructor's desk, and a younger man took a seat in the fifth row and off to the side. I was asked to sit in the first row.

The conversation was friendly, warm and informal. The colonel asked questions about my background and schooling, while the younger man took notes.

Colonel Stratton didn't seem terribly interested in me until at his invitation I began speaking Russian. He was surprised that I could carry on a simple Russian conversation, and that in addition I could speak other languages. He gradually grew enthusiastic.

He thereupon explained some of the job particulars. I would sign up after a training period in the U.S., for a two-year hitch overseas. If assigned to a "friendly" country such as West Germany, I would put in a 40-hour week in the U.S. Embassy translating the tapes. In a neutral country I would live incognito,



*'a far fetched argument'*

# Reply To Pierre Noyes

*william f. miller*

Dear Pierre:

This is in reply to your letter of Nov. 3. Let me respond to three points raised in your letter.

First, I did not respond to you following your phone call of Oct. 25 because the information you passed on was not put in a form which called for a reply. You offered me advice on how "I could avoid becoming a war criminal." Since the advice was offered for my benefit and you made no suggestions that you were offering it for your benefit, I thanked you for providing me such counsel and said that I would look into it.

Second, the CIA apparently had never intended to visit the campus. There was an error in the original listing of the interviews. The CIA merely left application forms for those who might be interested in employment with that agency. I therefore had no occasion to attempt to persuade them that they should not interview at Stanford. Nor would I have done so, for reasons that I have stated publicly a number of times.

Third, since I regard your position on complicity as untenable, I am not persuaded by your mere assertion to take it seriously. It seems to me utterly without substance to suggest a notion of criminal liability which I regard as so strained as to be absurd.

As I see it, your position must follow this logic: Honeywell is charged (not by anybody competent to bring charges) with producing weapons which are used in violation of international law. (I assume you would agree that it is only a charge. The Nuremburg Principles guarantee the right to a fair trial.) Honeywell's conduct is therefore argued to be in violation of the law, and Honeywell's recruiting here is in furtherance of that alleged criminal course of action. My permitting Honeywell to recruit here puts me into complicity with those actions.

## Absurd Conclusion

It would follow then that any other corporation accused of criminal behavior, a violation of the anti-trust laws for example, is furthering its alleged crimes when it recruits here, and I am guilty of those violations along with the corporation by not refusing it use of the Placement Center. You may honestly believe that, but I don't and can't imagine any court of law reaching such an absurd conclusion.

In addition, your complicity notion seems to rest on a belief that any involvement in the war effort, no matter how remote, constitutes complicity in the crimes which may have been committed in the course of that effort. This must mean that those of us who pay our taxes, a sizable portion of which goes to financing the war, are guilty of complicity in war crimes. Do you pay your taxes? Are your own salary and research support not provided by a government which you believe guilty of war crimes? I believe that the answer to those questions is "yes." However, I do not believe that you are, thereby, guilty of war crimes although you may feel differently.

In short, your complicity argument is in my view a red herring. You wish that Honeywell would not recruit here. Therefore you conjure up a patently absurd legal theory. You have to do better than that.

## Tolerance For Error

Freedom has many valuable privileges and many prices. The price of freedom includes a tolerance for error and a tolerance for difference of opinion. Whereas I may carry my fights on one issue or another as far as I can on an individual basis, I would not institutionalize intolerance for ideas with which I do not agree.

In your last paragraph you indicate that you were shoved on top of another professor by an individual in my employ. You also state clearly that you do not intend to name the individual or

to bring charges against him. I will certainly not initiate any actions against an individual whose name I do not know, based on charges that have not been made, substantiated by witnesses who are not identified. If you had any serious purpose — other than simple propaganda — in mentioning the incident, it is not clear to me what that purpose might be.

## Strained Argument

Finally, in your very last sentence, you add one more link in your strained argument on complicity as a war criminal. You suggest that I would be in complicity in a war crime if I failed to take appropriate action against this unnamed individual who is supposed to have shoved you down on top of another professor while you were attempting to engage in dialogue with a recruitment officer who works for a company which manufactures military materials, which it sells to the U.S. government, which the U.S. government uses in warfare, and if used in warfare may or may not be used in a manner that violates international law.

Such a far fetched argument is unjust to those distinguished jurists and others who have given serious thought to the subject; it is, in short, an insult to intelligence. Persons such as yourself, who have overextended the argument and clothed your actions in such far fetched notions, have impaired the serious war protest of this country by diminishing its credibility and beclouding the real issue of the political responsibility of our elected officials for the policies they have pursued.

*(William F. Miller is Vice President and Provost, and Acting President of Stanford University.)*



# Open Letter To Acting

STATINTL

## President Miller : *h. pierre noyes*

Dear Bill:

On Oct. 25 I contacted you to indicate that criminal activities, which only you had the immediate executive authority to prevent, were scheduled to take place on this campus last Thursday and Friday. The specific activities to which I referred were the official use of Stanford University facilities for the conduct of business by the Honeywell Corporation and the Central Intelligence Agency.

The violations of the law in which these organizations are engaged are proscribed by the Hague Convention of 1907, the Geneva Convention of 1949, the United Nations Charter, and other treaties which, under Article VI, Section 2, of the Constitution of the United States of America are violations of the supreme law of our country.

The legal principle under which allowing these activities to take place in an organization under your administrative control becomes, for you, a personally criminal act is the Seventh Nuremberg Principle, which, as formulated in 1950 by the International Law Commission on the basis of experience and precedent established before and after World War II states that "Complicity in the commission of a crime against humanity as set forth in Principle VI is a crime under international law."

### Legal Authority

In order for you to form your own opinion as to whether this interpretation of the law was consistent with the weight of legal

authority, I suggested that you consult three recognized experts in this field, to wit: Professor Kurt Steiner of our own faculty who served on the International Military Tribunal for the Far East, Professor Richard Falk of Princeton University who has served as a trial lawyer in the World Court, and Mr. John Thorne of San Jose, who was the representative of the American Lawyer's Guild at the War Crimes Tribunal held in Stockholm. There is no lack of other legal talent upon whom you could call.

At the time you promised to look into the matter, but I have to date received no direct response. I learned the same day, informally, that the CIA decided not to come on Nov. 3, and I hope for your sake that this was a result of your intervention; of so, it might be prudent for you to put this on the record. However, there was no indication that any action had been taken to persuade Honeywell to send representatives to engage in rational dialogue on their point of view with members of our community, rather than to attempt to conduct business of, to say the least, questionable legality, which various segments of our community have indicated are opposed by the majority of their constituencies.

I realize that this dilemma put you in a difficult position. The Stanford Administration and the faculty Senate last year established a policy which would seem to require you to allow the Placement Center to be used by Honeywell. If you feel that this left you no reasonable moral choice, you can argue this in mitigation of sentence, as was presumably the plea of German judges who enforced Nazi racial laws, or German manufacturers whose companies manufactured equipment for the extermination camps. Such a plea has, of course, no legal bearing on the criminality

of the acts in question or complicity in them.

### Criminal Action

Your failure to act also left those of us who interpret the law in the way I have outlined with little choice. Some of us spelled this dilemma out in the Stanford Daily in a letter published Nov. 1. In the light of previous repressive actions by the Stanford University Administration, we did not feel that students, staff, members of the community, or non-tenured faculty could be expected to directly oppose the scheduled criminal action by means which would incur certain penalty.

But some of the tenured faculty appeared at the Placement Center Thursday morning in the hope that we could exercise our responsibility as academics and members of the international community of scholars in opposing what we believed to be a clearly criminal action.

Since the Stanford University Administration has removed from the ranks of tenured faculty one of our members in a way that some of us believe violates both our Constitutional rights and our

privileges of tenure, we did not feel, in the event, prepared to block ingress to the Placement Center to those who were, in our opinion, engaging in criminal action or to use physical force to prevent criminal action. We stood or sat at the door and attempted to engage identified individuals in rational dialogue about what they were doing.

We were met with silence, not even with a request to move out of the way, and I was personally shoved down on top of another professor by a violent act. I do not intend to name the individual or to bring charges against him, but since this was the only act of violence which, to my knowledge, occurred, and since I have reason to believe he is in your employ, I trust that you will initiate appropriate action. I suppose after this, it is redundant to admit that failure on your part to do so could also be interpreted as complicity in a war crime; I add this sentence simply to place my understanding of the facts on record.

(H. Pierre Noyes is a professor of theoretical physics at SLAC.)

3 NOV 1972

# U.S. Civilians Likley To Train Viet Forces

By HENRY S. BRADSHER  
Star-News Staff Writer

SAIGON — The thin end of a wedge has appeared here which could lead to a continuing U.S. military advisory program for South Vietnam after a cease-fire.

It consists of plans to use American civilians for military training and maintenance as a continuation of the Vietnamization program after U.S. troops leave Vietnam.

According to the peace plan worked out between Washington and Hanoi, but now bogged down in dispute, all U.S. and allied military personnel must leave South Vietnam within 60 days of a cease-fire agreement.

The terms of the plan made public by Hanoi last week say neither the Saigon government nor the Viet Cong will "be allowed to accept the sending of forces, military advisers, personnel, weapons, ammunition and war material into South Vietnam."

## Laos Pact Ignored

The full text of the tentative agreement is still secret, but the published summary is not so tight on advisers or other personnel as the 1962 Laos agreement.

The unsuccessful effort to neutralize that neighboring country contained wording which theoretically would prohibit the kind of plans now being made here.

The Laos agreement was quickly ignored. An American "secret war" under Central Intelligence Agency auspices developed against North Vietnamese violations of the agreement. Whether the seeds of a similar development here exist in the plans for civilian training and maintenance of South Vietnamese weaponry might now depend on how well a cease-fire is observed, once agreed upon.

The United States has been rushing military equipment to South Vietnam against the possibility that agreement might come quickly and further weapons be cut off.

## Transports Rushed

Equipment being sent includes items such as F5 jet fighter planes to defend the South against Hanoi's Soviet-made MIG21s and Chinese-made MIG19s. This is simply a speedup of an existing program.

But in at least one case a new item has been added to the Vietnamization program.

This is the C130 turboprop transport plane. Some 30 of them are being rushed here even though South Vietnamese pilots and maintenance men are not trained for them.

According to military sources, they will be trained by American civilians on contract to the U.S. government.

Neither the U.S. Military

Command nor the embassy here would comment on this report from well-qualified military sources.

A far broader program than C130 training has been signaled by advertisements in Saigon's only English-language newspaper, the Saigon Post.

One Ad for an unidentified employer is seeking "personnel familiar with U.S. Army methods and procedures" with specialties in armaments, communications and electronics, and other fields. "Positions to be filled no later than 1 January 1973" are available for Americans or third-country nationals, the ad says.

"Third-country nationals" usually refers in this context to Filipinos or South Koreans who followed the U.S. war effort to South Vietnam.

## Some Veterans Stay On

Another ad, by Lear Siegler, Inc., seeks U.S. citizens for immediate positions that include helicopter and fixed-wing aircraft mechanics, jet and piston engine mechanics, and related specialties.

In the past, American contractors here have hired U.S. servicemen who take discharges in Saigon and stay on doing work similar to their military jobs.

The CIA staffed much of its Laos operations by hiring

American servicemen in Vietnam.

North Vietnam had originally sought in peace negotiations to have the United States take all its military equipment home, when it left — taking away from South Vietnamese units the weapons which America had supplied.

Hanoi retreated from this position by agreeing to let existing equipment stay.

As that equipment wears out, the draft agreement says. It can "be replaced on a one-for-one basis by weapons of the same characteristics and similar characteristics and properties," Dr. Henry A. Kissinger explained last week.

Kissinger said nothing about civilians staying behind to advise on that equipment.

## Sweeping Prohibition

The 1962 Laos agreement required the withdrawal of all foreign troops and military personnel, with none to be reintroduced. Foreseeing problems, the countries that sought to neutralize Laos added a protocol which said:

"The term 'foreign military personnel' shall include members of foreign military missions, foreign military advisers, experts, instructors, consultants, technicians, observers, and any other foreign military persons, including those serving in any armed forces in Laos, and foreign civilians connected with the supply, maintenance, storing and utilization of war materials."

Applied to South Vietnam, such wording would seem to prohibit the kind of civilian program which the U. S. government is now organizing here.

But the hasty dispatch of C130s to South Vietnam indicates confidence in Washington that it will not be applied.

STATINTL



### Faculty Against 'War Crimes'

Editor:

The Honeywell Corporation manufactures many weapons constructed and used in direct violation of the Hague Convention of 1907. The Central Intelligence Agency overthrew the Diem regime, caused the murder of half-a-million Indonesians, and is responsible for supplying much of the world's heroin. These facts are better known and as easy to verify as most of the work published by our colleagues. The seventh Nuremberg principle states that complicity in a crime against humanity is a war crime. There can be little doubt that allowing Honeywell and the CIA to recruit on our campus falls under this definition of criminal action.

We must resist any order to allow or commit war crimes whenever we have a reasonable moral choice. Some students, staff, and faculty who actively

opposed war crimes in the past have been severed from our community; this narrows the choices open to us, but tenured faculty have more protection and more responsibility. We are bound by our loyalty to the international community of scholars which grew out of the Catholic tradition that gave birth to our unique institutions — a tradition which now commits us to serve all the peoples of the world. We believe that it is our professional responsibility to use any effective means to reduce the complicity of this university in war crimes.

We call on all tenured faculty to join us in actions consistent with this responsibility, supporting the basic traditions of our academic brethren throughout the world. We urge our colleagues to join us in a demonstration against recruiting by Honeywell on Thursday, Nov. 2 at the Stanford Placement Center, beginning at 8 a.m.

H. Pierre Noyes,  
Professor, SLAC  
Robert Finn,  
Professor, Mathematics  
Raymond Giraud,  
Professor, French  
Leonard Herzenberg,  
Professor, Genetics  
Harold L. Kahn,  
Associate Professor, History  
Charles Stein,  
Professor, Statistics

# 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?*

STATINT Agency, deputy director Adm. Rufus Taylor.

# Quitting the CIA

## And living to tell about it, more or less

By Henry Allen

*You'll never . . . there's no way. . . . you have to be in it to . . . understand.*

Victor Marchetti, poor boy from a Pennsylvania mining town, former bright young man of the Central Intelligence Agency executive suite, understands. He spent 14 years with the CIA. Now, he's fighting an agency suit to censor anything else he writes about intelligence. His novel, *The Rope Dancer*, startled old agency friends with its bitterness, and his article in *The Nation* attacked the whole show out there in Langley.

But he still understands—that's something you never lose. He understood, perhaps, on the very moment it all began, one spring night in 1955, when he walked into a hotel room in University Park, Pa. and met the man with two fingers missing from his cigarette hand, one of those old OSS spook types, magnificently diffident, the right schools, the right scars—the recruiter.

Trying to make you understand, Marchetti tells you:

"On the way down in the elevator, afterwards, he put his arm around my shoulders and he said, 'Marchetti, you're the kind of guy we're looking for. You're not just one of these college boys. You've knocked around—Paris, the Army . . .'

"If that guy had given me a gun and told me to go assassinate Khrushchev, I would have left for Moscow right from the hotel lobby."

But finally, this former bright young man, this spoilt priest of the curia of American intelligence—finally Marchetti shrugs and tells you: "You'll never . . . there's no way . . . you have to be in it . . ."

One afternoon in 1969, Marchetti drove home through the monoxide haze of Route 123, and he was crying with the spastic

despair of a man who has lost his faith. It was over.

He had just sat across the desk from Richard Helms, director of the CIA, for the last time, had told him no, he wasn't moving to another job, but yes, he was working on a spy novel.

It came out in 1971. It was about a poor boy from a Pennsylvania mining town who makes it all the way up to executive assistant to

the deputy director of the National Intelligence Agency, and then, for no apparent reason, starts selling the Soviets every secret he can xerox, photograph or tape-record.

Helms had noted Marchetti's steady rise from a year of clandestine field work to the analysis desks of the Intelligence Directorate, to a slot on the national estimates staff, which measures military and political potentials of other countries; then up to the executive suite to be the "token dago" as Marchetti puts it, of the 14 men who attended morning coffee every weekday at 9. They were all "spooks," Marchetti recalls, meaning that the inner circle that runs the CIA is not composed of the sort of tidy intellectuals who could spend 20 years studying Kurdish newspapers down in the directorate, but of the guys who savor the spook game for the game's sake—everything from locking the typewriter ribbons up at night to running airlines in, say, South America; everything from "termination with extreme prejudice," which is what the CIA calls assassination, to the toppling of a particularly aggravating Middle Eastern regime.

Marchetti was executive assistant to the number-two man in the

In 1969, at 39, Marchetti looked like a comer—dressing a bit less establishment than the pin-stripe CIA dons, and sometimes playing the professional Italian, which was strange, seeing that his ancestors were German-speaking Tyroleans, only Italian by surname—but still promising. "I never thought of Vic as naive," says an associate from those days.

"Vic was smart. Smart and . . . I can't think of the right word . . . it isn't 'devious' . . ."

Perhaps he only needed a little seasoning. Perhaps he could have risen very high if, like most men in very high places, he learned to relish working not only on the strengths of his convictions or his cynicisms, but on pure animal survival instinct.

Anyhow, Helms had seen it happen to a lot of bright young men. He had seen them go stale, get nervous, get bitter or complacent. Sometimes they quit, like Marchetti. Sometimes they built little bureaucratic fiefdoms for themselves. Sometimes they just waited out their pension time.

It was the kind of sea change that's an occupational hazard in any outfit that demands loyalty bordering on infatuation—the Marine Corps, for instance, or some Ivy League colleges—the kind of organizations whose minions purse their lips and nod their heads every so often and vow that they're "going to write a book about it someday."

So Marchetti wrote his book about it.

"Listen, I'm no Daniel Ellsberg," he says now. "I never loved anything in my life so much as the CIA. I was going to be one of these guys who get special dispensations to keep working past retirement age. I wanted to die with my boots on."

(Between discreet "no comments," a former supervisor of Marchetti let slip a surprised, "Oh, really?" when Marchetti's enthusiasm was quoted to him.)



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What Can Be Done  
At Foggy Bottom (2)

## OPERATION TOPSY

by John W. Tuthill

Everybody seems to talk—or write—about the bureaucracy, but, like the weather, nobody does anything about it. A faceless and pervasive force, it overwhelms people, and few ever confront it.

One man who did was John W. Tuthill, a career Foreign Service Officer who came to the simple conclusion that in Brazil, where he was appointed Ambassador in 1966, there were too many official Americans. His remarkable attack on the "system," or systems, had far-reaching consequences for it helped set in motion successive rounds of personnel cuts throughout the world—by both the Johnson and Nixon Administrations—which have actually resulted in an over-all reduction in U.S. officials overseas. Here, for the first time, Ambassador Tuthill tells his own story. He called his project "Operation Topsy," because, as he puts it, "it sought to deal with an organization that had not been constructed on the basis of a comprehensive decision of the U.S. government, but had 'jest growed.'"—The Editors.

Operation Topsy resulted in considerable budgetary and balance-of-payments advantage for the U.S. government. These benefits, however, were not the basic reason for its being. Operation Topsy came about because of a political judgment.

U.S. government personnel in Brazil had increased steadily since the spring of 1964, when the corrupt and ineffective Goulart regime was overthrown and General Castelo Branco was proclaimed President of Brazil. By mid-1966, there were 920 U.S. citizens, plus about a thousand Brazilian employees in the American mission.

This number did not include the 510 Peace Corps volunteers. While Operation Topsy was to involve all major U.S. government agency operations in Brazil including the professional staff of the Peace Corps, it did not include the volunteers. This was the only important exception to the cut in personnel, and it was based upon my conviction that a huge country like Brazil could easily absorb several hundred Peace Corps volunteers, who were engaged in useful work, often in remote parts of Brazil.

Castelo Branco, who was put in office by the military, nevertheless was an extraordinary head of government. Intelligent, trained to public service and of unquestioned integrity, his interest was to bring his country out of the disorder, the lack of growth, and the corruption that had existed during the immediately preceding years of the Quadros and Goulart regimes.

After years of corruption, drift and inflation (at rates up to and above 100 percent a year) the American government welcomed with enthusiasm—some thought with excessive enthusiasm—the Castelo Branco government. The result was a staggering expansion of the role and personnel of the American government between 1964 and 1966.

The U.S. government assured Castelo Branco of a very considerable increase in economic aid along the lines of the Alliance for Progress. Previously, U.S. aid had pretty much been limited to local "islands" within Brazil, in an effort to be of help to the Brazilian people, but at the same time, to avoid giving support to a corrupt and inefficient government. In addition—and this of course was more controversial—the U.S. government agreed to increase its military aid and implicitly to increase the number of military advisers in Brazil.

Like most governments, the U.S. government is hard to move. However, once the governmental mass begins to move, it is extremely difficult to change its direction. It is also almost impossible to prevent bureaucratic

WINCHESTER, VA.

STAR

SEP 20 1972

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## Can Detector Lie?

Lie detectors frequently are resorted to in weeding out suspects in major crimes. Are such tests dependable?

What the lie detector measures is emotional responses to questions, and some of the worst people have no guilt or shame to be measured. When the CIA some years ago was reported to depend on lie detector tests in evaluating job applicants, one expert said it was misled.

One of the things the CIA was interested in was the sex life of potential employees. Homosexuals were considered

bad job risks, for example, because of their susceptibility to blackmail. But, said the expert, the homosexual doesn't feel guilty about his sex life and may actually be proud of it. Others, with no deep feelings about anything, can similarly get by with flying colors.

That left the normal, all-American type of virile young man, who was embarrassed by questions. That led to official suspicion and ultimate rejection of the very people who would have been best on the job.

AUG 2 0 1972

Approved For Release 2001/03/04 : CIA-RDP80-0160  
STATINT*Not One Trench Coat***Austin CIA Office Has 'Low Profile'**By DAVE MAYES  
Staff Writer

You almost have to do a little cloak-and-dagger work yourself to find the Austin office of the Central Intelligence Agency.

Go to the Federal Building on East 8th and you won't find it listed in the office index. Neither will you see its name posted on any office door.

As in most spy thrillers, however, the mystery can be solved if one does the unexpected but obvious thing. In this case look it up in the telephone book.

A woman will answer your

call by repeating the phone number, but don't be uncertain you've found it.

"We try to maintain a low profile," began William B. Wood of the CIA. It's his name that appears in the index at the Federal Building and beside the door of Room 520.

The door, complete with peephole and nightlatch, opens into a green-carpeted two-room office shared by Wood and his secretary.

But here the James Bond scenario ends. The impression quickly registers that neither of these CIA folk has ever clicked

a picture with a camera hidden in a cigarette lighter, or smuggled microfilm anywhere.

They probably don't even own trench coats.

Wood, An affable, well-polished man, is one of the dozen CIA representatives in the country who does recruiting for the agency.

The CIA tries not to be obvious in Austin, he continued, because as a recruiting office it has no reason to be otherwise.

"We don't really have to advertise ourselves," he said, because the agency has never had to worry about getting enough applications.

It seems the CIA is more concerned with caps and gowns than cloaks and daggers.

Wood said he receives resumes from many people with backgrounds in law enforcement because there is a popular but mistaken notion that the CIA is some kind of law enforcement arm of the government.

He maintains that the CIA has no such duties, in fact has no domestic responsibilities, but works exclusively in gathering foreign intelligence for the National Security Council.

Consequently, the CIA is looking for people with highly-developed intellectual skills in virtually all fields of social and physical science and technology.

The most fertile grounds for recruiters are the university graduate schools, Wood said. For this reason, the agency in 1965 located its recruiting office in Austin where the University of Texas maintains the largest graduate school in the South.

Wood's recruiting territory includes Texas, Louisiana,

Oklahoma and part of New Mexico.

The recruiter said he prefers to work with applicants on a one-to-one basis, in an effort to make a "personalized analysis of an individual."

If the applicant seems promising and does well on a test similar to the graduate record exam, he fills out a lengthy application, goes to Washington, D.C. for further screening, and undergoes a thorough security check.

"The entire process may take between four and six months," Wood said.

The number of people employed by the CIA is classified, but Wood characterized it as one of the "smaller" government agencies.

Most of them work at CIA headquarters in Washington, he added.

Wood points out with pride that the CIA has the lowest turnover rate of any government agency, attributing this to the "esprit de corps" that exists among staff members.

Himself a career CIA man, Wood joined the agency in early 1950's, not long after it was created under the National Security Act of 1947.

The University of Texas graduate said he specialized in Russian studies before becoming a recruiter in 1965.

"The CIA is a unique place in which to work, he said. "For an understanding of the total dimensions of a foreign problem, there is no other place to get it."

WASHINGTON POST  
 Approved For Release 2001/03/04 : CIA-RDP80-01601  
 8 AUG 1972

# U.S. Rejects Disclosure

By Sanford J. Ungar  
 Washington Post Staff Writer

LOS ANGELES, Aug. 7 — The Justice Department will accept a long postponement of the Pentagon Papers trial — or perhaps even drop the case — rather than disclose the contents of a "foreign intelligence" wiretap, that led to a Supreme Court stay of all proceedings.

A Justice Department spokesman said today that the prosecutors in the controversial case will not seek to force Daniel Ellsberg and Anthony Russo to trial this week by revealing which of their 16 attorneys and consultants was overheard in non-court-authorized electronic surveillance.

With the case stalled until the Supreme Court decides this fall whether to hear a defense appeal over the wiretap, disclosure of its contents was the last way the prosecutors could have made the trial go forward.

But John W. Hushen, public information officer for the Justice Department, said in a telephone interview that there was "no chance" such a move would be made.

Asked whether the government's insistence on the secrecy of the wiretap could lead to dropping the conspiracy, espionage and theft indictment altogether — if the Supreme Court should eventually require disclosure — Hushen said, "We hope not."

The crisis in the Ellsberg-Russo trial comes as a dramatic example of how a favored law enforcement tool of the Nixon administration, wiretapping, while purportedly successful in some areas, has backfired in another.

According to Hushen, electronic surveillance has been "the single most effective tool to get at organized criminal activity" in the United States.

Pointing to narcotics, bribery and other federal convictions, Republicans in Congress often boast of the administra-

tion's success in using the statutory authority to wiretap that was allegedly ignored or purposely neglected by the

## Of Ellsberg Case Wiretap

The conviction record has been impressive, with wiretap tapes and logs often providing evidence that the government found impossible to obtain otherwise.

But in the past month, government wiretapping was also responsible for the dismissal of at least four federal "political" prosecutions. Over a longer period, it has virtually sabotaged grand jury investigations in the "internal security" area.

If Ellsberg and Russo have their way with a Supreme Court that has already outlawed so-called "national security" wiretaps without a search warrant, the revelation of electronic surveillance could kill a number of other major cases.

A major difference, of course, is that wiretaps which produce evidence in narcotics and other such cases are invariably based on a court order.

In political cases, the surveillance was generally used for what the Justice Department calls "intelligence-gathering" purposes and was backed only by the administration's claim of inherent executive authority rather than by a court mandate.

Civil libertarians warn, however, that all wiretapping is of the same cloth and that the Fourth Amendment rights of many citizens (against unreasonable search and seizure) have been violated because of general public tolerance of government eavesdropping in organized crime cases.

They point with some concern, for example, to the Justice Department's recent decisions to drop cases rather than reveal to defendants what it has learned about them through bugging.

These are the prosecutions abandoned by federal authorities, when faced with a requirement to disclose "national security" wiretaps under the terms of last month's Supreme Court order:

• Abbie Hoffman, the "Yippie" leader, charged with assault during last year's Mayday antiwar demonstrations in Washington.

• Leslie Bacon, the California teenager originally arrested as a material witness in the bombing of the U.S. Capitol last year, who was charged with perjury after her testimony before a federal grand jury in Seattle.

• Lawrence Plamondon, a member of the White Panther Party, who was indicted in Detroit in connection with the bombing of a Central Intelligence Agency office in Ann Arbor.

• Bradford Lyttle, of the People's Coalition for Peace and Justice, who was also charged with assault during the Mayday demonstrations and was prosecuted in D.C. Superior Court by a lawyer from the Justice Department's Internal Security Division.

Since the Supreme Court has declared such taps illegal, disclosure of their contents — in order to determine whether the evidence was tainted — would be necessary for any such case to proceed.

The Supreme Court has never ruled on the legality of "foreign intelligence" wiretaps like the one that has halted the Pentagon Papers case, but Justice William O. Douglas, in granting a stay, said that such distinctions may be a matter of "semantics."

STATINTL

2

30 JUL 1972

## Justice Drops White Panther Wiretap Case

DETROIT (UPI)—The Justice Department has dropped bomb conspiracy charges against Lawrence (Pun) Plamondon rather than disclose its wire tap evidence.

The 26-year-old co-founder of the radical but now defunct White Panther party had spent most of the 3½ years since he was indicted either in hiding or in jail. He had been on the FBI's Ten Most Wanted list.

Charges against two other former White Panther leaders, John Sinclair, 29, and Jack W. Forrest, 22, were also dropped.

The case was the third abandoned by the government since the June 20 Supreme Court ruling that wire taps against domestic subversive groups without court authorization are illegal.

Plamondon, Sinclair and Forrest were charged with conspiracy in the bombing of a CIA office in Ann Arbor, Mich., in late 1968. Plamondon was also charged with the actual bombing.

# Court limits phone taps

By George Conk

The Nixon administration suffered an important setback last week in its ongoing efforts to curtail the democratic rights of the American people.

At issue was nothing less than the 4th Amendment to the U.S. Constitution and the U.S. supreme court, for reasons of its own, rallied to its defense in an 8-0 decision outlawing government wiretapping of "domestic subversives" without obtaining a warrant beforehand.

The Justice Department, under the leadership of Nixon's chief crony, former Attorney General John Mitchell, first disclosed its wiretapping policy in the 1969 pre-trial hearings of the Chicago 8, under indictment for their role in the 1968 demonstrations at the Democratic national convention.

The practice of wiretapping, however, started much earlier. It appears to have begun during the Roosevelt administration in the 1930s, bloomed under Truman's reign, run rampant in the Eisenhower-McCarthy period and continued right to the present.

The rebuke to Nixon's current policy stemmed from the case of "Pun" Plamondon and two other members of the White Panther party, a "cultural revolutionary" youth group centered in Michigan. The court declared the warrantless wiretaps used by the prosecution in the case unconstitutional and ordered the Justice Department to turn over its logs of Plamondon's conversations to his defense attorneys or to drop the charges. (The three activists were charged with dynamiting a CIA office in Ann Arbor, Michigan.)

For its part, the government sought to avoid disclosure and to establish the legality of the taps through an affidavit from Mitchell. The government admitted to the court that the taps were "not an attempt to gather evidence for specific criminal prosecutions," but "an ongoing intelligence gathering" effort against "subversive forces."

## Tapping will go on

According to government statistics, such taps can remain in use for months, many times longer than the usual duration of court-ordered taps. It would also be a mistake to believe that, with the court decision, such taps will stop. They will not. It is only their use as evidence in court that will be curtailed.

In handing down the decision, Nixon appointee Justice Lewis F. Powell, Jr., joined by five others, developed further the Warren court's extension of the 4th Amendment in the area of electronic surveillance. In 1967 the court held that taps and bugs were "searches" and in 1968 required the disclosure of records of such surveillance to its victims.

Former Deputy Attorney General, Justice Byron White, in a separate opinion, found the wiretapping in violation of the 1968 Omnibus Crime Act and did not pass on the 4th Amendment issue.

Justice William O. Douglas, while joining the majority opinion, went significantly beyond it in a concurring opinion. Justice William H. Rehnquist, the right-wing former Deputy Attorney General, took no part in the decision, presumably because of his role in the planning and implementation of the now-rejected policy.

The rebuke to the executive branch was clear. The administration failed to garner a single vote on the court. Powell's position was a striking personal reversal. Before his nomination, he had enthusiastically supported the wiretapping program, which was reprinted widely—including in the FBI's "Law Enforcement Bulletin."

A major question in the case was the meaning of a vague clause

in the 1968 Omnibus Crime Control and Safe Streets Act which disclaimed any congressional intention to "limit the constitutional power of the President to protect the nation against hostile foreign powers or any clear and present danger to the structure or existence of the government."

The Nixon administration seized upon this language as congressional approval of its claim of broad surveillance powers. But the congressional debates, as the Powell opinion makes clear, showed simply a desire to avoid a direct clash with the executive by pushing the decision into the laps of the judiciary.

## Bold claims

The Justice Department was extraordinarily bold in its claims of wiretapping power. Its affidavit alleged no "clear and present danger," no use of force or unlawful means by those being surveilled, no links with "hostile foreign powers," no attempt to overthrow the government, no specific criminal investigations.

It simply spoke of "gathering intelligence deemed necessary to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of government. . . ." A request for carte-blanche surveillance of radicals, at the least.

The prosecution based its claim on the "inherent power" of the President. The Sixth Circuit Court of Appeals found in the government's legal argument "no suggestion of limitations on this power nor any recognition that the sovereign power of this nation is distributed among three branches of government."

The key to this progressive decision—by a court which has been moving steadily to the right when dealing with other basic freedoms—perhaps lies here. The presidential claim of untrammelled power has prompted a convergence of those forces concerned about the waning power of Congress with the judiciary's desire to guard its "integrity."

The supreme court took offense at "the government's argument that internal security matters are too subtle and too complex for judicial evaluation." "Courts regularly deal with the most difficult issues of our society," wrote Powell.

Douglas, noting the threats to popular political freedom posed by police informers, grand juries, the FBI and the military would ban virtually all wiretapping and bugging. He suggested that since a wiretap warrant could not "specifically name the conversations to be seized," any such authorization "would amount to a general warrant, the very abuse condemned by the 4th Amendment."

## Unanswered questions

The court left many questions open. It did not deal with whether the procedures for obtaining a federal wiretapping warrant set forth in the 1968 Act are adequate to the 4th Amendment. U.S. judge Joseph Lord in Philadelphia has recently held them too lax.

It did not express any opinion "with respect to the activities of foreign powers or their agents." The message was not lost on the Justice Department, which has stated it will not disconnect its "foreign security" taps.

Not only are the congressional requirements quite loose, but the "foreign agent" loophole could be a barn door, as history, both recent and not so recent, has demonstrated.

This was the most important victory since the supreme court allowed the publication of the Pentagon Papers, but it is not an area in which many more progressive gains can be expected. The court has shown a limited regard for the right of privacy which it has not demonstrated in other areas. As the recent restrictions on the freedom to leaflet private shopping areas and the end of the courts' unanimity in school desegregation have made clear.

20 JUN 1972

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200050002-6

# 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 acting as foreign-supported spies or revolutionaries.

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) Plaindon, 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

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-

contact 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 1968 act.

Justice William H. Rehnquist, who helped shape the government's arguments as a Justice official last year, did not participate.

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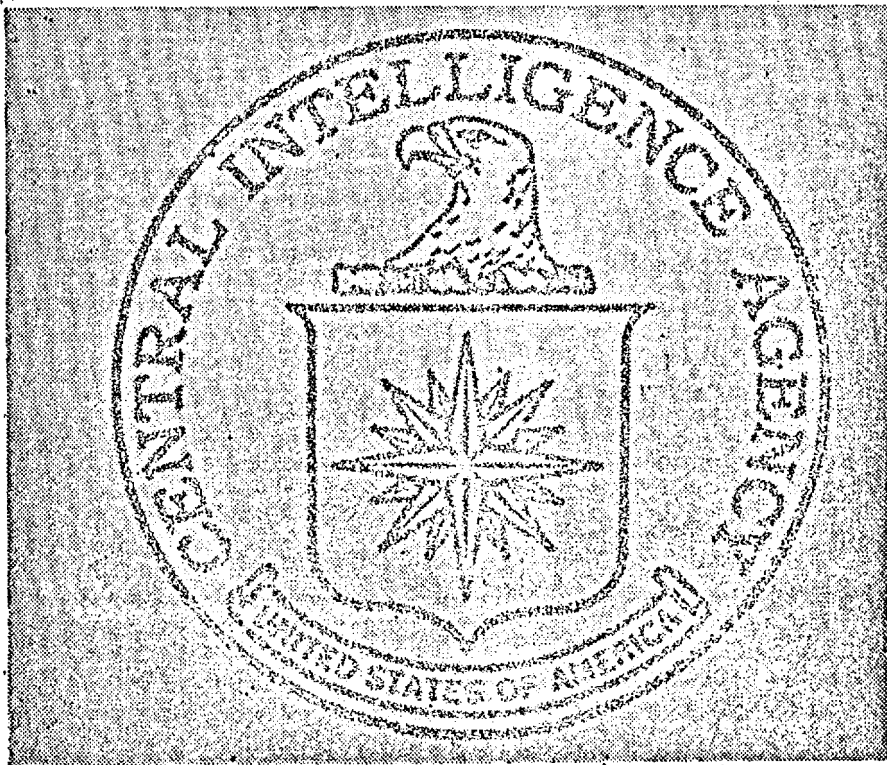
I AM A policeman and am having a very difficult time locating the address of the Central Intelligence Agency employment office. I would also like other information about federal law enforcement work but am not sure how to go about getting it. Can you help me? WL, Truckee

According to a federal job information officer here in Sacramento, you can inquire to the CIA at its western office, Office of Personnel, P.O. Box 2358, San Francisco, 94126 or its recruiting office at 1820 N. Fort Myer Drive, Arlington, Va. For information about other federal job opportunities, you can write the US Civil Service Commission, Federal Job Information Center, 650 Capitol Ave., Room 4210, Sacramento, 94814.

mouth people here, though. We always look for good people.

in Washington

# American Intelligence CIA Presence on



By VICTOR ZONANA  
and PHILIP COHEN

Although most people are aware that the United States Armed Forces recruit personnel at the College, it would probably come as a surprise to most to learn that another government agency, the Central Intelligence Agency, quietly but actively recruits on the campus as well.

Some aspects of CIA activity are:

- 1) One member of the Class of 1971 was introduced to the CIA by a faculty member and is presently employed by that agency.
- 2) At least three members of the faculty and one member of the Board of Trustees have at one time worked for the CIA. Several other faculty members were employed by CIA "front" organizations.
- 3) The agency worked through a "contact" at the College, a faculty member, until 1967.
- 4) The CIA has on several occasions approached faculty members going abroad, and asked them to obtain information while travelling overseas.
- 5) A significant number of Dartmouth alumni are presently employed by the CIA.

It was learned recently that a senior at the College last year, Benjamin

Bates '71 is presently working for the CIA at the agency headquarters in Langley, Virginia, doing economic research on Latin America. Contacted in Washington last week, Bates confirmed this report, saying that he'd been "working with the agency since September." He termed the job "reasonably interesting, but not fascinating."

Bates, an economics major while at the College, reported that Professor Colin Campbell of the Economics Department introduced him to a CIA recruiter last winter. After a preliminary meeting with the recruiter (a Dartmouth alumnus) at the Hanover Inn, Bates said he was flown to Washington at government expense for interviews and testing.

Bates called his four day stay in the nation's capital during spring break "sort of a free vacation." He began working in September after being granted security clearance.

### Professor Campbell

Professor of Economics Colin Campbell, who termed himself "an old alumnus of the CIA," agreed with Bates. Campbell worked for the organization as an economic researcher in Current Intelligence during the Korean War, from 1952 through

Elaborating on Bates' description of last year's meeting, Campbell said, "I

still and some asked ested "I job," them fesor straig that is ver Car "eithe sent 1 coupl year's ested, Dis the A vision ally d "If nese, class reflec Dartn

vision: it wvas sort of an Ivy League club, with most people from Yale, Dartmouth, Harvard or Princeton."

Campbell added that it may have changed since his time, "but there were very many Dartmouth graduates there, and a lot of them were way up there, in pretty important positions."

### Other Faculty Members

A colleague of Campbell's Professor of Economics Meredith Clement, also worked for the agency. Clement did economic research for the CIA, from 1954 to 1956, before coming to the College.

Clement said that the CIA regularly approached university professors going overseas on academic matters, as one means of obtaining information on foreign countries. He explained that the process was known in the agency as "briefing and debriefing."

"Being briefed," he elaborated, "is being told what to look for, while being debriefed is being asked what you saw. Clement said he knows of two Dartmouth alumni now working for the CIA.

Assistant Professor of Geography, David Lindgren, was employed by the CIA from 1964 through 1966 before coming to the College. He served as an analyst doing basic geographic research on the Soviet Union.

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LANSING, MICH.  
JOURNAL  
MAY 17 1972  
E - 81,637  
S - 83,576

## Prof. Predicts Blow to Nixon Theme

# 'No' Ruling on Wiretaps?

By MIKE WAGONER  
State Journal Writer

The Nixon Administration's law and order theme will suffer a serious blow later this spring when the U.S. Supreme Court rules that wiretapping without a warrant is illegal, predicts Dr. Harold J. Spaeth, Michigan State University professor of political science.

Spaeth, who guesses the high court decisions with the help of a computer, said justices will cite the 4th Amendment to the Constitution prohibiting unreasonable searches and seizures predicted 5-to-3 opinion against government wiretapping.

THE MSU professor has

been predicting Supreme Court decisions for the past two years. His track record is nearly 92 per cent accurate. Spaeth says the "warrantless wiretapping" case will be one of the last major decisions before the court's term ends in June.

Cases regarding school bus-ing and alleged racial discrimination by private clubs will not be considered until this fall, Spaeth said.

The wiretap case concerns three members of the White Panther Party who are accused of conspiring to bomb a Central Intelligence Agency recruiting office in 1968.

THE SPECIFIC issue is

whether or not the Justice Department may electronically eavesdrop any domestic group or organization that it believes to be a danger to national security," Spaeth said.

Government officials argue that electronic surveillance is a permissible government tool in the area of counter-intelligence activities, he said.

"Hence, the President may authorize such surveillance without a court-authorized warrant . . .", Spaeth said the government argues.

THE ADMINISTRATION has much at stake. Law and order has been a major theme, and wiretapping is an integral

part of these policies," he added.

Spaeth said he expects Justices William J. Brennan, William O. Douglas and Thurgood Marshall to continue their previous pattern of voting against wiretapping.

On the other hand Chief Justice Warren E. Burger and Justices Lewis F. Powell and Harry A. Blackmun will vote for wiretapping, he predicts.

JUSTICE WILLIAM Rehnquist, who helped prepare the government's case, has dis-qualified himself.

"The outcome, then, will turn on the votes of Justices Potter Stewart and Byron R. White, Spaeth said.

## Is Freedom Inalienable?

If not, it will be alienated, and ultimately destroyed. That is the paramount issue of the Victor Marchetti censorship case. [See Marchetti's "The CIA: The President's Loyal Tool"; *The Nation*, April 3.]

Marchetti, now 42, graduated from Pennsylvania State University in 1955 with a degree in Russian studies and history. He was recruited for the CIA by a professor, who, interestingly enough, was secretly on the agency's payroll as a talent scout. In time, Marchetti was promoted to the CIA executive staff and served finally as executive assistant to Adm. Rufus L. Taylor, deputy director from 1966 to 1969. Marchetti was with the agency for fourteen years, resigning in the same year as did Admiral Taylor. Obviously, Marchetti knows a lot about the CIA—that is part of the trouble.

He was well thought of by his colleagues. Richard Helms, CIA director, presented him with an autographed picture inscribed, "To Vic—With appreciation for his support." But the longer Marchetti served the CIA the less he appreciated it and its work. Among his reasons for leaving he cites "the clandestine attitude, the amorality of it all, the cold-war mentality—these kinds of things made me feel that the agency was really out of step with the times." And: "It's one of my strong beliefs that the CIA has to be more tightly overviewed by Congress. As it is now, the agency operates almost exclusively under the authority of the President." Thus the CIA is one of the factors in the subordination of the legislative branch to the executive. For that matter, once it is let loose on a project, the agency is subordinate to the executive itself only in a very loose sense. As everyone now knows, it is carrying on a war in Laos at a cost of roughly \$500 million a year, using tribesmen as mercenaries and running its own airlines, etc. In the Kansas City area it maintains an arsenal, with a "huge inventory" of weapons for its foreign operations; it has bases for training and other purposes elsewhere in the United States.

The Marchetti case assumes constitutional importance because Mr. Marchetti, when he joined the CIA, signed the usual agreement not to write or talk about the agency's activities even after he left it. Marchetti came to the attention of *The Nation* when he wrote a spy novel, *The Rope Dancer*, which had apparent reference to the CIA. Since this was in fictional form it does not appear to have agitated the CIA management; nor did *The Nation* article which, together with some interviews Marchetti gave to newspapers, was read by Admiral Taylor, who had some reservations about accuracy but concluded that there was nothing damaging in any of the material. But when Marchetti contracted with Alfred A. Knopf to write a non-fiction book about the CIA, the government got into action. Although Marchetti is willing to have the CIA review the book for classified material, the government went before U.S. District Judge Albert V. Bryan, Jr. in Alexandria, Va., and obtained a temporary restraining order prohibiting Marchetti from writing the book for Knopf—a book of which he has not yet set down a single line. The American Civil Liberties Union is trying to get the restraining

ernment is whether a U.S. citizen can agree to waive his freedom of conscience, of thought, of moral sentiment in the manner prescribed by the CIA. The case dramatizes the fact that the CIA is essentially an alien institution—alien to American custom, alien to the Constitution, and incompatible with both the forms and the spirit of democracy. In our view, Marchetti not only has the right but the moral obligation to write his book, just as it was his moral obligation to write the article commissioned by *The Nation*.

A ruling to that effect by the federal courts would not impose an unreasonable limitation on the proper and lawful activities of the CIA, or any other agency. It can set up rules, office policies, and normal administrative means of enforcement, but it cannot compel a former employee to waive his freedom to say or write what he sees fit, once his employment is terminated. If an agency of the government deems something that has been published to be in violation of law, it may proceed against the author and publisher, but pre-censorship is repugnant to American institutions.

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CHARLESTON, W.VA.  
GAZETTE  
M - 63,294  
GAZETTE-MAIL  
S - 106,775

MAY 11 1972  
*Is Association*

## *With CIA Good?*

Some candidates in West Virginia have made certain that their biographies include the information that they had been employes of the Central Intelligence Agency.

We don't know why. The CIA apparently is the world's largest, most powerful and most inept espionage agency.

It was the CIA, you will recall, that didn't have the slightest advance knowledge of the meticulously-planned 1968 Tet offensive launched against all the major cities in South Vietnam.

It was the same CIA, presently busy with its own private war in Laos, that didn't anticipate the North Vietnamese thrust across the demilitarized zone.

The massing of troops, the stockpiling of supplies and other activities that precede large military offensives should have been noticed by somebody on our side, we would think.

BOSTON, MASS.  
HERALD TRAVELER

M - 194,557

S - 260,961

APR 30 1972

## A good move by U-Mass

President Robert Wood of the University of Massachusetts has taken a courageous and praiseworthy step in announcing the suspension of recruitment — not just military but civilian recruitment as well — until reports of sentiment from all the university's campuses are available.

At the same time, he addressed some words of wisdom to all after expressing his own opposition to the renewal of intensive bombing of North Vietnam as "barbarous and indefensible," an opposition with which *The Globe* concurs.

"The cause of our frustration and division must be targeted with some precision," he said. "A policy of unreason is not altered by closing down classes or by closing off the government's few sources of reasoned analysis."

Dr. Wood went on to say that "While I am suspending recruitment in this time when the escalated bombings so disrupt the nation, I believe personally that opposition to military recruitment on campuses is a potentially damaging stand-in for opposition to the war itself. Establishing a precedent of differential access to the university on political grounds could haunt us for years to come."

What he clearly had in mind was

that in recruiting college students for careers, there should be no distinction made between recruiting for the military and proselytizing for industry or whatever. All of it ought to be done off-campus.

For any university, and particularly a public one, to allow the military or private industry to recruit on campus is, in effect, to align the university with the recruiter. Harvard has bitter memories of this in the dispute over the Monsanto Chemical Co. several years ago.

Any private firm or government agency doing the recruiting, whether it be Monsanto, the C.I.A. or the Fuller Brush Company, comes to the campus with a product to sell — and it ought to be sold away from the campus. The purpose of a university should be to educate.

This does not, of course, preclude helping a student to obtain a job. That is the function of college employment bureaus, on which we think there should be more emphasis. But firms or agencies wanting talent from the colleges ought to work through these bureaus and announce that job interviews will be held elsewhere, off the campus.

President Wood's action, temporary or conditional though it may be, is a laudable step in this direction and he deserves credit for far-sightedness.

17 MAR 1972

## If You Want to Work For the Government, Hide That Dart Board

\* \* \*

### Bureaucrats Try to Curb Hiring Of Pranksters, Subversives; Is Your Mailman a Socialist?

By ELLIOT CARLSON

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Whatever fate awaits Daniel Ellsberg, one thing seems sure: He'll never wangle another federal job.

And partly because of Mr. Ellsberg, a lot of federal job applicants may find the obstacles higher before long. Stung by such celebrated leaks as the Pentagon Papers (for whose release Mr. Ellsberg has been indicted) and dismayed by assorted lesser acts of employe effrontery (using President Nixon's picture as a dart board, for instance), the bureaucracy is circling up the wagons.

"We're faced with an unprecedented problem," says Robert Mardian, assistant Attorney General. Not only are "revolutionary terrorists" finding it easier to infiltrate the bureaucracy, he maintains, but "we're getting more people in government who feel they should be ruled by a sense of conscience" rather than by what the bureaucracy expects of them.

Of course, not everyone is as worried as Mr. Mardian. Nor would everyone call an employe who persists in following his conscience a "problem." But liberal critics and the courts willing, the Nixon administration and some conservative Congressmen aim to drastically revise security procedures, thus screening out all but the most "reliable" applicants. Some current developments:

—U.S. personnel men are considering a plan that would subject some prospective civil servants to much more probing investigations before hiring and make certain others more vulnerable to firing later.

—The Nixon administration wants to give the controversial Subversive Activities Control Board powers that could damage the prospects of applicants with radical backgrounds.

—And two Democratic Congressmen, Richard Ichord of Missouri and Richardson Preyer of North Carolina, are proposing that all U.S. job applicants be subject to security checks and swear an oath to support the Constitution.

#### "Patriotic Breastbeating"

Congressional hearings on both the administration proposal and the Ichord-Preyer measure concluded this week. All three proposals have aroused strong opposition.

Critics say the moves would discourage independent-minded persons from seeking jobs and might revive the "witchhunts" of the Joe McCarthy era. Some find the idea of oaths particularly obnoxious. "Patriotic breastbeating will always be offensive to your more thoughtful persons," contends James Heller, chairman of the Washington office of the American Civil Liberties Union. "They (the oaths) don't encourage loyalty, just resentment. Nor would they catch anyone who's intent on being a problem."

Nixon administration officials say they are cool to the Ichord-Preyer bill. Government lawyers doubt its constitutionality, and admin-

istrators say they have nowhere near the resources to make security checks on the nearly one million persons who each year bid for U.S. jobs. (The government now makes such checks only after appointment for the roughly 300,000 persons hired annually for routine, or "nonsensitive," posts.)

But federal officials argue that something must be done. Only seven U.S. employes have been fired for disloyalty since 1956, and none since 1966—and officials insist the figures don't tell the facts. The officials say post-appointment loyalty checks have deteriorated into mere formalities because recent court rulings have held that federal jobholders may be fired on security grounds only for actual criminal acts or other specific kinds of misconduct. The courts no longer recognize past or present membership in "subversive" groups as sufficient grounds for separation from nonsensitive jobs.

#### "Some Close Calls"

"Radical groups are actively urging their members to enter industry and government," frets Kimbell Johnson, director of the Civil Service Commission's bureau of personnel investigations. "We've had some close calls."

For example, he says, one California student seemed headed for a high-paying job as a government mathematician. But shortly before her job became official, she was arrested for allegedly swerving a car into the path of a Dow Chemical Co. truck, causing it to overturn. Only then did the government discover she was a member of the Students for a Democratic Society, a radical group whose members the government would prefer not to employ. It also learned the details of an earlier arrest. In that case, the government alleged she confronted Gen. Maxwell Taylor at a speech and shot red ink at him from a squirt gun. (The truck case never came to an ultimate verdict in the courts, but in the squirt gun incident the girl was fined \$75 for disorderly conduct.)

So far, U.S. officials report no rise in activities actually treasonable, but they do see a steady increase in "embarrassing" antics. Some civil servants were recently caught using pictures of President Nixon in their offices as dart boards, for example. Also cited are the many "anti-establishment and anti-Nixon" posters in government offices. Particularly galling was the young but high-level civil servant who organized a training seminar for government interns; it consisted of various slides, many stamped "----- Nixon."

Many persons argue that such devilry is relatively harmless, at least as long as it is confined to persons in "nonsensitive" posts. They make the further point that one function of Civil Service is to insulate bureaucrats from retaliation from superiors for their political views.

But some administration officials fervently believe that even persons who engage in embarrassing antics must be viewed as potential threats to the nation's security. Some independent observers concur. "In today's climate, there is no government position which is not sensitive," declares Charles E. Rice, a law professor at Notre Dame. "Who but the janitor would know better the location of air-conditioning ducts in which to place explosives?"

U.S. security men squelched the appointment of the SDS woman on the ground that her actions weren't those of a "mature person." They argued that they didn't always do lucky. A decision last fall of a U.S. district

court, for example, required them to reinsta a Socialist as a mailman.

The government had fired the mailman on the ground he was a member of the Socialist Workers Party, included on the Attorney General's 24-year-old list of allegedly subversive organizations. The court ruled that the party's subversive nature hadn't been proven. Not only did the man get his job back but also other members of the party have since become letter carriers, too—a development that clearly upsets government men.

So the Nixon administration is moving to upgrade the legal standing of the subversive group list. Courts have questioned its credibility from the beginning, since the Attorney General was both prosecutor and judge in determining which groups should be listed. To remedy this, President Nixon recently transferred greater responsibility for the list to the Subversive Activities Control Board, which is outside the executive branch. The administration now seeks legislation to give the board subpoena, contempt and judicial-review powers. It would then use them to investigate groups for possible listing.

Meanwhile, federal personnel men are weighing administrative changes that would submit candidates for supervisory, managerial or fiduciary jobs to a "full field investigation," including interviews with neighbors and employers and inquiries into past associations. These intensive investigations now are limited to the relatively few persons seeking highly sensitive jobs.

More controversial, the contemplated changes would require all new employes to meet an "affirmative" standard requiring that their continued employment "will promote the efficiency of the service." This means bureaucrats could be removed at the end of a probationary period for failing to exhibit certain personal qualities—respect for authority, for example—not now considered in firing workers. And presumably, past and present political associations could be weighted in, too.

"We've got to do a better job of predicting the future behavior of our employes," says the Civil Service Commission's Mr. Johnson. He maintains that persons removed under the proposed changes "wouldn't be stigmatized as disloyal, since we'd simply be making employability judgments." And he says the beauty of the changes is that "we'd be freed from having to come up with enormous evidence of wrongdoing."

To critics, that's exactly the danger. The trouble, says Lawrence Speiser, a Washington civil liberties lawyer, is that the investigations will wind up being done by bureaucrats who can't "distinguish between disloyalty and dissent." That "would inhibit the free expression of government employes—and future government employes," he says. "You'd end up with a mediocre civil service."

Thomas Emerson, a Yale law professor, argues that the government should worry more about finding competent people to do the job and less about loyalty and security. Perfect security will always be unattainable, he says.

"Look how gung ho Daniel Ellsberg was when he first entered the government," he muses. "Ellsberg would have passed any loyalty test with flying colors."

## Labor Letter

CIA RECRUITERS seeking blacks stir protests at Oberlin College. The school's Modern Dance Company offers a "guerrilla theater action" to protest a visit by two Negro CIA agents. But noting the CIA's infiltration of student groups, a college official suggests campus radicals "join the CIA to try to change its course."



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

# Jailed Killer Weaves Exotic Alibi

By Paul W. Valentine  
Washington Post Staff Writer

Walter Lee Parman, the sad-faced Minnesota drifter convicted in the mutilation murder of a State Department secretary here seven years ago, now claims he and the woman were ensnared in a dark tangle of secret government missions and undercover work.

Parman's story—complete with names, dates, phone numbers and at least two verifiable CIA contacts—describes in detail a shadowy sequence of covert meetings and instructions through double and triple blinds leading to his first and only assignment here in early January, 1965, as a courier of false passports and other papers.

If true, the story could also set a new stage for Parman's continuing claim of innocence in the death of Shirley Ann Cary, the stout, dark haired, 32-year-old State Department secretary found strangled, nude and mutilated in a Northwest alley the morning of Jan. 9, 1965.

The detail, elaboration and exactness of many of Parman's claims are balanced against what his prison psychologist calls Parman's history as an "almost brilliant pathological liar." It must also be measured against the judgment of a former high ranking CIA professional that Parman's story "has an amateur ring to it."

Yet both the psychologist, Dr. Frederic de Aboitz, and the former CIA official, Victor L. Marchetti, say the whole thing could have happened.

"Anything is possible in the intelligence world," says Marchetti.

"Even pathological liars tell the truth," says de Aboitz.

Parman, 38, was convicted of the murder on June 16, 1966, and sentenced to life imprisonment. He is now at Lorton Correctional Complex 20 miles south of Washington.

There were no known witnesses to the murder. Police and FBI developed an elaborate web of circumstantial evidence—fingerprints, blood traces, clothing—which led to Parman's arrest in Los Angeles three weeks after the crime and his conviction 17 months after that.

He appealed unsuccessfully to both the U.S. Court of Appeals and the Supreme Court in 1967 and 1968. He is continuing to attack the conviction today through a form of habeas corpus procedure but has no attorney and is representing himself.

Prosecutors claimed Parman drifted into Washington at the end of 1964, picked up Shirley Ann Cary and another State Department secretary, Lu-

cille Kitterman, at the Hi-Hat Cocktail Lounge in the Ambassador Hotel at 14th and K Streets NW, on the evening of Jan. 8, 1965.

After a long night of drinking and general revelry, prosecutors said, Miss Kitterman went home and Parman lured Miss Cary to his Dupont Circle apartment.

There, when she ridiculed his sexual advances, a sudden uncontrollable rage was triggered in Parman, prosecutors claimed. He ripped off the woman's clothes, garrotted her with a rope, bit her savagely about the body, then dumped her corpse in an alley off the 3800 block of Garfield Street NW before fleeing to California, prosecutors said.

When the prosecution rested, defense attorneys introduced an unexpected and dramatic "truth serum" tape recording of Parman confessing the murder—a trial strategy calculated to convince the jury that Parman was, after all, insane. Groaning and weeping under the influence of sodium pentothal injected by a psychiatrist, Parman described the killing in minute detail. The jury, however, refused to find him not guilty by reason of insanity and convicted him.

Parman has since claimed that he faked the confession and has offered to undergo another sodium pentothal test to prove he can do it.

(Parman has an I.Q. of 130, far above average. Combined with his keen memory, rich imagination and mastery at masking his emotions, it is possible he could fabricate to a limited extent under sodium pentothal, his prison psychologist says.)

Parman says he falsified the confession at his 1966 trial because he felt it was the only way he could beat the murder charge. He says he never told his attorneys about his clandestine relationship with Shirley Ann Cary and the circumstances surrounding it because he feared no one would believe him and there might be unspecified reprisals against him if he went "public."

He says he now wants to take that step.

His story—given to this reporter along with many of his private papers, letters and a written waiver of any confidential relationship he had with psychiatrists and psychologists—was woven into the original police ac-

count in an intricate pattern, and at times the two are identical.

Parman's account begins with the summer of 1964, when he was an employee of Airmac, a Minneapolis aircraft parts manufacturing firm. As a member of Local 1313 of the International Association of Machinists (IAM) at Airmac, he was selected to attend a one-week IAM-sponsored summer school in union leadership training at the University of Wisconsin in Madison.

There, he says he joined a rump group of five or six "rebels" who broke from the main class of 76 union members and began holding secret sessions in which they discussed local union takeover tactics, industrial espionage and the theft of airplane plans.

The leader of the rebel group, he said, was a man known to him only as "Red" who was president of the McDonnell-Douglas Aircraft Corp. local in St. Louis, Mo.

Vowing to keep in touch thereafter, Parman said, the group called itself the "Friends of Heidelberg," and each member received a small gold lapel pin, replica of what Parman called the "Heidelberg Gate" as a secret identifying sign.

Parman said he returned to Minneapolis and in November, 1964, received a call from Holgate Young, then education associate for IAM headquarters in Washington, telling him to prepare to come to Washington on an undisclosed assignment. Young had not participated in the rebel group meetings the preceding summer, Parman said but his name was often mentioned as though he were part of the apparatus.

Young told Parman he would receive more specific instructions on his Washington assignment from a man named Robert L. Gales at Minneapolis; phone number 335-0811, Parman said.

A few days later, Gales called Parman, told him to report to Washington by Jan. 20, 1965, and to call a woman named Dolores Griedel for

# "Earth" Mag. Says U.S. Spy Agency

# CIA - AGENTS PUSH DOPE

WASHINGTON, D.C.—If, and we have every reason to believe it's true, the charges made in the March, 1972 issue of "Earth Magazine," that the CIA is now, and has been in the past, dealing in the dope traffic, it's deplorable. Drugs and its danger was brought to the attention of the American people of the National HERALD-DISPATCH newspapers in 1960. We pointed out in our initial drive against dope, the fact that it destroys American youth.

Hence, if the CIA as charged and documented by "Earth Magazine" is dealing in the dope traffic, they are singularly destroying a whole generation of American youth. Dope destroys the brain cell, it renders the individual, regardless of race, creed, or national origin, useless and powerless to think clearly. Dope, as it was fed to American soldiers in Asia is despicable and deplorable. In Asia America's finest young manhood was destroyed before being sent into battle in a senseless, useless, racist war.

In the article titled "The Selling of the CIA" text by Morton Kondracke, offers documentation, photographs of former CIA spies. The spy was quoted, and we have no reason to believe that Earth is lying on the CIA, that its history is a sordid one.

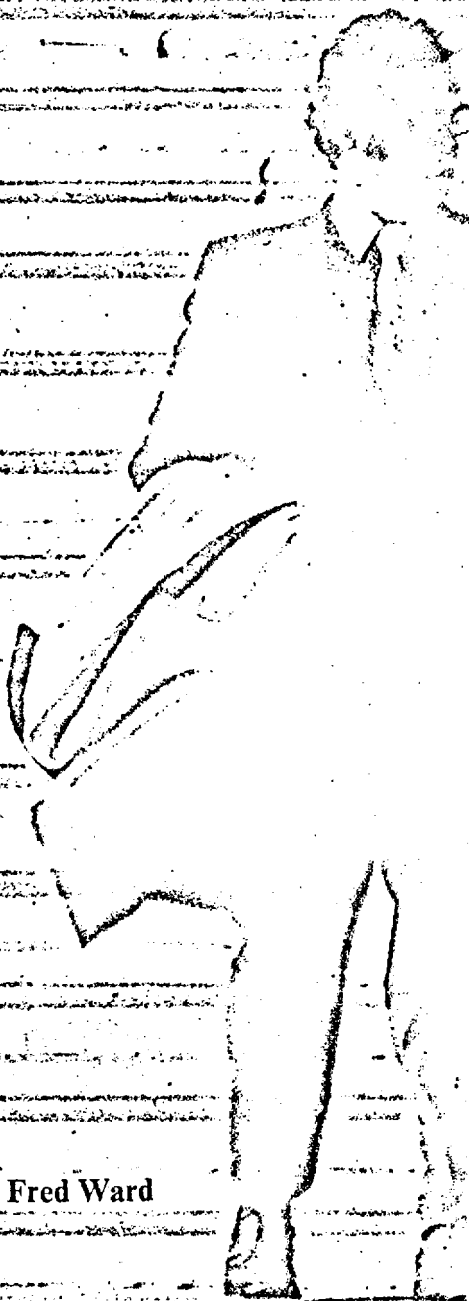
The HERALD-DISPATCH has been aware for a number of years that the CIA has had stooges in the universities and colleges throughout the nation where they recruit brilliant young students. These students were used as spies to overthrow the African and Asian countries, to murder, assassinate, and destroy people.

"Earth" cites facts that the CIA is involved in the opium traffic with the "fertile triangle" in the border areas of Laos, Burma, Thailand and the Yunnan province of southern China. They say, "about twenty-five percent of the heroin sold in America comes through this Southeast Asian channel. Ironically, the American taxpayer foots a six billion dollar a year bill for running the dope—the CIA, an organization which answers to nobody, is intricately involved in the flow of opium out of the Asian hills and into the United States. U.S. tax money

EARTH

March 1978

# THE SELLING OF



**Text by Morton Kondracke**

**Photography by Dennis Brack & Fred Ward**

# Mass student meeting discusses CIA dispute

STATINTL

By DONNA WYSZOMIERSKI

An "emergency" meeting called by concerned students in response to the discovery that representatives of the Central Intelligence Agency (CIA) were visiting the Oberlin campus began in an almost festive mood as about three hundred students crowded into Wilder Main Lounge.

It soon became an angry debate over whose rights were being violated by the unpublicized presence of the CIA and gradually disintegrated into small groups after an hour of argument.

The first speaker was John Lipert, who told the crowd that the meeting had been called to discuss three issues: the CIA as an organization, the right of students to be informed of groups visiting the campus, and the question of whether the students could influence what happened at the planned 4:00 meeting of the CIA with black students at the Oberlin Inn.

Hal Payne, associate dean of students, related to the assembled students how the meeting had been arranged. Earlier in the year, he said, the CIA had contacted Dorothy Smith of the Office of Placement and Graduate Counseling (OPGC). At that time it had requested a meeting with interested black students concerning the relevance of the CIA. Mr. Payne, to whom Ms. Smith relayed the request, said that as the CIA is "a bastion of the white establishment to which black people normally have no entree," he found the proposal "very interesting."

#### Established procedure?

In conforming with OPGC procedure, the CIA as an organization of special interest to minority students was not given general publicity in the placement office. Instead, letters were sent by Mr. Payne to junior and senior blacks requesting those interested to sign up for the meeting.

Mr. Payne cited as evidence for the established practice of this procedure previous interviews with representatives of an industrial management organization which were attended by a few black students and a meeting with black members of the medical profession scheduled for the near future. However, it was pointed out later that although these interviews were not publicized to other students by OPGC, information about them was available. In the case of the CIA, no information was available through the office.

#### No black affinity for CIA

Mr. Payne emphasized that the scheduled meeting at the Inn was not for recruitment purposes, but only to provide information about the CIA to black students. He said, "I want to make it clear that the black community does not feel any affinity with the CIA," (a remark greeted with laughter on all sides), and that they have no interest in careers in the organization, but were interested in hearing what the representatives had to say. Mr. Payne said he felt that the absence of student senate and the apathy of white students in regard to blacks were instrumental in bringing about the misunderstanding. While he emphasized the right of the minority to free speech and action, he said that he felt this assembly gave the blacks an opportunity to determine whether the majority of the students felt they had a right to meet with the CIA, and if the consensus was that they did not, that the CIA would abide by this decision.

#### Guidelines sought

Mr. Payne's speech was followed by an argument about whether the blacks had a right to meet with the CIA without the community as a whole having been informed of the CIA presence on campus, in view of the kind of activities which the agency is involved. The administra-

tion was called to task by several student spokesmen for not informing the students. Dean of Students George Langeler in a brief comment stated that the administration is willing to meet with the Committee on Social and Political Concerns to determine guidelines for future situations of this kind, as no guidelines of any kind now exist.

The CIA representatives had offered to appear at the meeting to answer questions, but since time was insufficient when the speakers got around to discussing what should be done, the CIA recruiters were asked if instead they would remain after the 4:00 meeting at the Inn. The representatives declined, saying they were unable to remain in Oberlin any longer.

Several students offered to take responsibility for requesting another visit by the representatives for questioning by students, but as response seemed negative or apathetic, the idea was dropped.

#### Whites asked to leave

Seven white students attended the 4:00 meeting along with about 55 blacks. After viewing a short film the whites were asked to leave by junior Frank Brown and most of the whites complied.

FEB 26 1972

Blacks, whites disagree

# OC students debate the presence of CIA

By MARTIN KOPPELL

OBERLIN — Black and white students at Oberlin College verbally clashed yesterday afternoon over the presence of Central Intelligence Agency representatives on campus to discuss career planning with blacks.

"Up to now, your parents have been working with the CIA. We want to be a James Bond too," one black student told 250 students assembled in the main lounge, Wilder Hall.

**WHITE STUDENTS HAD CALLED** the 2:30 p.m. meeting to protest the scheduled 4 p.m. session between blacks and the CIA. The whites argued against the presence on campus of an agency they said was involved in sabotage.

The 4 p.m. session, on the second floor of the Oberlin Inn, started a few minutes late, with about 35 blacks present.

The white students, in a flyer distributed on campus, said, "Representatives of the CIA will be at the Oberlin Inn Friday (yesterday) at 4 p.m. at their own request, and will speak to only members of the black college community.

"The CIA are here with the full knowledge and complicity of the Oberlin College administration, who consciously withheld the information from the college community as a whole."

**THE WHITE STUDENTS** maintained that the CIA's presence should have been discussed by the whole college community.

Hal D. Payne, assistant dean of students, told the group assembled in Wilder that the session with the CIA had been called primarily to disseminate information about the agency and not as a recruitment meeting.

Payne said he was contacted earlier this year by the college placement office when a representative of the CIA, who formerly had a son at Oberlin, heard about the arrangement between the Black Caucus and the college to increase minority enrollment on campus.

The CIA, Payne said, wanted to know whether Oberlin was a place where it could begin a "conversation" with blacks.

Payne said he looked upon the CIA "as an employer and as a bastion of the white establishment to which blacks have no entry."

**FROM THAT ANGLE**, Payne said, "it might be interesting to enter into a conversation with the CIA."

"Any organization has the right to appear on campus," Payne said, and "to deny the CIA would have been a violation of the procedures at the college."

In the intervening months, Payne recalled, there were very few discussions with the CIA, but the agency made a determination of who would be involved and where.

Letters were sent to certain students, and a meeting was held this week by the black student group.

That group, said Payne, concluded that while the black students didn't respect the CIA and were suspicious of it, they were still interested in confronting the agency.

Payne said that because of his work with blacks, the session had been confined to black students, and concerned how can the CIA be relevant to blacks, and what the CIA is doing to blacks.

**PAYNE NOTED THAT WITH** the lack of a student government, the central question was whether an organization many disagree with should be permitted to have a conversation "with some of us."

"If representatives (of the total student body) want to go out and inform the CIA that the Oberlin student body at large will not permit a conversation, I doubt they (CIA) will persist in seeking to meet with blacks who want to talk to them."

Payne said the presence of the CIA to talk to blacks was not an isolated incident, but part of an overall program of many organizations coming to campus to speak to one particular segment.

He said he regarded the session with the CIA as one concerned with the issue of career planning and not with that of job placement.

"I have doubts about certain corporations relative to blacks, but I would not want to deny the organization the right to speak to blacks," Payne added.

**ALTHOUGH SEVERAL WHITE** students expressed displeasure at the presence of the CIA on campus, the sentiment was not shared by several blacks.

One black female student said the central issue is "whether or not Hal Payne has the right to send out letters specifically to black students dealing with problems dealing with blacks specifically and only."

Another black student told the whites that the CIA had "come to talk to blacks. That is our concern. It is none of our business. We don't need your permission to talk to anyone."

"I would not have considered the CIA in the past because the CIA didn't consider themselves as an equal opportunity employer. The CIA is now an equal opportunity employer."

STATINTL

OBERLIN, OHIO, FRIDAY, FEBRUARY 25, 1972

# CIA plans meeting with blacks

STATINTL

By R. DROGIN

## PRESS TIME RELEASE

Representatives of the Central Intelligence Agency, including two black agents, planned to meet with students at 4 o'clock this afternoon at the Oberlin Inn in an effort to recruit black students for employment within the agency.

At press time, it was uncertain as to whether or not the proposed meeting would take place, due to efforts to protest the presence of the CIA. The CIA will not conduct their discussions if this group is "truly vehemently opposed" to the CIA sessions, Hal Payne, assistant dean of students said, thus denying those who had signed up for interviews "the right of free speech."

Last week black juniors and seniors received through the campus mail a letter notifying them of the CIA's presence in Oberlin. The letter, dated February 18, 1972, was from Assistant Dean of Students Hal Payne, who made arrangements for the meeting as the principle liaison with the CIA representatives.

The letter explained that the CIA, as an Equal Opportunity Employer, is participating in an all-government drive to recruit more minority group citizens into the different organs of the government, and according to Mr. Payne's letter "Oberlin came to their attention because of the nationwide publicity given our Black Caucus admissions and recruitment program. They feel that Oberlin will be attracting the kind of black students who would be of interest to the agency."

The general student body was not notified of the agency's presence. Although the Office of Placement and Graduate Counseling (OPGC) and Office of the Provost have known of the agency's efforts to establish a meeting with students since October 1971 when a CIA representative first approached OPGC with the proposal, no general publicity was given in the past months to the meeting today. The session at the Inn today was not advertised in OPGC.

J. Byron Crosman, a member of the CIA who was familiar with Oberlin after having visited his son, a

student here, spoke in confidence in the fall with Associate Provost William Davis to discuss the proposal for a CIA meeting with students which was accepted by a "collective effort" of Mr. Davis, Mr. Payne, and George Langeler, dean of students.

### Meeting off-campus

Although Mr. Crosman wished to hold the meeting in Afro House, Mr. Davis felt that "it would be better for all concerned" to hold the session in the technically off-campus Inn.

The administration bypassed the usual OPGC procedure, and coordinated the special meeting today through Mr. Payne's office. The deans insisted, however, that the CIA is just another government agency, and the procedure in this case was according to Mr. Langeler, "in no way unusual." However, the last government agencies to recruit in Oberlin, the Internal Revenue Service, and the Social Security Bureau, held their interviews directly through OPGC.

### Desire to communicate

Mr. Davis said yesterday that the agency's intent in coming to Oberlin lay in a sincere desire to communicate with students, and a wish to explain opportunities for careers for black students within the CIA. Three or four students have evinced an interest in this regard. He added that "there is something more here for the CIA than just a recruiting process."

Mr. Davis explained that although the College could have refused all co-operation with the CIA, such a policy would not have been effective in keeping the agency actually out of Oberlin. Asserting that fears about newly-recruited student agents hired by the CIA are groundless, he "could not say with certainty that the CIA recruiters have not been here already." The CIA has not held formal interviews in Oberlin for at least five years.

Dorothy Smith, director of OPGC, explained that there have been "no guidelines formally established for the barring of any particular insti-

tution of employment," including the Central Intelligence Agency, or even, she added, the Navy recruiters. The campus demonstration of 1968 concerning military recruiters on campus left no written agreement or even tacit understanding of any barring, she said.

### Verbal confrontation

Mr. Davis said that allowing the CIA to come to Oberlin would give "students an opportunity to verbally confront the CIA." In the case of

black students, he added, this confrontation could be especially enlightening in view of the CIA's alleged involvement in the suppression of the African national liberation movements."

The College did not invite the CIA to come here, but as long as they have come, it shouldn't be a question of not permitting them to present their stand, Mr. Langeler said.

Mr. Davis hoped many students would pose questions to deal with the reality and image of the agency, for example, with the CIA's role in black societies in this country and around the world. It is an opportunity, he said, for blacks to critically review their roles in dealing with a police power.

### Students change CIA?

The discussion will also present alternatives to the students, according to Mr. Davis, and considering that the "CIA doesn't hesitate to infiltrate groups like the Black Panthers and Students for a Democratic Society, to subvert them, there's no reason that radical Oberlin students can't join the CIA to try to change its course."

The black students on campus discussed the issue at the last meeting of ABUSUA and agreed with Mr. Davis in general principle about allowing the CIA on campus. Although there was a decidedly negative response to the CIA as an institution, no formal plan of action was decided upon other than for black individuals to attend the meeting as they choose. No attempt at all-campus publicity

continued

# The Activities of the Central Intelligence Agency, at Six Billion Dollars a Year

Edward K. DeLong  
United Press International  
Washington, D.C.

*"Whenever you are working on a problem that the military is deeply interested in — because it's affecting one of their programs . . . and you're not saying what they want you to say, the browbeating starts . . . the pressure to get the report to read more like they want it to read."*

(Based on a dispatch distributed by UPI  
on October 3, 1971)

Victor Marchetti embarked 16 years ago on a career that was all any aspiring young spy could ask. But two years ago, after reaching the highest levels of the Central Intelligence Agency, he became disenchanted with what he perceived to be amorality, overwhelming military influence, waste and duplicity in the spy business. He quit.

Fearing today that the CIA may already have begun "going against the enemy within" the United States as they may conceive it — that is, dissident student groups and civil rights organizations — Marchetti has launched a campaign for more presidential and congressional control over the entire U.S. intelligence community.

"I think we need to do this because we're getting into an awfully dangerous era when we have all this talent (for clandestine operations) in the CIA — and more being developed in the military, which is getting into clandestine "ops" (operations) — and there just aren't that many places any more to display that talent," Marchetti says.

## Running Operations Against Domestic Groups

"The cold war is fading. So is the war in Southeast Asia, except for Laos. At the same time, we're getting a lot of domestic problems. And there are people in the CIA who — if they aren't right now actually already running domestic operations against student groups, black movements and the like — are certainly considering it.

"This is going to get to be very tempting," Marchetti said in a recent interview at his comfortable home in Oakton, (Va.), a Washington suburb where many CIA men live.

"There'll be a great temptation for these people to suggest operations and for a President to approve them or to kind of look the other way. You have the danger of intelligence turning against the nation itself, going against the 'the enemy within.'"

Marchetti speaks of the CIA from an insider's point of view. At Pennsylvania State University he deliberately prepared himself for an intelligence career. **Approved For Release 2001/03/04 : CIA-RDP80-01601 R0002000500026** the world shattered, Marchetti decided to abandon his chosen studies and history.

## Offer of Job in CIA

Through a professor secretly on the CIA payroll as a talent scout, Marchetti netted the prize all would-be spies dream of — an immediate job offer from the CIA. The offer came during a secret meeting in a hotel room, set up by a stranger who telephoned and identified himself only as "a friend of your brother."

Marchetti spent one year as a CIA agent in the field and 10 more as an analyst of intelligence relating to the Soviet Union, rising through the ranks until he was helping prepare the national intelligence estimates for the White House. During this period, Marchetti says, "I was a hawk. I believed in what we were doing."

## Moving Up

Then he was promoted to the executive staff of the CIA, moving to an office on the top floor of the Agency's headquarters across the Potomac River from Washington.

For three years he worked as special assistant to the CIA chief of plans, programs and budgeting, as special assistant to the CIA's executive director, and as executive assistant to the Agency's deputy director, V. Adm. Rufus L. Taylor.

"This put me in a very rare position within the Agency and within the intelligence community in general, in that I was in a place where it was being all pulled together," Marchetti said.

## I Began To See Things I Did Not Like

"I could see how intelligence analysis was done and how it fitted into the scheme of clandestine operations. It also gave me an opportunity to get a good view of the intelligence community, too: the National Security Agency, the DIA (Defense Intelligence Agency), the national reconnaissance organization — the whole bit. And I started to see the politics within the community and the politics between the community and the outside. This change of perspective during those three years had a profound effect on me, because I began to see things I didn't like."

NEW YORK, N.Y.  
TIMES

M - 846,132  
S - 1,407,549  
JAN 9 1972

## Things Are Looking Up

Two years of economic gloom and scarcity of job opportunities have made the present crop of collegiate job seekers so grateful for small favors that even recruiters for the Central Intelligence Agency have recently been welcomed on some campuses. But last week came the first authoritative hint of a turn for the better: A detailed study of business and industry employment trends concludes that men in the class of '72 will have an 11 per cent better chance of landing a job upon graduation than last year's class; for women, the chance will be 15 per cent better.

This news was reported by Dr. Frank Endicott, placement director at Northwestern University, who has surveyed the job market annually for 26 years. Based on a study of 185 medium-to-large companies which normally recruit college graduates, he forecasts that the drastic recent cutbacks will

end—although employers still will hire only 60 per cent of the number taken during the peak years of 1968-69.

The news for graduates with master's degrees is not as encouraging. Against a projection of an over-all increase in hiring of graduates with bachelor's degrees, the study anticipates a 3 per cent decrease in employment of those at the master's level. This is probably an indication that the hiring will improve most for lower-level jobs and that efforts at holding the line on salaries will continue.

Virtually no increases in starting salaries are reported. Average monthly salaries for engineers with bachelor's degrees will be \$884, compared with \$1,038 for master's. Liberal arts bachelors can expect just below \$700. Most companies reported the same salaries for men and women.

—F.M.H.



JAN. 1972

# Wiretaps & National Security

*Alan M. Dershowitz*

**D**URING 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

9 DEC 1971

# Lennon to Join U-M Rally

Special to the Free Press

ANN ARBOR — John Lennon and his wife, Yoko Ono, plus a host of other political activists and rock stars will appear here Friday evening for a Free John Sinclair rally.

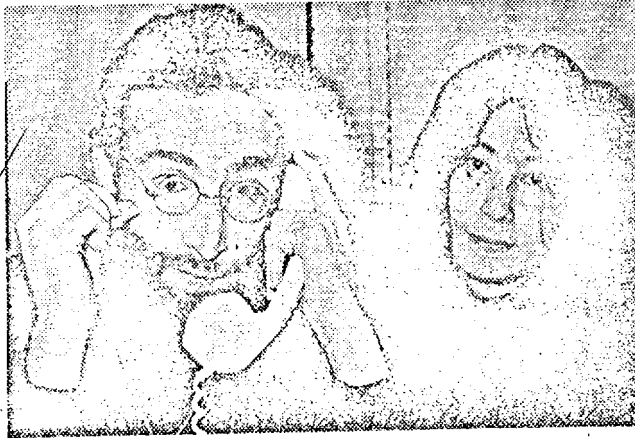
The Rainbow People's Party and the Free John Sinclair Committee announced the rally Wednesday. It will be held at 7 p.m. in the University of Michigan Crisler Arena, which seats 15,000 persons.

THE LIST of political activists and entertainers who are scheduled to attend the rally reads like a who's who of the counterculture.

In addition to Lennon and Yoko, those scheduled to appear include:

Black Panther leader Bobby Seale, Rennis Davis and Jerry Rubin, of the famed Chicago Seven; poet Allen Ginsberg, Father James Groppi and Robert Williams, founder of the Republic of New Africa.

Jazz musicians Archie Shepp and Roswell Rudd, Commander Cody and his Lost Planet Airmen, folk singer Phil Ochs, the Joy of Cooking, and David Peel and the Up.



John Lennon and Yoko Ono

PROCEEDS FROM the rally will go to Sinclair's legal fund, according to the rally sponsors.

Sinclair was sentenced in 1969 to from 9½ to 10 years in Jackson prison for possession of two marijuana cigarettes. It was his third conviction.

The case is presently before the Michigan Supreme court on appeal.

Sinclair is also facing charges along with two others

on conspiring to bomb the Ann Arbor CIA offices in September of 1968.

During a press conference Wednesday to announce the rally, its sponsors played a tape of a phone conversation with ex-Beatle Lennon and Yoko Ono.

"We won't be bringin a band," Lennon said, "I'm only here as a tourist, but I'll probably fetch me guitar, and I

know we have a song we wrote for John (Sinclair) and that's that."

LENNON RECENTLY published, but has not as yet recorded a song about Sinclair in which he calls out, "Gotta, gotta set him free . . .

"It ain't fair, John Sinclair in the stir for breathing air," the song starts and then proceeds:

*"If he'd been a soldier man  
Shooting gooks in Vietnam  
If he'd was a flying man  
Dropping dope in old Siam  
He'd be free, they'd let him  
be  
Breathing air like you and  
me."*

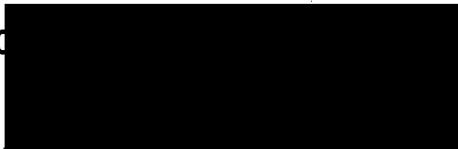
Lennon is expected to sing the song at the rally Friday.

"We're really thinking in terms of John Sinclair," Yoko Ono said in her taped phone conversation, "and our friends, our brothers and sisters who are in pain, and we really feel the pain with them."

The rally will be broadcast live in Detroit on FM radio station WABX.

2 DEC 1971

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The Federal Diary

# U.S. Cuts Hiring of Top Graduates



By  
Mike  
Causey

Top officials, worried about losing their supply of new talent from the campus, continue to send recruiters to colleges. The Central Intelligence Agency was quietly in the Denver area last week, and Navy has a recruiter scheduled for Duke University. But they are under increased pressure from budget men to cut back on the recruiting activities, and find themselves unable to offer the deals that were commonplace two or three years ago.

Approved For Release 2001/03/04 : CIA-RDP80-01601R00

# NIGHT OWL reporter

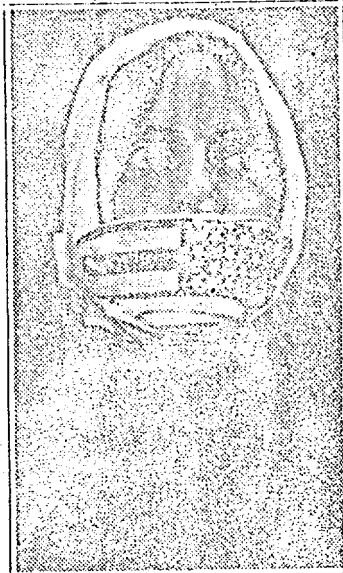
## The Man From Ann Arbor

There is a laugh-provoking scene in the movie "Taking Off" in which a club of white middle-class parents of runaway children take a lesson in pot smoking to help them "relate" to their children.

The question arises, though the lesson is in a good cause, about the penalty for such a mass smoke-in if there was an arrest. Their young teacher raises his eyebrows and replies, "A man in Michigan was sentenced to prison for 10 years for having two joints."

No joke, the man is John Sinclair and getting him released has become a major cause for his wife, friends and others who believe his sentence in 1969 represents a prime example of unjust laws. His wife, Leni, has been commuting between New York and her home in Ann Arbor, Mich., working with some prominent but still unrevealed names to organize a benefit concert for her husband in December. An appeal to reverse his conviction is currently before the Michigan Supreme Court.

While Sinclair may not have the pop prominence of Berry Gordy, he carries his own special clout in the field of Detroit music. Through his organization and management, the hard-driving rock quintet called MC-5 came to national prominence. In a new book, "Music and Politics," Sinclair speaks of the MC-5 and Iggy and the Stooges, another group whose music has the subtlety of an auto chassis stamping machine, as examples of "high energy level music," the important function of which is to "reflect and shape the purest and highest stages of people's consciousness, i.e., revolutionary conscious-



John Sinclair smokes a straight before arrest; his wife Leni makes silent commentary on justice in court corridor.

ness." The book is a collection of articles of criticism Sinclair wrote for Jazz and Pop magazine while in prison. His attitudes are summarized in a book called "Guitar Army," also written in prison and soon to be published by Douglas Books.

Those who say Sinclair is getting what he deserves present this evidence: two previous arrests and convictions for possession of an ounce or so of marijuana, the first conviction in 1964 bringing a \$200 fine and two years probation, the second in 1966 bringing a six-month sentence; a charge, in a case which appeals have taken to the U.S. Supreme Court, that he conspired with two other men to bomb a CIA office in Ann Arbor in 1968, a nighttime explosion that shattered windows in the empty building and broke a sidewalk; his work with Lemar, an organization for the legalization of marijuana; his founding of a group called the White Panthers, which had a vague

manifesto called Trans-Love Energies in an 18-room house in Ann Arbor near the University of Michigan campus, with its doors open to anyone and his preaching of "revolution" through music.

Pro-Sinclair people say he has done nothing except smoke grass and irritate the establishment through his life style.

The situation brings to mind other notable examples of pot users who were caught. Stripper Candy Barr got 15 years in Texas in 1958 for possession of one joint and a quantity of loose grass stashed in her bra. She was released after three years. Gene Krupa served three months in 1943 for sending his teenage valet to pick up a pack of reefers from his hotel room. Krupa still is paying his dues by lecturing high school students on the dangers of drugs.

In perspective, such furor over smoking pot seems extravagant, but Robert Apablaza just beat a 50-year sentence for holding a matchbox full of marijuana by escaping from the Louisiana jail where he was held and fleeing to New York. The governor of New York persuaded the governor of Louisiana to drop extradition proceedings.

The strain of Leni's efforts to get her husband released shows in her face and voice but she doesn't show vindictiveness, even when telling how her husband was arrested by the same undercover agent who had arrested him in 1966. "He used the name Louie," she said, "and he had a 'girl friend' who was an undercover agent too named Pat. Our doors were pretty much open. He had long hair after having had short hair and we didn't recognize him. We had a communal dinner every Sunday afternoon and Louie and Pat brought some fried chicken once and swept the floor. They were really nice."

For weeks they begged John to get them some grass, she said, so finally one evening he made two joints they said they wanted to take to a party. That did it.

Anyone interested in learning more about the Sinclairs' side can write the Committee to Free John Sinclair, 715 E. Grand Blvd., Detroit 48207.

—ERNEST LEGGEMANDE

Educational Footnote

Through a professor secretly on the CIA payroll as a talent scout, Marchetti netted the prize all would-be spies dream of—an immediate job offer from the CIA.

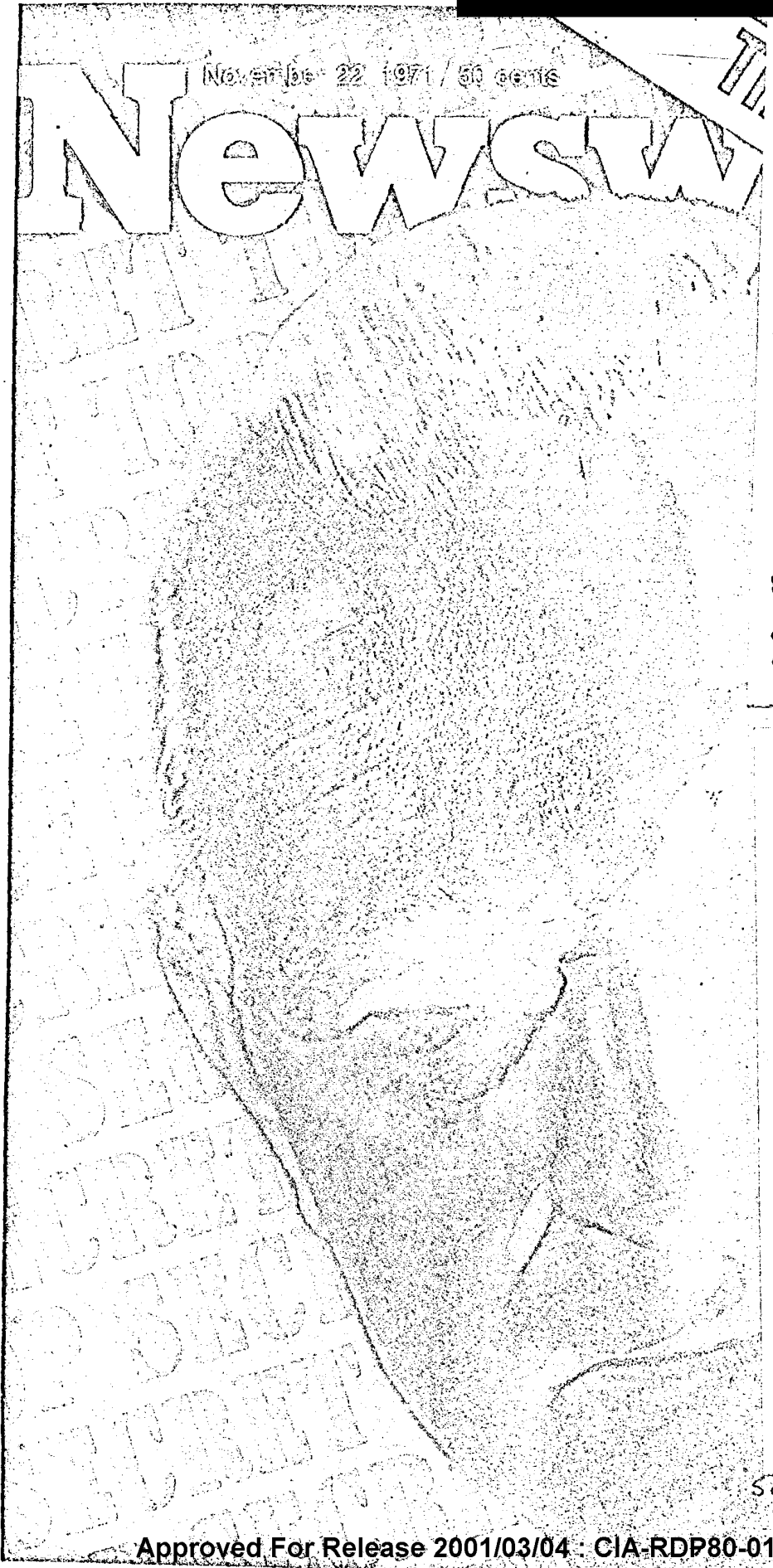
—From a UPI interview by Edward K. DeLong with Victor Marchetti, who quit the CIA in disenchantment after 14 years. Full text reprinted in the U.S. News & World Report Oct. 11. Marchetti's "The Rope Dancer", a novel about the Vietnam war and Russian strategic advances as seen from within the intelligence apparatus has just been published.

There are no professors secretly on the CIA's payroll, although some have assisted the Agency in spotting individuals who might qualify for intelligence work abroad.

—From the rebuttal in the same issue of USN&WR by Lyman B. Kirkpatrick, Jr., now professor of political science at Brown, who was with the CIA from 1947 to 1965, rising to Executive Director-Comptroller.

November 22 1971 / 50 cents

# Newsweek



STATINTL

MEMPHIS, TENN.  
COMMERCIAL APPEALOCT 28 1971  
M - 219,462

S - 268,338

Career Corner

## CIA Usually Finds Its Own Spies

Dear Joyce: A friend has expressed an interest in working for the CIA. He is bilingual, a graduate of electronics school, is well-read and facile with many hobbies and interests. How would he go about joining the CIA? Are there similar groups which might employ him? To whom would he apply? J. M., Chicago.

He can write for application forms to: Office of Personnel, Central Intelligence Agency, 1820 N. Ft. Myer Dr., Arlington, Va. 30505.

However, Andrew Tully, the Washington columnist says in his book, "CIA," that it is extremely rare for unsolicited spies to be hired. Except for clerical personnel, most CIA employes are recruited at colleges (usually Ivy League) where CIA headhunters may have the brightest prospects under watch for several years before an approach is made. Mature persons — particularly those with a background in science or technology — also are recruited.

Of every 1,000 unrequested applications, Tully estimates that about 800 are rejected at first screening. The remaining 200 are investigated to the last eyelash, and most of those are eventually turned down.

Clerical and junior level staff are sometimes recruited from other federal agencies. One woman told me she thought she was about to be hired as a staff writer for a nonsecret government agency. At the final interview, she was taken to a CIA office and offered an assignment in Germany, which she accepted and later described as routine and somewhat monotonous.

Education and preparation for those who wish to enter the intelligence and data-gathering field is too diverse for a complete listing here. Write to the CIA for a booklet, "Careers in



Joyce Lain

Intelligence," which in part states ...

Salaries at the professional level typically range from: \$8,500 to \$28,000. Clerical earn-

ings are often between \$5,000 and \$8,000. All government fringe benefits apply to CIA personnel, although the CIA is not under United States Civil Service regulations.

Other agencies with opportunities for intelligence employment include: National Security Agency, Ft. George Meade, Md. 20755; Bureau of Intelligence and Research, U.S. State Department, Washington, D.C. 20520; and military service groups which hire a few civilians. These are: Defense Intelligence Agency (Army); Office of Special Investigations (Air Force), and Office of Naval Intelligence (Navy).

# Careers with the CIA Rarely Opened to Unsolicited Spies

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ANDREW TULLY, the syndicated Washington columnist says in his book, "CIA"; that it is extremely rare for unsolicited spies to be hired. Except for clerical personnel, most CIA employees are recruited at colleges (usually Ivy League) where CIA headhunters may have the brightest prospects under watch for several years before an approach is made. Mature persons -- particularly those with a background in science or technology -- are also recruited.

Of every 1,000 unrequested

## Career Corner By Joyce Lain

What job  
would you  
like to see  
explored  
in this  
column?



applications, Tully estimates that about 800 are rejected at first screening. The remaining 200 are investigated to the last eyelash, and most of those are eventually turned down. At least 6 months can pass before you get a decision, and if you don't make the team, the CIA won't tell you why.

CLERICAL AND JUNIOR level staff are sometimes recruited from other federal agencies. One young woman told me she thought she was about to be hired as a staff writer for a nonsecret government agency. At the final interview, she was taken to a CIA office and offered an assignment in Germany, which she accepted and later

described as routine and somewhat monotonous.

Information is not available about the number of CIA agents who work overseas as contrasted with those who are employed in Washington and other parts of the U.S.

EDUCATION AND PREPARATION for those who wish to enter the intelligence and data-gathering field is too diverse for a complete listing here. Write to the CIA for a booklet, "Careers in Intelligence," which in part states . . .

"It is largely to the graduate schools that the Agency is looking for mature students equipped for extensive training in intelligence fields . . . students in economics, economic history, international trade, political science, international relations, history, physics, chemistry, electronics, biology, geology, engineering, cartography, agriculture, even forestry. CIA often needs people whose specialties may seem superficially to be unrelated to the national security."

SALARIES at the

professional level typically range from: \$8,500 to \$28,000. Clerical earnings are often between \$5,000 and \$8,000. All government fringe benefits apply to CIA personnel, although the CIA is not under U. S. Civil Service regulations. Dismissals are infrequent -- inept job performance is more likely to result in less sensitive assignments.

OTHER AGENCIES with opportunities for intelligence employment include: National Security Agency, Ft. George Meade, Md. 20755; Bureau of Intelligence and Research, U. S. State Department, Washington, D. C. 20520; and military service groups which hire a few civilians. These are: Defense Intelligence Agency (Army); Office of Special Investigations (Air Force), and Office of Naval Intelligence (Navy). Intelligence experience in the military may --or may not -- be helpful in obtaining civilian spy biz employment.

Send career topic suggestions to Joyce Lain Kennedy at this newspaper. Sorry, no mail answer are possible.

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11 OCT 1971 STATINTL

THE CIA—An Attack and a

# A FORMER STAFF OFFICER CRITICIZES CIA ACTIVITIES

Is the CIA starting to spy on Americans at home—turning talents and money against students, blacks, others? That is one of several key questions raised in a wide ranging criticism. A direct response starts on page 81.

## THE ATTACK

The following was written by Edward K. DeLong of United Press International, based on an interview with a Central Intelligence Agency official who has resigned. The dispatch was distributed by UPI for publication on October 3.

Victor Marchetti embarked 16 years ago on a career that was all any aspiring young spy could ask. But two years ago, after reaching the highest levels of the Central Intelligence Agency, he became disenchanted with what he perceived to be amorality, overwhelming military influence, waste and duplicity in the spy business. He quit.

Fearing today that the CIA may already have begun "going against the enemy within" the United States as they may conceive it—that is, dissident student groups and civil-rights organizations—Marchetti has launched a campaign for more presidential and congressional control over the entire U. S. intelligence community.

"I think we need to do this because we're getting into an awfully dangerous era when we have all this talent (for clandestine operations) in the CIA—and more being developed in the military, which is getting into clandestine "ops" (operations)—and there just aren't that many places any more to display that talent," Marchetti says.

"The cold war is fading. So is the war in Southeast Asia, except for Laos. At the same time, we're getting a lot of domestic problems. And there are people in the CIA who—if they aren't right now actually already running domestic operations against student groups, black movements and the like—are certainly considering it.

"This is going to get to be very tempting," Marchetti said in a recent interview at his comfortable home in Oakton, [Va.], a Washington suburb where many CIA men live.

"There'll be a great temptation for these people to suggest operations and for a President to approve them or to kind of look the other way. You have the danger of intelligence turning against the nation itself, going against the 'the enemy within.'"

Marchetti speaks of the CIA from an insider's point of view. At Pennsylvania State University he deliberately prepared himself for the career by earning a Ph.D. in history with a degree in Russian studies and history.

Through a professor secretly on the CIA payroll to scout, Marchetti netted the prize all would-be spies dream of—an immediate job offer from the CIA. The offer came during a secret meeting in a hotel room, set up by a stranger who telephoned and identified himself only as "a friend of your brother."

Marchetti spent one year as a CIA agent in the field and 10 more as an analyst of intelligence relating to the Soviet Union, rising through the ranks until he was helping prepare the national intelligence estimates for the White House. During this period, Marchetti says, "I was a hawk. I believed in what we were doing."

Then he was promoted to the executive staff of the CIA, moving to an office on the top floor of the Agency's headquarters across the Potomac River from Washington.

For three years he worked as special assistant to the CIA chief of plans, programs and budgeting, as special assistant to the CIA's executive director, and as executive assistant to the Agency's deputy director, V. Adm. Rufus L. Taylor.

"This put me in a very rare position within the Agency and within the intelligence community in general, in that I was in a place where it was being all pulled together," Marchetti said.

"I could see how intelligence analysis was done and how it fitted into the scheme of clandestine operations. It also gave me an opportunity to get a good view of the intelligence community, too: the National Security Agency, the DIA (Defense Intelligence Agency), the national reconnaissance organization—the whole bit. And I started to see the politics within the community and the politics between the community and the outside. This change of perspective during those three years had a profound effect on me, because I began to see things I didn't like."

With many of his lifelong views about the world shattered, Marchetti decided to abandon his chosen career. One of the reasons, he says, was the CIA's Director, Richard Helms, why he was leaving.



Mr. Marchetti

11 OCT 1971

STATINTL

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THE CIA—An Attack and a Reply

# A FORMER CIA EXECUTIVE DEFENDS ITS OPERATIONS

Just how valid are the charges against the Central Intelligence Agency? What guarantees do Americans have that it is under tight control? A point-by-point defense of the organization comes from a man who served in top posts for 18 years.

## THE REPLY

Following is an analysis of intelligence operations by Lyman B. Kirkpatrick, Jr., former executive director-comptroller of the Central Intelligence Agency:

The Central Intelligence Agency was created by the National Security Act of 1947 as an independent agency in the executive branch of the United States Government, reporting to the President. Ever since that date it has been subjected to criticism both at home and abroad: for what it has allegedly done as well as for what it has failed to do.

Our most cherished freedoms are those of speech and the press and the right to protest. It is not only a right, but an obligation of citizenship to be critical of our institutions, and no organization can be immune from scrutiny. It is necessary that criticism be responsible, objective and constructive.

It should be recognized that as Americans we have an inherent mistrust of anything secret: The unknown is always a worry. We distrust the powerful. A secret organization described as powerful must appear as most dangerous of all.

It was my responsibility for my last 12 years with the CIA—first as inspector general, then as executive director-comptroller—to insure that all responsible criticisms of the CIA were properly and thoroughly examined and, when required, remedial action taken. I am confident this practice has been followed by my successors, not because of any direct knowledge, but because the present Director of Central Intelligence was my respected friend and colleague for more than two decades, and this is how he operates.

It is with this as background that I comment on the current allegations, none of which are original with this critic but any of which should be of concern to any American citizen.

### CIA and the Intelligence System Is Too Big

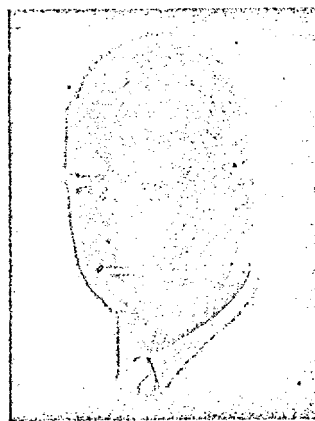
This raises the questions of how much we are willing to pay for national security, and how much is enough.

First, what are the responsibilities of the CIA and the other intelligence organizations of our Government?

Very briefly, the intelligence system is charged with insuring that the United States learns as far in advance as possible of any potential threats to our national interests. A moment's contemplation will put in perspective what this actually means. It can range all the way from Russian missiles

pointed at North America to threats to U. S. ships or bases, to expropriation of American properties, to dangers to any one of our allies whom we are pledged by treaty to protect. It is the interface of world competition between superior powers. Few are those who have served in the intelligence system who have not wished that there could be some limitation of responsibilities or some lessening of encyclopedic requirements about the world. It is also safe to suggest that our senior policy makers undoubtedly wish that their span of required information could be less and that not every disturbance in every part of the world came into their purview.

(Note: This should not be interpreted as meaning that the U. S. means to intervene. It does mean that when there is a



Mr. Kirkpatrick

Lyman B. Kirkpatrick, Jr., now professor of political science at Brown University, joined the Central Intelligence Agency in 1947 and advanced to assistant director, inspector general and executive director-comptroller before leaving in 1965. He has written extensively on intelligence and espionage. Among other honors, he holds the President's Award for Distinguished Federal Civilian Service and the Distinguished Intelligence Medal.

boundary dispute or major disagreement between other nations, the U. S. is expected to exert its leadership to help solve the dispute. It does mean that we will resist subversion against small, new nations. Thus the demand by U. S. policy makers that they be kept informed.)

What this means for our intelligence system is world-wide coverage.

To my personal knowledge, there has not been an Administration in Washington that has not been actively concerned with the size and cost of the intelligence system. All Administrations have kept the intelligence agencies under tight con-

## Special Report

CIA Charged  
With Waste,  
Amorality

By EDWARD K. DELONG

OAKTON, Va. (UPI) — Victor Marchetti embarked 16 years ago on a career that was all any aspiring young spy could ask.

But two years ago, after reaching the highest levels of the Central Intelligence Agency, he became disenchanted with what he perceived to be amorality, overwhelming military influence, waste and duplicity in the spy business. He quit.

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MARCHETTI SPEAKS of the CIA from an insider's point of view.

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ty and the outside. This change of perspective during those three years had a profound effect on me, because I began to see things I didn't like."

WITH many of his life-long views about the world shattered, Marchetti decided to abandon his chosen career. One of the last things he did at the CIA was to explain to Director Richard Helms why he was leaving.

"I told him I thought the intelligence community and the intelligence agency were too big and too costly, that I thought there was too much military influence on intelligence — and very bad effects from that — and that I felt the need for more control and more direction.

"The clandestine attitude, the amorality of it all, the cold war mentality — these kinds of things made me feel the agency was really out of step with the times," Marchetti said.

"We parted friends. I cried all the way home."

Marchetti, 41, hardly looks the stereotype of a man who spent 14 years in the CIA.

His dark rimmed glasses, full face, slightly stout figure, soft voice, curly black hair and bushy sideburns would seem more at home on a college campus. He pronounces his name the Italian way — Marketti.

MARCHETTI'S first impulse after quitting the CIA was to write a non-fiction account of what was wrong with the U. S. intelligence community. But, he said, he could not bring himself to do it then.

Instead he wrote a spy novel, "a reaction to the James Bond and British spy story stereotypes," which he says looks at the intelligence business realistically from the headquarters point of view he knows so well.

The novel, "The Rope Dancer," was published last month. It is a thinly disguised view of the inner workings of the CIA, showing Russian strategic advances as Marchetti saw them within the

CIA, the Pentagon and the White House under President Johnson.

Writing the novel took a year. Then came two tries at non-fiction articles, one rejected as too dull and the other turned down as too chatty, and a start on a second novel.

But Marchetti said the need for intelligence reform continued to gnaw at him, and as his first novel was about to come out he came into contact with others who agreed with him, including Rep. Herman Badillo, D-N.Y.

Now, Marchetti said, the second novel has been laid aside so he can devote full time to a campaign for reform.

ALTHOUGH NOW a dove, particularly on Vietnam which he calls an unwinnable war to "support a crooked, corrupt regime that cannot even run an election that looks honest," Marchetti says he still believes strongly in the need for intelligence collection.

"It's a fact of life," he said. "For your own protection, you need to know what other people are thinking.

"But intelligence is now a \$6 billion a year business, and that is just too big. It can be done for a lot less, and perhaps done better when you cut out the waste."

For instance, Marchetti said, the National Security Agency — charged in part with trying to decode intercepted messages of foreign governments — wastes about half its \$1 billion yearly budget.

"They have boxcars full of tapes up at Ft. Meade that are 10 years old. Boxcars full! Because in intercepting Soviet (radio) communications, for instance, the Soviets are just as sophisticated as we are in scrambler systems. It is almost a technical impossibility to break a scrambled, coded message.

"So they just keep collecting the stuff and putting it in boxcars. They continue to listen all over the world. They continue to spend fortunes trying to duplicate the Soviet (scrambling and encoding) computers," he said.

"By the time someone can break it, a decade or two has gone by. So you find out what they were thinking 20 years ago. So what?"

MARCHETTI said at one time a national intelligence review board tried to cut out an expensive NSA program that analysts agreed was useless. The CIA director, he said, wrote a memorandum recommending the

29 SEP 1971

## CIA Seeks Men For Laotian War, McCloskey Says

Washington Bureau of The Sun

Washington -- Representative Paul N. McCloskey (R., Calif.) yesterday accused the Central Intelligence Agency of recruiting American mercenaries to fight in Laos.

The accusation was based on information from an electrical engineer who reported he was told at an Oakland (Calif.) employment agency that such jobs were available at \$1,000 a week.

### Not Verified

Mr. McCloskey, a critic of the administration's war policies who will challenge President Nixon in the New Hampshire primary, admitted he personally had not checked out the charge.

Independent inquiry suggested the incident indeed took place, but the employment agency president said he doubted whether his Oakland office manager, since fired, would have mentioned either mercenaries or the CIA.

Clarence C. Holben, of Lafayette, Calif., the engineer, insisted that he did.

Contacted at his home, Mr. Holben recalled visiting the Oakland office of Overseas Services in April or May and being told he could earn \$1,000 a week working for Air America, an ostensibly private airline operated by the CIA, handling logistical support for guerrilla operations in Laos.

### Worked At Laboratory

Until June 30, Mr. Holden was employed at the Lawrence Radiation Laboratory in Livermore which is run by the University of California.

Discouraged by the interviewer's comment that "I might come back in a box," Mr. Holben said he never asked for detailed job specifications but "got the picture of running around with a gun slung over your shoulder."

Richard Lester, president of the Los Angeles-based Overseas Services, said it was "unlikely any office manager would even know what Air America does for a living."

He said the company places about 1,000 persons a year in jobs in 134 countries. It has filled slots for Air America, he added, but only pilots and aviation technicians, not troops.

"McCloskey is blowing smoke," Mr. Lester added.

### Almost An Aside

Mr. McCloskey's charge was made at a breakfast meeting with reporters yesterday during which he criticized the administration for "concealment and deception" in its relations with Congress.

At one point, almost as an aside, he observed that "we caught the CIA in Oakland recruiting mercenaries to fight in Laos."

He seemed surprised when the reporters pressed him for details, conceding he had not followed through on the allegation because "it's so consistent with their [the CIA's] procedures."

It developed the information had been sent not to Mr. McCloskey but to Representative Jerome R. Waldie (D., Calif.) in a letter dated July 11 from a constituent who knew Mr. Holben.

A spokesman for Mr. Waldie said as far as the congressman was concerned, the letter contained "unverified information" and that he had turned it over to Mr. McCloskey for checking.

## C.I.A. IS ACCUSED BY REP. McCLOSKEY

Recruits U.S. Mercenaries  
for Laos, He Says

By JAMES M. NAUGHTON  
Special to The New York Times

WASHINGTON, Sept. 28—

Representative Paul N. McCloskey Jr. of California said today that the Central Intelligence Agency was recruiting Americans to become combat mercenaries in Laos.

"We caught the C.I.A. a couple of months ago recruiting people in Oakland," he said.

Officials of the intelligence agency privately dismissed the charge.

Mr. McCloskey, a candidate for the Republican Presidential nomination, made the allegation to reporters during a breakfast meeting at which he asserted that the Nixon Administration habitually engaged in "concealment and deception."

The charge was based on the account of a job-seeking engineer from California who told of being offered "\$1,000 a week and a box to come home in" when he answered a newspaper advertisement for overseas work. Mr. McCloskey conceded that he had not made an attempt to verify the allegation since learning of it in July.

The engineer, Clarence C. Holben of Lafayette, Calif., said in a telephone interview today that he went last April to the Oakland branch of Overseas Services, a Los Angeles-based job placement company, after finding that he was to be laid off by the Atomic Energy Commission's radiation laboratory in Livermore.

### Decided to Stay Home

He said that the branch manager had told him he could make "real money" if he would sign on with Air America, a flight charter company that works for the Intelligence Agency in Southeast Asia. Mr. Holben said he was told that if he took the job he would actually be working for the C.I.A. He added he turned down the chance because, "at 47 I can't visualize myself running around with grenades and

According to Mr. Holben, the job was only one of several suggested by Overseas Services, whose Oakland representative pointed out a number of places on a map and said, "we've even placed people at the [United States] Embassy in Moscow."

At the Oakland office of Overseas Services today, the present manager, Kenneth McDonald, said it was "news to me" and that he had "never seen anything for the C.I.A."

But Mr. McDonald, who took over the office only two weeks ago, said he could not discount the possibility that Mr. Holben's account was correct. He said that he himself once had sought a job as a pilot with Air America with the understanding that "they have some divisions that get a little rough once in a while." He said he was rejected because he wears glasses.

"I don't know what's wrong with McCloskey," Mr. McDonald added. "People are shooting at other people all over the world."

He said his predecessor in the Oakland office, whom he identified as Grant Bryan, was recently dismissed and could not be located. Richard Lester, president of Overseas Services, said he did not know where to find Mr. Bryan.

Mr. Lester said that his company had helped to place hundreds of pilots and technicians with Air America, one of 1,000 or more American companies to which his concern submits resumes for job applicants. "But never a mercenary," he said.

Officials of the C.I.A. declined to speak for the record, but one official commented privately of Mr. Holben and his account: "What would we do with mercenaries in Laos? All the fighting there is done by Meo tribesmen. Is he Meo tribesman?"

Mr. Holben's account was first related to Representative Jerome R. Waldie, Democrat of California, by a constituent acquainted with the engineer. Mr. Waldie passed it on to Mr. McCloskey.

Mr. Holben said that neither Congressman had got in touch with him. He added that reporters were lucky to find him today because he was leaving California tonight for a new job — running a sporting-goods store in Lake Havasu City, Ariz.

28 SEP 1971

# CIA Recruiting Mercenaries For Laos, McCloskey Says

By PAUL HOPE  
Star Staff Writer

Rep. Paul N. McCloskey Jr., charged today that the Central Intelligence Agency is recruiting American mercenaries to fight in Laos.

McCloskey, a candidate for the Republican presidential nomination, also accused the Nixon administration of practicing "concealment and deception" and claimed that "truth in government" is a major issue in his campaign.

The California congressman indicated, however, that if he does "poorly" in the nation's first primary in New Hampshire March 7, he will drop out of the race.

He said it would be "absurd" to ask people to give him financial support if he does not make an acceptable showing there.

## Doubts About Nixon

McCloskey indicated he would be hard-put to support President Nixon as the Republican nominee. He said there is little evidence to indicate that Nixon in-

tends to withdraw all U.S. troops from Vietnam or to discontinue all American bombing in South-east Asia.

He made the charge against the CIA while discussing Nixon's policy with a group of reporters.

"We caught the CIA in Oakland recruiting mercenaries to fight in Laos," he said.

Pressed to explain that, he said he had received a letter from a "constituent" — an unemployed aerospace engineer who was offered \$1,000 a week to fight in Laos.

When his office produced the letter, it turned out to be one to Rep. Jerome R. Waldie, D-Calif., with whom McCloskey recently made a visit to South-

## Second-Hand Report

The letter was not from the engineer whom the CIA reportedly had tried to recruit but from another Californian who was relaying the incident to Waldie.

The letter writer, Donald H. Fibush of Walnut Creek, identi-

fied the man as Clarence C. Holben of Lafayette, Calif.

The letter, dated July 11, said in part:

"Do you know that 'Air America,' an arm of CIA, is hiring mercenaries to fight in Laos at \$1,000 per week for each mercenary?"

"I just learned about this a couple of weeks ago. A friend of mine is an engineer and one of the many long-term employees of the rad lab at Livermore who were laid off July 1.

"In looking for employment he answered an ad of an employment agency, Overseas Services, 1939 Harrison St., Oakland, and they offered him the employment as a mercenary in Laos paying '\$1,000 per week plus the box to bring him back.'

"... Today I telephoned him for verification and told him I would like to inform you. Even though he is somewhat a conservative Republican, he has been a strong dove for four or five years...

"I hope that you and/or McCloskey, at your instigation, will verify this information and use it to the fullest extent."

## Investigation Sought

McCloskey said he has "asked a field representative to go over" and investigate the matter but that he hasn't done it yet.

"This is the first time I've ever heard of hiring mercenaries by ad," McCloskey said.

"It draws attention to the fact that Congress says there shall be no American ground combat troops in Laos. It raises the question of whether the CIA can recruit an army (and) at what point does an army of irregulars become an American army... At what stage does the CIA get authorized to fight a private war."

DENVER, COLO.  
 ROCKY MOUNTAIN NEWS  
 AUG 1 1970  
 M - 192,279  
 S - 209,887

# Reformation or revolution held campus alternatives

By LOY HOLMAN

Rocky Mountain News Writer

COLORADO SPRINGS — If universities of the U.S., especially those in the Southwest, do not change their traditional direction to include more minority group students, studies and instructors, there could be a revolution of sorts in the making, according to a sociology professor from the University of Colorado.

Speaking at a conference on "The University and Minority Students" at the CU Colorado Springs Center, keynoter Salvador Ramirez typified most universities as "experts at implementing white studies."

Ramirez said the educational system in the Southwest "should be complimented for its success in developing prejudice, fear and inferiority complex among the minority groups of this nation."

Referring mainly to the Chicanos in the audience he observed that they had not been taught to compete in the democratic process.

## 'Oppression'

"But the writing is on the wall now . . . if changes are not made in this system, we may have to do the same as George Washington's people did against the oppression of the English," he warned.

Ramirez, director of Chicano studies at CU, maintained only during wartime do the majority of Americans think of minority group members being of the same cultural heritage as they are.

"Then, suddenly, we have the same uncle—Uncle Sam. But during peacetime we aren't viewed as Americans . . . just as Chicanos or blacks," he said.

He said the white university of today is not primarily an educational institution, but a political one that seeks to maintain the power of American society. "All the people who go to work for the C.I.A., for the government at large, for big industry, come from these universities."

Ramirez complained that right now CU's medical school in Denver has only 13 Chicanos enrolled, and over the past 90 years there have been 16 Spanish-surnamed persons graduated from the school as doctors and nurses.

"I know of only three Chicano practicing physicians in the Denver metropolitan area," he said. "And in this state we are represented by a handful of Chicano lawyers who are strangled by laws which they did not assist in creating."

## Poorest

Ramirez asserted that "next to the Indian, which we outnumber considerably, our people (Chicanos) are the poorest in the state."

"There is no way that a white man and, for that matter, a sell-out Chicano, can convince me that we have come a long way, baby!"

He said it makes little sense to him to have Mexican-American studies in an institution of higher learning which by tradition has excluded Chicanos from being admitted.

Demanding more Hispano representation in all aspects of university life and studies, Ramirez said that if these institutions of learning do not adequately finance Chicanos, in order that he or she can pay all expenses, special Mexican-American studies should not exist.

"There are some traditionalists, resisters, and racists who would dare compare this financing with welfare," he said. "I honestly believe that instead of welfarism, what the institutions of higher learning would be involved with, is making contributions that are, in fact, reparations."

The conference at the CU Colorado Springs Center was expected to attract an audience of some 200, but only 37 people were present for the beginning of the day-long meeting.

TIMES-NEWS

E - 10,062  
AUG 2 1971

## A Conflict Of National Interest

Although we usually view the political and social scene from a different viewpoint, we find ourselves in accord with Columnist Marianne Means in the belief that 110 people are a lot of individuals to keep a secret.

We believe a lot of others would agree—especially if it were explained that the 110 were all members of congress.

The reference is to the Columnist's piece on the proposal that the Central Intelligence Agency be required to give routine briefings of its activities to the Armed Services and Foreign Relations committees of the House and Senate.

The proposal has been made by the Hon. Sherman Cooper of Kentucky, fourth ranking Republican on the Senate Foreign Relations Committee whose chairman is the Hon. J. William Fulbright, Democrat of Arkansas.

At the present time the CIA is required to give such reports only to five subcommittees of the two houses, these including only the senior members of the four standing committees.

Quite naturally the heads of CIA (to say nothing of the boys down in the field) are quaking in their boots at the thought of 110 members of congress being made privy to their activities and this is not strange for if there was one fact on which there was any general agreement in the recent Pentagon Papers hassle it was that Washington, D.C., was about the loosest place in the world when considered from the secrecy-security viewpoint.

One can easily imagine the confusion that would exist as 110 members of congress rushed from the multi-exits of the State Department to the taxi stations in an effort to be the first to hold a press conference after receiving something hot like the CIA employment of the Indochina mountain people to locate Chinese launch sites.

We would venture the guess that CIA might as well close up shop if required to give an accounting of its activities to

110 members of congress, considering also the fact that most of them would have a husband and - or wife.

CIA not only has the difficult problem of furnishing information and intelligence to the President, but it frequently appears that it faces the task of justifying its existence and activities to a large portion of the 435 members of congress. It is rather difficult to accomplish such a mission when such activities are supposed to be known only within the organization.

To its other difficulties, Central Intelligence has the problem of recruiting personnel—commonly known as agents—and this is about as difficult as recruiting for the famous 82nd Airborne, even when the advertisement promises a five-day week, no k.p., and short orders in the mess halls at all hours, including a dish of foam.

Perhaps we have seen too much of Mission Impossible and the electric wizardry of Barney and Jim, but the avid followers of this series should remember that the "Secretary will deny any knowledge" if any of the team gets caught with a hand in the cookie jar.

This is the sort of decision which members of congress are required to make—and incidentally for which they are paid \$47,500 per annum, plus fringe benefits. We have become big boys now and face the necessity of making disagreeable decisions, of which this kind of business is one.

The member of congress is responsible for the actions of the government. Equally as important, he or she is responsible for the disbursement of public funds. To this is added the responsibility for national defense, including methods.

The natural conflict ought to be apparent to all, just as is the conflict within the mind of the President.

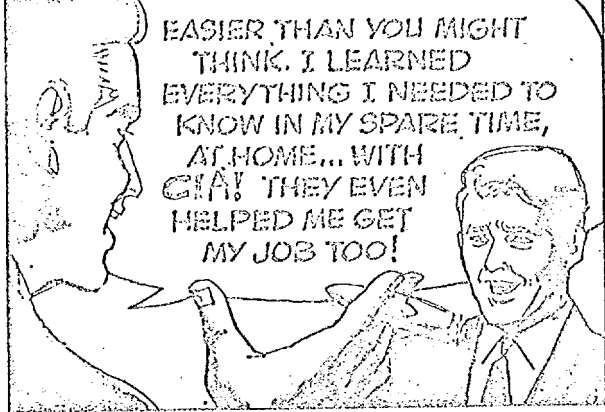
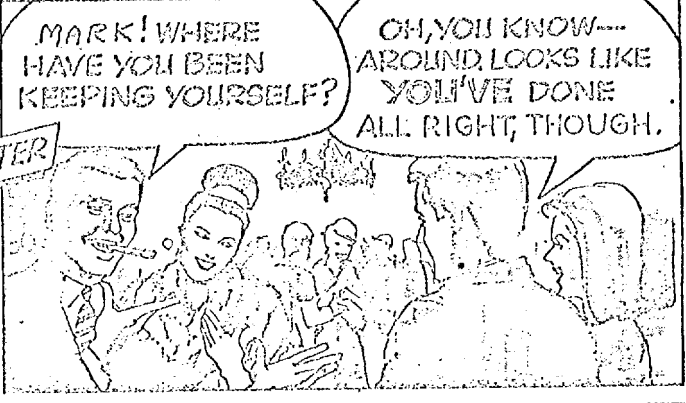
Consequently we find it necessary to ask ourselves if the system can operate, but,



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E - 38,589

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# Harold Moon Deals In Freedom

By William D. Trembl  
(News Police Reporter)

Harold Moon deals in freedom.

Other people's freedom.

At 10 per cent of the take.

Put another way, Toledo-born Harold Moon is a professional bondsman. His job: get people out of jail.

For those who have never been in jail, a bondsman is a representative of a company, usually an insurance firm, which is willing to guarantee to judges, prosecutors and police agencies that an arrested person will appear for a later court appearance. That guarantee is backed by the company's money — as much as the court sets for bond with the arrested party or his relatives putting up 10 per cent of the bond. That 10 per cent is paid directly to the bonding company and is not returned.

But what price freedom?

Moon, since he began in Washington County as a bail bondsman four years ago, has written release bonds from \$25 to \$25,000.

"I guess I've written bonds for everything except treason," the Ohio native quips. "And for just about every amount."

Bonding people out of jail or keeping them from going behind the bars at all sounds like a relatively simple business process. It would be except for bond-jumpers.

These are the persons who leave the county, the state or even the country while under bond and fail to show up for their court appearance. When that happens the court usually orders the bond forfeited and issues a bench warrant for the fugitive's arrest.

Bond-jumpers are sought by police.

But they are literally hunted down by bondsmen. For if the fugitive can be returned to the court's jurisdiction the bonding company stands to lose only a portion of the money originally posted for release.

Harold Moon has had some exciting times chasing bond-jumpers.

If you like that kind of excitement.

Like the time down in Kentucky when Moon located a bond-jumper at his home and was attacked by the man's shotgun-wielding father.

"I had an off-duty Washtenaw County sheriff's deputy along with me as an aide and he saved my life," Moon relates. "I took the shotgun away from the father and laid it down but while I was handcuffing the jumper the father

got the shotgun and was loading it when the local deputy grabbed it from him. All's fair in love and hunting bond-jumpers.

Moon has disguised himself as a minister, a laborer and a professional man at various times to make his way to grabbing distance of a bond-jumper.

"And I take with me on these trips any individual who I think can do the preliminary scouting for me without arousing the subject's suspicion," he says.

He has taken members of motorcycle clubs, hippies, teen-agers, off-duty policemen and factory workers.

"These people, depending on the location and area, many times can slip on in, talk with people and locate my man with no one the wiser," Moon said.

Although Moon operates his bonding business in Washtenaw, Monroe and Livingston counties, he has jurisdiction in the pursuit of those who jump bonds anywhere in the country. When he arrives in a community where a bond-jumper has been located, he contacts local police and asks for assistance. In pursuit of those who skipped bond Moon puts more than 70,000 miles a year on his car.

Apprehending bond-jumpers is not always difficult.

Recently, Moon went to a garage in Indiana where a man wanted in Monroe County on an attempted murder charge was working.

"I slipped up behind him and slipped on the handcuffs before he knew I was there," he notes.

Moon was the bondsman for White Panther Party Leader Lawrence R. "Fun" Plamondon when the former Traverse City man was arrested in 1968 on a sale of marijuana charge.

Plamondon, listed at the time as "minister of information" for the White Panther Party, jumped a \$4,000 bond posted by Moon's company, the International Fidelity Insurance Co. of Newark, N.J. The firm offered a \$1,000 reward for Plamondon's capture in 1970 and last summer he was picked up by Michigan State Police when an occupant of a truck in which he was riding near St. Ignace tossed a beer can on to the highway. The littering incident led to Plamondon's identification.

At the time, Plamondon was under federal indictment in Detroit on charges arising from the 1968 dynamiting of the Central Intelligence Agency in Ann Arbor. That case is still pending.

Moon and his business manager, Ross Creviston, say the bonding business is increasing. They say drug arrests are one of the major causes for the increase in their business. Moon says that studies have shown that persons bonded out of jail receive probationary sentences from courts to a greater extent than do those who cannot raise bond and go to trial from their jail cell.

Moon served 13 years in the Army and Air Force, earning six battle stars in the Korean War before returning to the Ohio-Michigan area. He is part-owner of a stone company in Toledo and also works as a real estate salesman.

But bonding people out of jail is his main business.

And going after those who jump bonds is a big part of that business.

"In the absence of any real information, I prefer to assume the best. The reason the CIA wants its own people inside the network news departments is to find out what is going on in the world."

## Network TV and the CIA

By Marvin Kitman

NEW YORK—"I hope so," a top network news executive explained, when I asked him if he had any CIA agents on his staff. "It's a sign that you have a proper news organization. We'd lose face in the business if CIA felt we weren't worth infiltrating."

It seems that a lot of TV viewers were shocked by the recent revelation that CIA twice tried to hire Sam Jaffe while he served as a correspondent for CBS News and later as Moscow bureau chief for ABC News. If CIA had been successful, the fear is he may have been in a position to fool the public, which is under the impression that TV foreign correspondents are never influenced by our government.

Jaffe explained—on Steve Scheuer's "All About TV," a syndicated public television show—that he turned CIA down flat both times. I think he made a mistake.

It's a lot steadier working for CIA than the TV networks. (Jaffe's had three or four jobs since the agency first tried to recruit him.) And it pays well.

CIA has a bad reputation in some circles. But we should remember that our taxes support the organization. Its editorial point of view isn't very much different from the networks'. They're all solidly anti-Communist.

For anybody with a taste of adventure—the reason

### Satire

men become foreign correspondents—being a CIA agent is certainly more exciting than being an FBI agent. Overthrowing some left-wing government is a more socially useful activity than spying on hippie college kids.

Before getting upset about the attempt to recruit Jaffe, I would suggest viewers try to find out what CIA wanted him to do at the networks. Unfortunately, the publicity department at CIA isn't much help in answering questions like this. "As a matter of policy," the agency PIO always explains, "CIA does not confirm the accuracy of, nor dispute the inaccuracy of, what may be said about the agency."

This plays into the hands of TV viewers who automatically assume that CIA wanted Jaffe to mangle the news, twist the bad into the good or give the public the CIA line about sensitive issues. The swine!

In the absence of any real information, I prefer to assume the best. The reason CIA wants its own people inside the network news departments is to find out what's going on in the world.

CIA has seen examples of the work of network foreign correspondents on the news shows. While they only see 90 seconds or so, CIA executives have an inkling the reporting is sounder than

their own private news sources. The networks always seem to be a step ahead of CIA's highly paid informers.

Perhaps it would have been wiser for CIA to set up its own ABC and CBS affiliates in Kansas or Wisconsin—with the call letters KCIA or WCIA—and be fed all the network news shows and out-takes. But they decided it would be cheaper to buy one of the network news employees, thus tapping the news-gathering apparatus. It's no more shocking a thing than planting somebody in the morgue of the New York Times so the agency can have access to that paper's terrific files.

What disturbs students of CIA like Hughes Rudd, the CBS correspondent who has received numerous offers, is the agency's style. "They got it into their heads that I spoke fluent Flemish," Rudd explained. "They persisted in that for five years.

"Every time they offered me a job they spoke Flemish. It's hard for me to even understand French. 'This language is gibberish,' I'd tell them. 'Come on, Rudd,' they'd say. 'We know you speak Flemish.' I finally had to tell them they weren't offering enough money. They understood that. Boy, it was spooky."

To this day, Rudd told me, he still runs into CIA agents at the press bars. "They turn their backs on me. It shows you how smooth they are."

## The Federal Diary

## NSA 'Interview' Dwells on Sex Life



By  
Mike  
Causey

Lean back in the chair. Relax. Don't fiddle with the lie detector wires. Concentrate on the ceiling and tell the strange man about your sex life. Please supply names and addresses of references.

The above is not the opener in an X-rated film about the future. Rather, it is the pre-employment "interview" a young college student says he underwent this month at the National Security Agency, the super-secret, code-making, code-breaking civil and military communications unit headquartered at Ft. Meade, Md.

The job candidate, who has complained to the Senate Constitutional Rights Subcommittee, says the NSA "interview" took place in a small room with a mirror on one side. He says he was told he could be observed and photographed through the mirror.

With him in the room was an NSA employec, who operated what was said to be polygraph (or lie detector) machine. The "interview" took about three hours, and this is part of what the student says he was asked:

- Are you a Communist?
- Have you had any employers not listed on the application?
- Have you ever been court-martialed?

◦ Have you ever taken drugs of any kind?

◦ Do you know the meaning of terms such as "fellatio."

◦ Give the names and addresses of at least one person you've had sexual relations (of some kind) with.

And so forth.

The idea, the interviewer said, was not to pry but to find out how "honest and truthful" he could be with the government.

The Subcommittee says that each year NSA and its counterpart, the Central Intelligence Agency, give about 9,000 lie detector tests. Not all of them are like the particular interview described, of course, but it's enough to make one wonder what sort of political and romantic data the agencies come up with.

One who wonders is Sen. Sam J. Ervin Jr. (D-N.C.). Next week, he will introduce a bill that would outlaw all employee lie detector tests (18 agencies are now said to use them), and also bar them in businesses involved in interstate commerce. His bill reportedly provides no exemptions for the NSA, CIA, Atomic Energy Commission, State Department or others who now find them necessary for some in-house probes.

Somebody has suggested that when administration witnesses testify on (and against) the new Ervin bill, that they be strapped to lie detector machines first, just to determine how "honest and truthful" they can be with the government.

Away From It All: General Services Administration's top regional officials and local

brass are spending a five-day weekend in Virginia Beach.

The conference at the Cavalier Beach Hotel, complete with wives and families, is to exchange ideas and come up with new ways to serve the government better and, uh, cheaper!

Everybody Hoodwinked: American Federation of Government Employees says just about everybody is being had, financially, under a new government scheme to raise college graduates' starting pay. Civil Service Commission is planning to boost beginning salaries for college people nearly \$1,500 a year by upgrading job classifications to GS 7, which pays about \$8,500 a year.

AFGE president John F. Griner says the upgrading proposal would mean \$12.5 million a year more for about 10,000 new workers. But he says it would actually cost rank-and-filers \$250 billion next year.

AFGE statisticians figure the loss would come about because the college upgrading would transfer five professional job classifications out of the GS 5 level to GS 7. Government salaries are based on studies of private industry pay, and AFGE says the "upgrading" would change the guideposts used and result in lower salary recommendations for government people next January.

JUN 3 1970

E - 225,038

S - 251,534

# U.C. Rally Raps North

## Viet Imperialism

By LARRY SPEARS

Tribune Staff Writer

BERKELEY -- The University of California's Sproul Steps -- scene of many fervent speeches against American imperialism -- marked a unique milestone in its history yesterday.

There was a noon rally against North Vietnamese imperialism.

Sponsoring the rally was the campus chapter of American Youth for a Just Peace, whose speakers persevered through an hour of jeers, shouts and chants to hear applause at the end.

The AYJP's position is down the middle. The group's press leaflet said "the time has come for the United States to withdraw from Vietnam," but in a way "which allows the South Vietnamese people to take up their own

struggle against North Vietnamese imperialism."

"We are not a 'pro-war' group," AYJP leader Dan Fefferman shouted over the jeers. "In the past the debate has been between the hawks and the doves. It is time that the owls made themselves known."

Fefferman spoke less than a minute at the start of the rally before being interrupted by the first in a series of epithets.

The crowd grew from 100 to 300 spectators during the rally, and many listened silently, but enough didn't to drown out the loudspeakers periodically with their hostile shouts:

"Ho, Ho, Ho Chi Minh, NFL is gonna win!"

"That's a lie!"

"CIA running dogs! CIA running dogs!"

Fefferman, 20, a senior in

political science, introduced the next speaker, Bob Dickey, 21, just back from Vietnam, where he organized against the April 24 peace movement.

Dickey says he is traveling the country and met Fefferman after seeing a television program about AYJP.

The volume of shouts increased as Dickey yelled through the microphone that half of South Vietnam's population has joined anti-Communist groups.

"Where's your popular war now, people? That's 50 per cent," Dickey shouted.

Brad Cleaveland, 38, came up from the crowd and interrupted Dickey, demanding that he "tell the people where you come from, what you do."

Cleaveland, now a non-student living at 2057 University Ave., was prominent in the campus' 1964 Free Speech Movement.

Cleaveland repeatedly interrupted Dickey with his demands, and Fefferman asked campus police officer Pat Casey to move him away. Casey ushered Cleaveland to the side and after a short conversation said, "Let's go, let's go. You're excluded."

Cleaveland refused to go. Casey arrested him on charges of disturbing the peace and resisting arrest. More than a dozen spectators followed the pair to police offices in Sproul Hall, and one, Jeffrey Kimura, 19, was arrested on charges of assaulting a police officer.

Kimura, a freshman in chemistry, and Cleaveland were ordered off campus under state law for 14 days. Cleaveland's bail was \$500; Kimura's, \$3,000.

Someone disconnected the microphone, and a staff worker plugged it in again. By this time, about 40

persons had gathered tightly around the microphone, and several small, scattered knots of people argued heatedly among the crowd.

Speaking was Nguyen Van Dinh, 24, a Vietnamese student studying at Ohio University in Athens, Ohio. He said he was on vacation in the Bay Area and met AYJP members at their table in the Sproul Plaza.

Nguyen, speaking in halting English amid a rising cacophony of shouts, said, "I am sure that most of the Vietnamese people are anti-government (south) and anti-foreigners."

"But American students, they take that for pro-Communist feelings, and I am sure that this is not true."

"Are you CIA?" someone shouted.

"I'm not CIA," the Vietnamese retorted.

Spectators were beginning to shout, "Let them speak!"

Jim Burnett came to the microphone for AYJP, and as he spoke the hostile shouts began to ebb. He talked largely without interruption.

Spectators in the crowd had clapped occasionally, and now the applause was picking up.

Burnett, like Cleaveland, was a veteran of the Free Speech Movement. On Oct. 2, 1964, he was among first students to sit down on the Sproul Plaza to block a police car, a major event in the FSM.

Burnett, 31, now is on the national board of the Socialist Party and teaches at Queens College, N.Y.

"Greetings to free speech land," Burnett said. He spoke against the North Vietnamese government, then chided the hecklers.

Burnett has been concerned about the

right to free speech," he said. "You have to do some homework."

"The movement sure had gone downhill in eight years,"

Burnett muttered.

Fefferman closed the rally and spectators clapped loudly as he said to those who jeered, "You've had your turns to demonstrate; it's our turn today."

The AYJP chapter at Berkeley is about a month old. Nationally, the organization has about 20 chapters and 5,000 members.

AYJP was founded in Washington, D.C., by individuals, mostly young, opposed to legislation that would force the United States to withdraw unconditionally from Vietnam.

Most of AYJP's founders belonged to two older groups, the Freedom Leadership Foundation or the United Student Alliance, which unlike AYJP are tax-exempt and can't act politically.

Last summer, an AYJP delegation including Fefferman went to South Vietnam as guests of its government and also visited Cambodia.

The North Vietnamese government invited a delegation from the U.S. National Student Association, and now the AYJP is actively criticizing the "Joint Treaty for Peace" brought back by NSA. AYJP spokesmen say it was signed by groups with no constituency and doesn't represent the Vietnamese people.

STATINTL

# Nixon Reported Weighing Revamping of Intelligence Services

By BENJAMIN WELLES  
Special to The New York Times

WASHINGTON, May 10 — President Nixon is said to be considering a major reorganization of the nation's foreign intelligence activities to improve output and cut costs.

Those familiar with the plan say that the options range from creating a new Cabinet-level department of intelligence to merely strengthening the now-imprecise authority of Richard Helms, Director of Central Intelligence, over the global intelligence operations of the Pentagon and other federal agencies.

The reorganization plan has recently been presented to President Nixon. It covers 30 to 40 typewritten pages and was prepared primarily by James R. Schlesinger, assistant director of the Office of Management and Budget, and K. Wayne Smith, a former Pentagon systems analyst now on the National Security Council staff.

The informants say the plan grew from instructions Mr. Nixon gave his staff last autumn, to draft various reorganizational and cost-cutting studies.

## Complaints Voiced

Both the President and Henry A. Kissinger, his assistant for national security affairs, have frequently expressed dissatisfaction over the erratic quality of the foreign intelligence provided them. Some White House officials estimate that at least \$500-million could be cut from the \$5-billion spent annually on national intelligence.

Mr. Nixon and Mr. Kissinger have said that while occasionally intelligence of extreme usefulness — such as the incredibly detailed information on Soviet and Chinese Communist missile development obtained from spy satellites — has been produced, the service has frequently failed to forecast such sudden developments as the riots that forced a political reshuffle in Poland last December.

Mr. Nixon is particularly dissatisfied, his associates say, by the cost and size of the Government's global intelligence operations when compared with their results. In addition to the Central Intelligence Agency, five federal agencies are involved in intelligence overseas. At least 200,000 people are involved, 150,000 of these uniformed personnel in the Defense Department.

The President was seriously irritated, aides say, by two recent failures of the Pentagon's Defense Intelligence Agency, which numbers 3,000 and spends an estimated \$500-million yearly. One was faulty intelligence prior to the abortive prison-camp raid at Sontay, in North Vietnam, last November. The other was failure to forecast North Vietnamese resistance to the South Vietnamese Army's incursion into Laos Feb. 5 to March 25.

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The merit, some experts say, would be to concentrate in one department the collection of foreign intelligence now performed not only by the C.I.A. but also by the Army, Navy, and Air Force separately around the world. However, opposition would be forthcoming from vested interests in the armed services and in Congress. They say, therefore, that Mr. Nixon is unlikely to adopt it.

At the other end of the scale, informants report, Mr. Nixon could merely issue an executive order defining — thus strengthening — the authority of Mr. Helms over the intelligence operations of such powerful federal agencies as the Pentagon, the State Department, the Atomic Energy Commission and the Federal Bureau of Investigation.

## Officers Meet Weekly

Their principal intelligence officers meet weekly as members of the United States Intelligence Board. Mr. Helms, as the President's chief intelligence adviser and head of the C.I.A., presides, but his authority is unclear. It derives from a letter written by President Kennedy in 1963 to John A. McCone, one of Mr. Helms's predecessors, and has never been updated.

While Mr. Helms has full control over the C.I.A., the Pentagon's worldwide intelligence operations, which Robert F. Frenke, an

Assistant Secretary of Defense has estimated costs \$2.9-billion yearly.

"When you have the authority but don't control the resources," a Defense Department official observed, "you tend to walk very softly."

The President is said to regard Mr. Helms as the nation's most competent professional intelligence officer. Last month, informants disclose, Mr. Nixon wrote Mr. Helms congratulating the C.I.A. on its recent annual estimate of Soviet defense capabilities.

To provide control over the huge intelligence system and make it responsive to his needs, Mr. Nixon is likely, his staff associates say, to choose one — or a combination of — the middle options before him that do not require Congressional approval.

## Closer Ties Possible

It is likely, officials say, that Mr. Nixon will eventually bring Mr. Helms and a top-level staff of evaluators from C.I.A. headquarters in Langley, Va., closer to the White House, possibly into the National Security Council staff.

Officials concede that under a reorganization Mr. Helms might relinquish to his deputy, Lieut. Gen. Robert E. Cushman, of the Marine Corps, some of his responsibility for the C.I.A.'s day-to-day collection operations and concentrate, instead, on intelligence evaluation for the President. One possibility envisaged under the reorganization would be the creation by Mr. Helms of an evaluation staff in the White House drawn from the C.I.A.'s Office of Current Intelligence and its Office of National Estimates. The latter prepares long-range studies in depth of potential trouble spots.

Another would be the creation by Mr. Nixon of a White House intelligence evaluations staff made up of Mr. Helms, General Cushman, Lieut. Gen. Donald V. Bennett, director of the Defense Intelligence Agency, and Ray S. Cline, director of the State Department's Bureau of Intelligence and Research.

## 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-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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# Sam Ervin and The Privacy Invaders

by James K. Batten

If anyone had suggested a few years ago that Sam J. Ervin Jr. of North Carolina would be remembered as one of the Senate's most effective modern-day guardians of civil liberties, the very idea would have been hooted down. Except, of course, by white Southern segregationists, who were mightily impressed with the way Ervin was standing up for *their* notions of liberty.

In those days, Ervin's national reputation, to the extent that he had one, was as a tenacious battler against civil rights bills. Behind a desk piled high with lawbooks, he would spend hours on the Senate floor inveighing against the wickedness of guaranteeing Negroes in the South the right to vote or buy a hamburger. Unlike the Eastlands and the Thurmonds, Ervin always couched his elaborate arguments in terms of constitutional law, not white supremacy. But those who noticed the difference—not many did—usually assumed that Ervin's racism was simply less blatant.

Today, as chairman of the Senate subcommittee on Constitutional Rights, Ervin has emerged as the nation's best-known defender of the citizen's right to be let alone.

It's an opportune time for somebody to play that role. The late 1960s and early 1970s have witnessed the most insidious proliferation of government snooping and spying on ordinary Americans in the history of the republic. Ervin and his subcommittee have helped ventilate that scandal, most recently through a series of hearings that focused on the Army's surveillance of civilians—or "persons of interest," in the military's Kafkaesque phrase. Over the past five years, the Ervin subcommittee was told, more than 1500 plainclothes Army agents were spying on all sorts of civilian political activity. Military spooks were on the floors of the Republican and Democratic national conventions in 1968, in the tents of Resurrection City, in black studies classes at New York University, on buses and trains bringing demonstrators to march on the Pentagon. Information on the political beliefs and activities of millions of Americans was fed into a computerized data bank at Baltimore's Fort Holabird, headquarters of the Army Intelligence Command, and into other military computers and secret files around the country.

Ervin, a 74-year-old conservative Democrat from the mountains of North Carolina, is indignant about these revelations: "This has all the trappings of a police state in its worst form. We are in an era where fundamental liberties are very much imperiled." The Pentagon insists that all improper domestic spying has ceased, but Ervin is not so sure. He certainly is not willing to rely on "self-discipline on the part of the executive branch"—the remedy urged on the subcommittee by Assistant Attorney General William H. Rehnquist—as sufficient safeguard against future abuses by military or civilian snoopers.

If Washington's and the nation's perceptions of Sam Ervin have changed dramatically, the man himself has changed very little.

He arrived in the Senate in 1954 after a long career in North Carolina as a prominent lawyer and judge and immediately became embroiled in two benchmark controversies. One was school desegregation. The month before Ervin was appointed to succeed the late Clyde R. Hoey, the Supreme Court had handed down the *Brown* decision. Ervin, fresh from the bench of his state's supreme court, promptly became the intellectual leader of the Southern bloc's resistance to that decision in the Senate. The other was the censure of Senator Joseph McCarthy. Then-Minority Leader Lyndon Johnson put Ervin on the Senate's select committee appointed to deal with McCarthy, and the more he learned first-hand about the tactics of the senator from Wisconsin, the greater his revulsion. Ervin became a strong proponent of censure, declaring in a memorable floor speech: "The issue before the American people is simply this: does the Senate of the United States have enough manhood to stand up to Senator McCarthy?"

In the years that followed, however, Ervin the Claghornian segregationist with the constitutional flourishes drew most attention. Ervin, the man of deeply rooted libertarian instincts, went generally unnoticed. But in 1961, Ervin succeeded the late Thomas C. Hennings of Missouri as chairman of the Judiciary Committee's Subcommittee on Constitutional Rights. Soon he was poking around in a variety of dusty corners, asking questions about the rights of Indians, the mentally ill, indigent criminal defendants and enlisted men





LEAFLETS denouncing Central Intelligence Agency are distributed in front of Federal Building at SW Broadway and Main St. by demonstrators. Crowd, which stayed in

front of building about two hours, failed in effort to make mass visit to office of Rep. Edith Green on third floor. Plainclothes and uniformed officers stand by.

# CIA Protest Here Ends In Songfest

By DICK JOHNSON  
Journal Staff Writer

As demonstrations go, it wasn't bad. They quit at 5 p.m. Wednesday and went to the Park Blocks to sing.

They didn't like the Central Intelligence Agency and wanted to express their feelings to personnel in Rep. Edith Green's office in the U.S. Courthouse at SW Broadway and Main St.

AT ABOUT 3 p.m., the group, with a bookstore proprietor, Jim Hunt, acting as one of the spokesmen, had assembled at the Broadway entrance.

Hunt insisted that all of the some 75 persons, young and some even middle-aged, some hippie-type, some who just needed shaves and some who

didn't, enter the third-floor office of Rep. Green — who wasn't in town.

Hunt said he wanted all of the demonstrators in Mrs. Green's office at one time, and this met with a cool reception by building officials and Mrs. Green's staff.

HUNT, who operates the Crossroads Bookstore, 314 SW Washington St., left his following, temporarily, to ascend to the third floor where, in Mrs. Green's office, he conferred with Stan Swan, the representative's assistant in Oregon.

Meanwhile, the orderly entourage on the ground level, outside, was distributing leaflets to any who would accept them.

The object of concern, specifically, was the CIA office in

Portland. The mimeographed sheets charged that "United States men and money have participated in conspiracies against the peoples of Mozambique, Greece, Egypt, Lebanon, Syria, Guatemala, Dominican Republic, Vietnam, Laos, Cambodia, Indonesia, The Congo and British Guinea."

OTHER portions of the leaflets called to "our fellow Portlanders to consider the plea of humanitarian and religious leaders; through peace and the progress of people (chiefly the poor of the world) we will have harmony in the world. We ask all to petition Congress to change the priority of the spending done in our name. Cease the spending for subversion and destruction."

A sprinkling of clergymen helped hand out the leaflets.

Hunt said the group, which he referred to as "Faith-Witness," was asking Rep. Green's office to "bring pressure on the CIA and bring it more under the control of Congress." He said a question was being raised as to whether CIA activities "serve the cause of world justice and peace."

SWAN OFFERED to go along with previous determinations by officials that six of the group could confer with him.

U.S. Atty. Sid Lezak said the group would be barred from entering all at once.

Lezak said he was not permitting groups to come in en masse "whose purpose is to disrupt government."

He said he later offered to let them in five at a time, but that this was turned down.

The demonstration was orderly. Some passersby hurled verbal denunciations at the group but these met with no response.

But mostly, the principals of the demonstration were polite — and unbending.

AFTER his visit with Swan in Mrs. Green's office, Hunt said the demonstrators "... might just as well visit that office."

The crowd moved forward — and stopped at the big swinging doors. Federal officers stood in front of them.

Songs were sung — several separate little meetings held — more songs: "Ain't gonna study war no more" (to the tune of "Down by the Riverside") and the chant: "What price do we have?"

Some people were admitted to the lobby of the building, but they weren't demonstrators. They mailed letters.

In the ranks of the demonstrators, a few noticed that 5 p.m. had arrived. "Let's go to the Park Blocks, have a short meeting, and sing some songs." The crowd broke up.

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## The Non-Selling of the Central Intelligence Agency

# Publicity-Shy CIA Shuns

# Public Relations

By Bob Woodward  
Sentinel Reporter

"We have no public relations department," said the telephone operator at the Central Intelligence Agency after answering a call with the simple statement of the number called, "351-1100."

According to an agency spokesman, the CIA has "no press relations, no public relations. Most of the time we say, 'No comment.' . . . and always on the substance of intelligence, the method and sources."

In contrast to the \$30 million in Pentagon public relations spending reported in the controversial CBS-TV documentary, "The Selling of the Pentagon," the CIA does not appear to be very much in the public relations business.

Richard Helms, CIA director, however, broke a five year precedent last week and gave his first public speech, but public contact with the CIA is generally confined to recruitment of new employes and dealings with "patriotic people" who have traveled abroad, the agency spokesman explained.

The CIA "only receives 10 to 12 calls a day from the press, students, free lance writers and public," a spokesman said. He added, "This is an open democratic society. When I can answer, I do." The spokesman said he and his assistant are the only staff members who handle these few, public inquiries.

New CIA employes are recruited at "200 to 300 universities each year," he said. The chief foreign intelligence agency runs no TV ads, no radio ads and only an occasional printed advertisement, the spokesman said. When objections are filed about campus recruitment, the CIA moves to the nearest federal office building, he explained.

He said he could not disclose how many employes the CIA has or even discuss the CIA budget since it is only to be dealt with confidentially by Presidential appointees

and Congressional committees.

Another informed government official estimated that the CIA has over 10,000 employes in the U.S., several thousand abroad on the payroll, and spends well over \$500 million a year.

"We are characterized as the silent service of the government," the official spokesman said.

Telephone callers to the CIA are quietly greeted by the operator with the number, 351-1100, instead of the agency name because "operators across the country could be heard opening their keys" to listen to conversations years ago when the name was used after a call was answered, the spokesman said.

The name on the CIA headquarters building in McLean, Va. was taken down years ago "during the Kennedy administration because of too many tourists," he remarked.

"Patriotic people" who call after traveling abroad are referred to a downtown Washington, D.C. office to give reports, the spokesman said. He would not give the address of this office.

If a telephone caller insists on giving information over the telephone and not in persons, the CIA refuses, the spokesman said. "We assume it's a screwball," he added.

A request for information on the CIA brought the following information in the next mail: a 32-page pamphlet of quotations from U.S. Presidents from George Washington to Richard M. Nixon on the value of intelligence; a recruiting brochure on the "Intelligence Professions"; a small general description of the agency; and two magazine article reprints, one an interview with a former CIA director, Admiral William F. Raborn, and another asserting "Caps and gowns -- not cloaks and daggers -- hang in the guarded halls of 'spy' headquarters, actually a great center of area studies."

Helms is a Democrat but has been kept on as CIA director by President Nixon. An informed government source said it is likely Helms will remain the director, and Nixon has been pleased with his work, though initial intentions were only to keep the Jonson appointee on for one year after Nixon took office.

Last week Helms gave his first public speech in nearly five years as head of the agency. Speaking before the American Society of Newspaper Editors, April 14, Helms said the CIA was not an "invisible government -- a law unto itself, engaged in provocative, covert activities repugnant to a democratic society, and subject to no controls"

The law establishing the agency in 1947, Helms said, "specifically forbids the Central Intelligence Agency from having any police, subpoena, or law-enforcement powers . . . in short, we do not target on American citizens."

Helms went on to outline the specific Congressional and Presidential controls to which the CIA is subject. Emphasizing the restriction on CIA involvement in either politics, foreign policy, or even answering its critics, Helms said:

"The nation must to a degree take it on faith that we too are honorable men devoted to her service."

He attacked CIA critics who take "advantage of the traditional silence of those engaged in intelligence (and) say things that are either vicious, or just plain silly." Helms indirectly called a recent Ramparts magazine article alleging CIA involvement in the drug traffic in Laos as such an "example."

Asked about Helms precedent-breaking speech, a CIA spokesman said it reflected "a general concern that built up over the years. People have been misled by the melodrama of spy stories. It was timely and he thought it was in the na-

The spokesman would neither confirm nor deny various newspaper speculations that Helms gave the speech because of recent attacks on surveillance by the FBI which is often linked with the CIA. Also, the CIA has been rather widely charged with extensive involvement in the Vietnam war. In his speech Helms said, "We cannot and must not take sides. The role of intelligence in policy formulation is limited to providing facts -- the agreed facts -- and the whole known range of facts."

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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.

# CIA Chief Reveals Soviet Spy Help in Cuba Missile Crisis

BY CHALMERS M. ROBERTS

Exclusive to The Times from the Washington Post

WASHINGTON—In his first public speech as director of the Central Intelligence Agency, Richard Helms said Wednesday that "a number of well-placed and courageous Russians" helped the United States identify Soviet weapons in Cuba during the 1962 missile crisis.

He mentioned no names, but the reference appeared clearly to be to Col. Oleg Penkovsky, the Soviet intelligence officer who brought much information out during visits to London in the 18 months before the missile crisis. Penkovsky was arrested that October and was subsequently executed for treason.

"The Penkovsky Papers," published as a book in 1965, were widely believed to be based on CIA interrogations, and the claim was made in the introduction that Penkovsky's information was invaluable during the crisis in evaluating the threat from Russian missiles.

However, not until Helms' speech Wednesday at a luncheon of the American Society of Newspaper Editors had an American official in a position to know come so close to crediting Penkovsky openly.

Helms detailed the kind of work the CIA and other U.S. intelligence agencies did at the time, trying to separate fact from fiction about what Russian Premier Nikita S. Khrushchev was doing in Cuba.

Helms then included this paragraph: "Our intelligence files in Washington, however—thanks to U-2 photography of the Soviet Union and to a number of well-placed and courageous Russians who helped us—included a wealth of information on Soviet missile systems. We had descriptions or photographs of the missiles, their transporters and other associated equipment, and characteristic sites in the Soviet Union."

This enabled specialists, with the help of pictures taken over Cuba, Helms said, to "tell President Kennedy the exact scope of the threat" in determining whether the Soviet missiles were capable of striking at the United States if Mr. Kennedy gave the Russians an ultimatum for their removal.

With that secret data, Helms said, "we were able to inform the President precisely how long it would take (the Russians) to make the missile sites in Cuba operational."

Helms said knowledge of Russian weaponry developed by the CIA, plus its understanding "of Soviet knowledge of our progress," helps the government decide how much money to invest in new weapons.

"If good intelligence can narrow down the choices," he said, "it can save the

U.S. taxpayers many times its cost."

Much of Helms' speech was a defense of the CIA against charges that it is an "invisible government." He denied reports that the CIA is "somehow involved in the world drug traffic." Without mentioning recent charges against the FBI, Helms said, "We do not target on American citizens."

The closest Helms came to discussing the CIA's role in current policy issues was his reference to the present strategic arms limitation talks. He said it would be "unthinkable" to conclude a SALT agreement with the Soviet Union "without the means for monitoring compliance."

He did not discuss the CIA's role in the observation satellite program or in electronic eavesdropping used for that purpose only. He did say that the United States can safely undertake such an agreement "only if it has adequate intelligence assets to assure itself that the Soviets are living up to their part."

Helms also said that the CIA wants to talk to private citizens who may have acquired useful information abroad, but that if such a person "does not want to talk to us, we go away quietly."

Referring to student protests against the CIA, Helms said, "If some student groups object to our recruiting on campus, we fall back to the nearest federal office building."

Helms said it was "for Congress to decide" how the CIA is to be supervised but that "elements" of the Senate and House Appropriations and Armed Services committees "are told more about our operations than is known to most of the personnel in our highly compartmentalized agency."

STATINTL

15 APR 1971

# Excerpts From Speech by Helms to Society of Newspaper Editors

Special to The New York Times

WASHINGTON, April 14—

Following are excerpts from an address by Richard Helms, Director of Central Intelligence, before the American Society of Newspaper Editors:

I welcome this opportunity to speak to you today about the place of an intelligence service in a democratic government.

In doing so, I recognize that there is a paradox which I hope can be dispelled:

On the one hand, I can assure you that the quality of foreign intelligence available to the United States Government in 1971 is better than it has ever been before.

On the other hand, at a time when it seems to me to be self-evident that our Government must be kept fully informed on foreign developments, there is a persistent and growing body of criticism which questions the need and the propriety for a democratic society to have a Central Intelligence Agency.

I am referring to the assertions that the Central Intelligence Agency is an "invisible government," a law unto itself, engaged in provocative covert activities repugnant to a democratic society and subject to no controls.

This is an outgrowth, I suppose, of an inherent American distaste for the peacetime gathering of intelligence. Our mission, in the eyes of many thoughtful Americans, may appear to be in conflict with some of the traditions and ideals of our free society.

May I emphasize at this point that the statute [National Security Act of 1947] specifically forbids the Central Intelligence Agency to have any police, subpoena or law-enforcement powers, or any domestic security functions. I can assure you that except for the normal responsibilities for protecting the physical security of our own personnel, our facilities, and our classified information, we do not have any such powers and functions; we have never sought any; we do not exercise any. In short, we do not target on American citizens.

In matters directly affecting the security of the United States, the President and his National Security Council want what is called "national" intelligence—evaluations which reflect the considered and agreed judgment

of all of the intelligence components of the United States Government. The production and dissemination of this national intelligence is the responsibility and the primary function of the Central Intelligence Agency.

We not only have no stake in policy debates, but we can not and must not take sides. The role of intelligence in policy formulation is limited to providing facts—the agreed facts—and the whole known range of facts—relevant to the problem under consideration. Our role extends to the estimate function—the projection of likely developments from the facts—but not to advocacy.

Ironically, our efforts to obtain foreign intelligence in this country have generated some of the more virulent criticism of the Central Intelligence Agency.

It is a fact that we have, as I said, no domestic security role, but if there is a chance that a private American citizen traveling abroad has acquired foreign information that can be useful to the American policy-maker, we are certainly going to try to interview him.

If there is a competent young graduate student who is interested in working for the United States Government, we may well try to hire him.

The trouble is that to those who insist on seeing us as a pernicious and pervasive secret government, our words "interview" and "hire" translate into suborn, subvert and seduce, or something worse.

We use no compulsion. If a possible source of information does not want to talk to us, we go away quietly. If some student groups object to our recruiting on campus, we fall back to the nearest Federal office building.

Similarly, we welcome the opportunity to place research contracts with the universities, but again, these are strictly voluntary.

And so I come to the fundamental question of reconciling the security needs of an intelligence service with the basic principles of our democratic society. At the root of the problem is secrecy, because it is axiomatic that whatever type of government it serves—must wrap itself in as much secrecy as possible in order to operate effectively.

If we disclose how much we know, the opposition is handed on a platter highly damaging indications of how and where we obtained the information, in what way his security is vulnerable, and who may have helped us. He can seal off the breach in his defenses, roll up the agents, and shut off the flow of information.

I cannot give you an easy answer to the objections raised by those who consider intelligence work incompatible with democratic principles. The nation must to a degree take it on faith that we too are honorable men devoted to her service. I can assure you that we are, but I am precluded from demonstrating it to the public.

I can assure you that what I have asked you to take on faith, the elected officials of the United States Government watch over extensively, intensively and continuously.

Starting with the executive branch, the Central Intelligence Agency operates under the constant supervision and direction of the National Security Council. No significant foreign program of any kind is undertaken without the prior approval of an N.S.C. subcommittee which includes representatives of the President, the Secretary of State and the Secretary of Defense.

In addition, we report periodically and in detail on the whole range of foreign intelligence activities to the President's Foreign Intelligence Advisory Board, a group of men who have distinguished themselves in Government, industry, education and the professions.

Our budget is gone over line for line by the Office of Management and Budget and by the appropriate committees of the Congress as well.

There are elements of the Appropriations and Armed Services Committees in both the Senate and the House which—like the President's board—are told more about our activities and our operations than is known to most of the personnel in our highly compartmented agency. But how, in the end, we are to be supervised is for Congress to decide.

In short, the Central Intelligence Agency is not and cannot be its own master.

The same objectivity which makes us useful to our Government and our country leaves us uncomfortably aware of our ambiguous place in it. We may chafe under the criticism we do not answer, but we understand as well as anyone the difficulties and the contradictions of conducting foreign intelligence operations on behalf of a free society.

We are, after all, a part of this democracy, and we believe in it. We would not want to see our work distort its values and its principles. We propose to adapt intelligence to American society, not vice versa.

We believe, and I say this solemnly, that our work is necessary to permit this country to grow on in a fearsome world and to find its way into a better and more exact one.

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STATINTL

13 APR 1971

Capitol Punishment

# Ping-Pong Gap

By Art Buchwald

STATINTL

It's very rare that the CIA gets caught flatfooted, but the other day when Red China invited the United States to send a table-tennis team to Peking, the Central Intelligence Agency discovered it had no champion ping-pong players in the organization whom it could send along on the trip.

CIA officials were going crazy trying to find someone before the U.S. team left for Peking last Saturday.

In panic, the CIA officials decided to hold a crash program in ping-pong. Neighbors who live around Langley, Va., where the top-secret agency is located, reported seeing truckloads of ping-pong tables going through the gates.

They have reported that they can't sleep at night because of the noise of thousands of balls being hit back and forth across the tables set up in the CIA gymnasium.

Any agent who ever played ping-pong in boy's camp or at the beach had been given leave from his regular duties and brought to Langley in hopes he might be developed into a champion ping-pong player before the U.S. team took off for Peking.

The CIA also held an Employees' Ping-Pong Tournament during lunch hour with cash prizes of up to \$100,000 of unaccountable funds to encourage more people to take up the sport.

Yet, despite these desperate measures, officials of the agency are pessimistic that they'll be able to develop anybody worthy of playing Red China at table tennis.

"What difference does it make if he isn't a champion?" I asked a CIA official.

"We have a serious problem," he said. "This is the first time we're playing Red China at any sport. Table tennis is the most important game in China.

"The USIA and the State Department want the United States to field the best team it can find, because they believe that if we can defeat the Chinese at ping-pong, it would be the greatest propaganda victory of the Cold War.

"On the other hand, the Joint Chiefs of Staff and the CIA feel it would be better to send a mediocre team and risk defeat in exchange for finding out what Mao-Tse-Tung is *really* thinking.

"The ideal, of course, would be to send a champion ping-pong player who also can figure out what is going on in Peking. But so far we can't find anybody."

"Why is that?" I asked. "Surely in this vast organization you must have some excellent table-tennis players."

"Unfortunately, most of our agents are golfers," he said sadly. "We also have some tennis players and a few people who play croquet. But no one here ever thought to recruit ping-pong players."

"Couldn't you borrow a champion player from another agency of the government?"

"The only one who could have qualified was a man who worked for the FBI and had won the intercollegiate ping-pong championship of 1956. But, unfortunately, he was fired a month ago for telling a friend he didn't like J. Edgar Hoover's barber."

"Then it looks like the United States table tennis team may have to go to Peking without CIA representation?" I said.

"Unless we can come up with a sleeper," the official said. "Our recruiters are out on the college campuses right now and their orders are to find someone, anyone. It doesn't make any difference if he can pass a security clearance, as long as he has a vicious backhand."

"Will anyone be punished because the CIA was unprepared to provide an agent for the Red China table tennis tournament?" I asked.

"Our personnel director was demoted and transferred to Iceland the other day, but at the last minute President Nixon commuted his sentence."

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*Maxine Cheshire is ill. Her VIP column will resume when she returns.*

KALAMAZOO, MICH.  
GAZETTE

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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 1968 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.



# U.S. Is Expected To Appeal

By Roy Reynolds  
(News Staff Reporter)

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-

## Wiretap Ruling

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."

CINCINNATI, OHIO  
ENQUIRER

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# 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 wire-taps 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. Weick, 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:

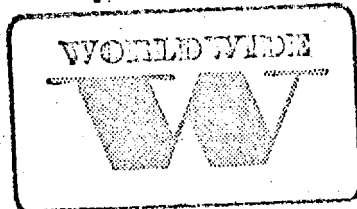
"The government has not pointed to, and we do not find, one written phrase in the Constitution, in the statutory law, or in the case law of the United States, which exempts the President, the attorney general, the President, the attorney general, or the federal law enforcement from the restrictions of 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

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APR 9 1971



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.

# 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.

# 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 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 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."

HAGERSTOWN, MD.  
HERALD

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APR 5 1971

## *Charles Town counselor announces opportunities*

Donald Chapman, guidance counselor at Charles Town High School, reminds students and their parents of upcoming tests, employment opportunities, and scholarships available.

The employes of the Powhatan Brass and Iron Works are offering a \$200 scholarship to seniors who are dependents of an employe. Further information is available in the guidance office. Applicants should respond by May 1.

Marshall University is offering a one year renewable scholarship to high school students interested in public speaking and debate. The deadline for application is April 15.

The Future Business Leaders of America is offering a \$200 scholarship for a senior FBLA member who will be pursuing a business education after graduation. This scholarship will be applied toward tuition at the institution to which the recipient has been admitted. Club members must apply by letter and the

applications will be reviewed by the commercial teachers and guidance counselor.

The U.S. Central Intelligence Agency will be at the high school on April 3 from 9 a.m. to noon to test and screen seniors from the Charles Town and Harpers Ferry High Schools for employment. This year they will be hiring clerk typists, stenographers, and messenger boys. All seniors are welcome to attend.

April 1 is slated as Armed Forces Day at Charles Town High School. All branches of the military service will be represented by their local recruiter for a program in the library at 1:48 p.m. Interested seniors are invited to attend. There will be a question and answer period at the end of the program with the panel being composed of all the recruiters. Women recruiters will be present to talk with the girls. Students wishing to attend are asked to sign in the guidance office and to obtain a class dismissal slip.

**Kidnap Plot Denied**

ANN ARBOR, Mich.— Leaders of the White Panther Party branded as "total fabrication" charges that the group considered kidnaping Vice President Agnew and others to gain release of jailed radicals.

Party leaders said the government had concocted phony charges in an effort to keep two party cofounders, John Sinclair and Lawrence Plamondon, in jail. ✓

The two have been indicted for allegedly conspiring to bomb a Central Intelligence Agency office in Ann Arbor in September, 1968. ✓

The alleged kidnap plans are outlined in testimony released Monday by the Senate Internal Security subcommittee.

Michigan State Police Sgt. Clifford Murray told the panel that it was suggested that Michigan congressmen could be traded for John Sinclair and that "... prominent national figures such as Sen. Robert Griffin and Rep. Gerald Ford might be good for trading for Black Panther Party leaders such as Huey Newton and Bobby Seale."

"The recommendation included the suggestion that with someone of the prominence of the Vice President, Spiro Agnew, one 'could write his own ticket.'"

STATINTL

SECRET

STATINT

# CIA recruiting game

SECRET

There was a time when the CIA could overthrow governments, finance military dictators and run airlines all in secret. When anyone made accusations against this venerable American institution everyone scoffed and carried on believing that it was a small intelligence agency similar to the ones every nation maintains.

That was the way it was. Today it admits to having financed anti-government guerrilla troops in Laos, shady dealings in Cambodia, and its former members openly admit that the CIA did indeed overthrow the Jacobo Arbenz government in Guatemala and the Mossadegh government in Iran.

But the CIA is still at it. At the recent Seventh Congress of the International Organization of Journalists in Havana, Panamanian journalist Baltasar Aispurua told how he had been trained by the CIA to spy on the conference and report on Cuban and other socialist press agencies.

Aispurua's story reads like a perfect James Bond movie, with fat little bureaucrats and addresses in Mexico and Miami—except that it is true. Along with his presentation of the history of his CIA training, Aispurua showed the radio he was given to send messages to Mexico, a jacket with a false lining in which he was supposed to carry his coded reports.

According to Aispurua, he was first contacted by a CIA agent named Francisco Colon in December of 1968. Colon told him the CIA was interested in him because of his expertise on Cuban affairs. Aispurua was also told "we can solve any economic problem or any other kind of problem you may have."

When the agent returned three days later, Aispurua agreed to work with the CIA.

He was visited the next day by Colon, this time accompanied by "a Yankee" named Rojer, who took over from that point.

Rojer took him to a suite in the Las Vegas building, behind the Hotel Panama. Rojer and another American named Al interviewed him at length. Questions asked in the interview included, "What is your favorite color? What is your favorite form of entertainment? and What kind of women do you like? [Aispurua is married]. Would you like a house and a car and to be able to give good things to your children? What would you like to be? What are your philosophical beliefs on how to make the world a better place? and Can you adapt to living outside of your country?"

When contacted, Aispurua was underground as he had been involved in leftist activities on Panama before the October 1968 coup.

In January 1969, together with Al, Aispurua was introduced to an old man "apparently a Filipino, who was just introduced as Dr. Garay, who had just arrived from Washington. Garay was a fat man of medium height and wore glasses."

Garay conducted a three-hour security interview

using a lie detector which Garay said had not failed in the 20 years he had been using it. Aispurua passed.

Before leaving Panama, he was trained in secret writing, receiving and decoding radio messages "which sent coded messages at a rate of 125 groups per second."

And of course what would the CIA be without an ousted Bucan bureaucrat? The classes were given by a man of 50 named Adolfo who had held a high-ranking post in the field of Cuba-U.S. shipping before fleeing the country in the wake of Batista's speedy withdrawal.

After training Aispurua was taken around the world apparently for a first hand look at the Spanish-speaking Who's Who in the CIA.

He was treated with special cordiality by the then director of Costa Rican immigration, who is now in the leadership of the right-wing Free Costa Rica Movement (MCR). He then went to Colombia where Al gave him his superspy radio, the jacket containing the codes, the money for his trips, and the carbon paper on which he was to send his messages.

This was also the time when he was told what his objectives were on the Cuba mission.

He was he said to find out where the missile sites were (if any), check into the private lives of revolutionary leaders, discover any unreported economic reports on Cuba and try to make secret agreements with the Central Committee of the Cuban Communist Party.

From Colombia he went to Cuba, with stops in San Juan, Caracas, and Madrid on the way. He finally arrived in Cuba April 7, 1969, whereupon he immediately proceeded to spill the beans on the latest CIA attempt to find out what the people see in Fidel Castro.

Aispurua greeted his would-be victims with the statement, "I have come to Cuba, but I am an agent recruited by the CIA as part of its plans to obtain information for its eventual aggression against Cuba."

Aispurua began his presentation by explaining the element the CIA computers seemed to have omitted is that which lets a revolutionary stand by his cause even in the face of offers of money, a house or a car.

Said Aispurua, "My revolutionary ideas won out in order for me to be here today, on my own responsibility, but with the absolute satisfaction of having acted honestly, exposing how imperialism tries to buy hearts and minds and attack the Cuban revolution—and with it the Latin American revolution—and how imperialism underestimates those of us who devote our lives to the struggles of the people."

addressee: CIA, P.O. Box 27, 558 Mexico 12, D.F. and Luis Valdes Garcia, 7840 S.W. 139th Terrace, Miami, Florida 33158.



E - 50,662

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.

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200050002-6

24 Feb 71

بشرت صحيفه جامعه ولاية بورت لاند الامريكية في عددها بتاريخ ٩ شباط الحالى اعلانا  
عن طلب خبراء يجيدون اللغة  
العربية للعمل في المقابرات  
المركزية الامريكية .  
وفيما يلي نص الاعلان مع  
صورة زينكغرافية له .

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متوفرة للاساتذة وخريجي  
الكلية المتخصصين باللغة  
العربية والدراسات الاخرى  
ذات العلاقة كالعلوم السياسية  
والتاريخ ومدنيات الشرق  
الاطلس .

جميع الوظائف في نطاق  
مدينة واشنطن وبعضها يتطلب

القيام بسفريات الى الخارج .  
ويفضل اولئك الذين أنهسوا

خدمتهم العسكرية او أعفوا  
منها - بالنسبة للذكور -  
ويشترط توفر الجنسية  
الامريكية لدى المتقدمين .

BAGHDAD, AL-THAWRAH, ARABIC,

SERIAL N: 763 DATED 24 FEB. 71

(IRAQ)

The title and introductory lines to the item says:

Title: An Ad in an American Paper for Experts, well versed in Arabic,  
for employment by CIA.

Introductory lines: The Portland University paper in the United States  
published in its 9 February issue an ad for experts  
well versed in Arabic for employment by CIA. Text of  
the ad follows accompanied by a Zincographic reproduction.

(Arabic translation of English item given for the two first paras only. No  
comment is made)

Approved For Release 2001/03/04 : CIA-RDP80-01601R000200050002-6

# 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.

STATINTL

BOSTON, MASS.  
GLOBE

M - 237,967  
S - 566,377

~~FEB 21 1971~~  
NEWS OF SCHOOLS

### 300 attend careers boutique

About 300 junior college students recently attended Careers Boutique 1971, a job information program, sponsored by Graham Junior College in cooperation with the New England Junior College and Employers Assn.

The New England School of Art in Boston has inaugurated a program of two-week assignments at advertising agencies, art stu-

dios and advertising departments for its senior students.

Hickox School students recently held John O'Leary, personnel recruiter from the Boston branch of the Central Intelligence Agency, outline opportunities for women in the CIA.

The New England School of Dental Nursing and Mechanical Dentistry recently held a coffee hour to welcome incoming freshmen and second semester students.

The makeup staff and instructors at the Barbizon School of Modeling recently discussed ideas for new cosmetic products with Carlo and Carole La Torre, development chemists.

Franklin Institute of

Boston reports that 94 percent of its June graduates were placed by July 1, 1970, at an average accepted offer of \$661 a month for an associate in engineering degree.

The Juliet Gibson Professional School for Women is holding its Visitation Month from Feb. 22 to March 22.

18 FEB 1971

STATINTL

The Washington Merry-Go-Round

# CIA Life in SE Asia Is Not All Intrigue

By Jack Anderson

The popular impression of CIA men in Southeast Asia is of lean-faced James Bonds talking in whispers to Indo-Chinese beauties in dingy bars or of bearded guerrilla experts directing Meo tribesmen in the Laotian jungles.

The real McCoy, more often, is a rumpled civil servant going to lard, who worries about when his refrigerator will arrive from the States and plays bingo on Tuesday nights.

This is the unromantic picture that emerges from an instruction sheet handed to CIA pilots leaving for Udorn, Thailand. The CIA uses a front called Air America to fly missions out of Udorn over Indochina.

Instead of pressing cyanide suicide capsules upon new recruits, the stateside briefer slips them a bus schedule for CIA personnel between Udorn's CIA compound, schools and banks.

"A bowling alley in Udorn has league bowling," the CIA confides to its pilot-agents. Their wives are given such hush-hush CIA tips as "water should be boiled three to five minutes prior to drinking, but it is safe for cooking and washing dishes if it is brought to the boiling point."

The cloak-and-dagger boys are told they will have a su-

permarket, swimming pool, free movies, the "Club Rendezvous" (which doubles as a chapel on Sundays) and bingo on Tuesday and Saturday nights. The CIA bars are called The Pub and the Wagon Wheel and shut down at midnight.

The same humdrum life style can be found at such CIA outposts as Vientiane, Laos, where CIA men usually live with their families in villas and dine at the town's few French restaurants.

One lonely CIA flier, who had left his family in Florida, worried about their safety after reading about racial demonstrations at home. "I'm going to bring them out here where it's safe," he confided solemnly to my associate Les Whitten in Vientiane last summer.

But if the CIA living conditions are vintage suburbia, some of the missions are dangerous. The CIA pilots fly supplies to CIA-backed Meo tribesmen in Laos hinterlands. There are also more hazardous missions, such as flights along the Red Chinese border and ammo deliveries to tiny airstrips in Communist-infested country.

Footnote: Much of the recruiting for CIA pilots is done out of a modern, gold-carpeted office in downtown Washington with "Air America" on the glass doors. One of my report-

ers, posing as a pilot, was interviewed by H. H. Dawson, a beefy man in shirt sleeves. He said prospects were dim right now, because the number of fixed-wing pilots had been cut back from 600 to 500.

Dawson said the basic pay is \$22.98 an hour for captains, \$13.93 for first officers, with bonuses for special "projects." A top CIA pilot can make as much as \$100,000 a year flying high hazard missions. In addition, station allowances run \$320 a month at Saigon, \$215 at Udorn and \$230 in Vientiane.

NEWPORT, R.I.  
NEWS FEB 12 1971

E - 14,530

## Former Director Of CIA Gives Talk At Newport Discussion Club

The Central Intelligence Agency has "an impossible job" Lyman B. Kirkpatrick, professor of political science at Brown University told the Newport Discussion Club last night at the Hotel Viking. The former executive director of comptroller of the CIA said the task of the intelligence agency

was to direct "the total United States intelligence effort" and to coordinate the activities of 9 other intelligence agencies; as directed under the National Security Act of 1947.

Its duty is not only to gather information, the former newspaperman said, but it is to predict "what the Soviet Union or China is going to be doing five years from now" and so inform the President, the secretary of defense and the secretary of state. It is this prophetic aspect of its duties that make it an "impossible job", he emphasized. He made it evident, however, that he thought it one of the "finest agencies in our federal government."

Kirkpatrick acknowledged that the CIA is not a popular organization. Americans "abhor secrecy", he replied. They have the feeling there is something "slightly dirty" about espionage. They also fear its unchecked power. They wonder if responsible control over its activities is adequate.

The former CIA executive assured his audience there are many powerful checks on the activities of the intelligence organization. Some of them were inaugurated by President Eisenhower 20 years ago. President Kennedy established the Foreign Intelligence Advisory Board consisting of prominent military men who are free to probe its activities. The Bureau of the Budget may investigate its "managerial control" as well as its finances. And finally there is Congress. Three sub-committees in Congress are constantly informed about important moves of the CIA.

The public sometimes worries about whether there is adequate control over individual agents at work abroad. Kirkpatrick said when Gen. Walter Bedell Smith, Eisenhower's former chief of staff during world War

II, assumed command of CIA in October, 1950, he "straightened things out in a hurry." Smith was a strict disciplinarian who demanded absolute control of operations. The speaker approved of this attitude, saying that espionage is "too dangerous not to be disciplined." "There is no action taken by an agent abroad which is not cleared at home," he declared.

Another apprehension of the public is that we are being watched at home, that dossiers are being run up on people. This is another unfounded fear, according to Kirkpatrick. CIA activities are focused exclusively outside the U.S, he said.

He acknowledged "an aggressive recruiting program" on college campuses. A constant flow of bright new young people into the CIA is an absolute necessity.

In comparing Russia's espionage efforts with this country's, he said their personnel outnumbered ours 10 to 1 or perhaps even 100 to 1. Russia has the greatest espionage effort ever supported by any country, he declared. Even its cultural exports such as the Bolshoi Ballet engage in espionage. In answer to a question about Russian trawlers, the speaker said about 18 might be operating off our coasts. Two or three, perhaps, are listening to naval reports right now off Newport.

Stalin had the most complete intelligence information before World War II began that any leader ever had, but he refused to use it. Kirkpatrick said a man was ordered shot by the Soviet leader because he reported troops were moving across the border into Russia when the Germans began their offense in World War II, although Stalin had exact information regarding German intentions.

## 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



28 JAN 1971 STATINT

Approved For Release 2001/03/04 : CIA-RDP80-01

# Mitchell Pressing His Wiretap Plea

By LYLE DENNISTON  
Star Staff Writer

Atty. Gen. John N. Mitchell will ask for a federal appeals court this week to rule that he alone may decide when to eavesdrop secretly on "domestic subversives."

That authority, which would put a growing use of hidden listening devices beyond any court review, has been ruled invalid twice and upheld twice by lower federal courts.

Mitchell is the first attorney general to claim that, in cases involving "violent disorders" in this country, he need not possess a court order before authorizing wiretapping or eavesdropping.

His decision to take that question to the 6th U.S. Court of Appeals in Cincinnati follows a ruling against him on Tuesday by U.S. District Judge Damon Keith in Detroit.

Keith's decision followed almost exactly the reasoning that a federal judge in Los Angeles used Jan. 11 in the first ruling rejecting the attorney general's position.

## Secret Logs At Stake

If Mitchell had not planned an appeal from Keith's decision, he either would have had to disclose today the secret logs of overheard conversations of a man charged with a bombing conspiracy or drop the charges.

After Judge Keith was notified that an appeal would be filed, he postponed the scheduled opening of the bombing trial until Feb. 9.

In addition, he said he would "assist the government in obtaining . . . review" of his decision by the Appeals Court because it involved "an important issue of first impression." He did not explain what he would do to help.

It now seems likely that this test case will be the first to take

the issue of homefront eavesdropping to the Supreme Court for an ultimate ruling.

One of the lower court decisions which upheld Mitchell's authority is already before the 7th U.S. Court of Appeals in Chicago, but that is in the famous Chicago Seven conspiracy case -- an appeal that probably will not be decided for many months.

The Chicago case was the first one in which Mitchell had claimed that the "inherent powers" of the President to protect the country could be delegated to Mitchell as the sole authority needed to justify eavesdropping on individuals or groups involved in "domestic subversion."

Mitchell and his aides worked out that constitutional theory after being in office about five months, and they asked U.S. District Judge Julius J. Hoffman to uphold it in June 1969.

## No Appeal Filed

On Feb. 21, after the conspiracy trial was over, Hoffman agreed with Mitchell's argument and ruled that eavesdrop logs on some of those accused in the conspiracy case need not be turned over to them.

On Sept. 1, U.S. District Judge Arthur J. Stanley of Kansas City similarly ruled in Mitchell's fa-

vor, in a case involving illegal firearms possession.

Then, on Jan. 11, Federal Judge Warren J. Ferguson of Los Angeles became the first to rule that the attorney general's theory was unconstitutional. He gave the Justice Department 30 days to appeal, but so far no action has been taken in that case.

Ferguson's decision came in a case involving Melvin Carl Smith, a Black Panther Party figure who was convicted in 1969 on an illegal firearms offense.

While his case was being appealed, the government revealed it had eavesdropped on his telephone conversations five times. This disclosure led to Judge Ferguson's ruling that the "bugging" was illegal because it had been carried on without a court-approved warrant.

## Second Reversal

The Detroit case which brought the second decision against the attorney general's authority involves Lawrence (Pun) Plamondon, one of three members of the militant White Panther Party facing trial on charges of a 1968 conspiracy to bomb a Central Intelligence Agency office in Ann Arbor, Mich.

Using almost exactly the same words as Judge Ferguson had in the Los Angeles decision, Judge Keith in the Detroit case remarked:

"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 and must be dealt with in the same fashion.

"There is great danger in an argument of this nature for it strikes at the very constitutional privileges and immunities that are inherent in U.S. citizenship."

Every president since Franklin D. Roosevelt has contended that electronic surveillance could be executed without court order in cases involving "national security."

However, that has been understood generally to apply only to cases in which the government was looking for "foreign intelligence" data -- that is, evidence about espionage from "external" sources.

Mitchell, in his early months in office, limited his claim to sole power over eavesdropping to "foreign intelligence" situations. For all others, he apparently was willing to obtain a

Then, he disclosed that he believed "national security" cases should be understood to include those involving "domestic organizations which seek to attack and subvert the government by unlawful means."

## Full Legalization

If the courts ultimately hold that Mitchell may decide on his own to approve surveillance on "domestic subversives," it would not only mean that he would have much more flexibility in using that method of investigation.

It also would mean that any eavesdropping would be considered completely legal. That would insulate the records or tapes of the eavesdropping from any possible disclosure to individuals whose conversations had been picked up.

Under a Supreme Court decision on March 10, 1969, in the so-called "Alderman case," any records of illegal eavesdropping must be turned over to defense lawyers in criminal cases to see if the "bugging" had produced evidence for the prosecution. Evidence acquired by unlawful means may not be used.

## Exemption Asked

If the government did not want to disclose the results of its eavesdropping, the court declared, it would simply have to drop the criminal case.

In trying to get the Supreme Court to reconsider that ruling, the Justice Department asked it to create an exemption for "national security" cases involving "foreign intelligence." Since the attorney general has constitutional authority to carry on such bugging, the department argued, it is always legal and thus not subject to disclosure.

However, the justices left that issue open. Since that time, of course, Mitchell has expanded his constitutional argument to include domestic subversion as a "national security" matter.

While the Justice Department has lost twice and won twice in lower court rulings on the domestic subversion issue, it has won every time when a lower court has analyzed Mitchell's authority to approve eavesdropping for "foreign intelligence" purposes.

9 6 JAN 1971

# 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 by 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 legal, 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.

Fred Cicetti

# Here and There



STATINTL

On page 1749 of the Manhattan telephone directory, there is this listing:

"CENTRAL INTELLIGENCE AGENCY  
NY FIELD OFC 755-0027"

There is no address given for the New York branch of the Washington espionage company. I discovered this strange, but not surprising, listing almost three years ago. I had a powerful urge to call the number, but I was afraid. Sounds ridiculous, I know, but, nevertheless, I was afraid to call.

But my curiosity would give me no rest. Every time I used the phone book, I was reminded that the CIA was listed on page 1749. Last week, I did it. I picked up my phone and dialed the number. A woman answered.

"755-0027," she said, without identifying the telephone as the CIA's.

"Hello, is this the Central Intelligence Agency?" I asked, thinking the woman might be an operator for an answering service.

"Who is this calling, please?" she interrogated.

"My name is Fred Cicetti. I am a reporter for The Evening News in Newark and I'm interested in writing a piece about the CIA office in New York. Can you help me?"

She responded skeptically and told me to hold on. About a half-minute later, a man came on the line. He didn't identify himself; I didn't ask for his name. I repeated my pitch to him. He performed a near-perfect, bureaucratic buck-pass. He was beautiful.

"I'm sorry, I can't help you," he said, cheerfully. "That is a policy matter beyond my purview. You'll have to write to Washington about that."

He gave me this address: "Assistant to the Director for Public Affairs, Central Intelligence Agency, Washington, D.C." I asked him if he was permitted to give out the name of the assistant to the director, but he sidestepped me. He was good.

"I don't know who will handle your letter," he said. "I prefer not to use a name."

## Security Check Likely?

I asked him—with a nervous laugh—if a security check would be done on me.

"I won't have to look over my shoulder for someone tailing me, will I?" is what I said.

"Oh, no, no," he assured me. "We have some people who, by necessity, are exposed to help the media. You just write to

A few days later, I mailed my letter to the nameless assistant director.

"Dear Sir:

I write a human-interest column for The Evening News of Newark, N.J. I am interested in writing a piece about the CIA operation in the New York metropolitan area.

This is not a put-on. I fully realize that the nature of my work is inimical to your work. But I suspect that there is some information about the CIA's activities out of the New York office that can be published without harm to national security. There may, in fact, be some information that, if printed, would be helpful to you. I do not know what facts are available to me, and this is why I am writing to you. Please advise me on this matter."

After I mailed the letter, I convinced myself that my missive would be filed, microfilmed, and cross-indexed. If the CIA hears my name again, I thought, they will retrieve this letter and know for sure that I am dangerous and must be watched.

Yesterday, there was a large brown envelope in my mailbox. Enclosed were two reprints of articles done about the CIA. Both were extremely unrevealing and, no doubt, this quality earned them the CIA imprimatur. There also was a brochure entitled, "Intelligence Professions," that is probably used by the CIA's college recruiters. And there was a blue pamphlet, which contained the CIA's statutory authorization and some generous compliments from our President.

## Letter From Director's Aide

With the enclosures was a letter from Joseph C. Goodwin, the previously anonymous assistant to the director.

"Dear Mr. Cicetti:

I am enclosing some material which, hopefully, will give you a clearer picture of the background, history, functions and responsibilities of the Central Intelligence Agency. As to your specific request for information, I can only refer you to the paragraph on "Policy on Public Disclosures" on page 5 of the blue pamphlet."

This is the paragraph:

"Because of the nature of its duties, required by law and by considerations of national security, the Central Intelligence Agency does not confirm or deny published reports, whether true or false, favorable or unfavorable to the agency or its personnel. CIA does not publicly discuss its organization, its budget, or its personnel. Nor does it discuss its methods of operation or its sources of information."

Hopefully, within the next five seconds,

17 JAN 1971

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## DETROIT RADICALS FACE BOMB TRIAL

### Defense Challenges Jury System and Wiretapping

By AGIS SALPUKAS  
Special to The New York Times

DETROIT, Jan. 16—The only disruptions at the pretrial hearing this week for three members of the White Panther party charged in the bombing of a Central Intelligence Agency office have been caused by a baby and small children.

They occasionally squeal, or crawl on the courtroom floor, or dash up to the defendants to show drawings or to get hugs. They belong to the small group of radicals attending the hearings at the United States District Court and their antics have been accepted with good nature by the judge, prosecution and defense.

Although this case has had none of the bitterness and disruption of the trial of the Chicago 7, the intent of the defense lawyers is to turn the case here into a challenge of the American judicial process similar to that made in the Chicago trial.

#### Defense Motions

Leonard Weinglass, who was part of the team that defended the Chicago 7, and Hugh Davis have made two motions for the defense that they said they would carry to the Supreme Court if Judge Damon J. Keith ruled against them.

The defendants are John Sinclair, a 28-year-old poet convicted last July of possession of marijuana, who is charged with conspiracy in the bombing; John W. Forrest, 21, also charged with conspiracy; and Lawrence R. (Pun) Plamondon, 25, who is charged with actually performing the bombing on Sept. 29, 1968, at the C.I.A. office in nearby Ann Arbor, Mich.

One motion argued that people under 40 were underrepresented on the voter registration list from which juries are selected and that people over 40 who make up the majority of juries could not make a fair judgment in the case.

The second motion argued that the defense was entitled to examine the logs of wiretap evidence gathered against Mr. Plamondon.

Allen Ginsberg, the 44-year-old poet laureate of the beat generation, flew here from his farm in Cherry Valley, N. Y., to testify on the first motion.

Mr. Ginsberg said he was convinced that a separate youth culture had developed in the last few years that few people of the older generation could understand.

"There is generally a mockery of the idealism and fear of young people," he said. "Their apocalyptic sense of the nearing of the end of our planet is treated as a joke."

John H. Hausner, the government's chief prosecutor, brought out through Mr. Ginsberg's testimony that he had not spoken to young wounded veterans in hospitals, Boy Scout troops, or Sunday School classes and said it seemed to him there was more of a "Ginsberg gap than a generation gap."

#### Wiretap Issue

William M. Kunstler, a defense attorney in the Chicago conspiracy trial who is free on bond on a four-year sentence for contempt of court, argued the motion on wiretap evidence.

Attorney General John N. Mitchell, in an affidavit filed with the court, said that the wiretaps made without a court order should be kept secret since they were "being employed to gather intelligence information deemed necessary to protect the nation."

Mr. Kunstler said the Attorney General was asking for "carte blanche to violate the Fourth Amendment."

The White Panther party, founded by Sinclair, has its headquarters in a commune of about 20 people in Ann Arbor. The self-styled revolutionary group purports to have about 30 chapters around the country but even party officials say they do not know how big the membership is.

Mr. Kunstler and Mr. Ginsberg are helping to raise money for the defense.

At the campus of Western Michigan University in Kalamazoo, about 3,000 students paid \$1 each on Thursday night to hear Mr. Ginsberg recite poetry and urge them to participate in nonviolent demonstrations around the White House next spring.

Greg Green, a junior majoring in English, listened to Mr. Ginsberg recite a 20-minute poem about what the poet had observed on his communal farm last September.

At the end, the student shook his head and said: "He's remained too detached from a culture that he's proclaimed to lead."

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# The Plight of a 'White Panther'

By ROGER RAPOPORT  
Special to The Star

DAVISON, Mich. — Elsie Sinclair chain smokes at the kitchen table while pork chops fry in the electric skillet. She is a handsome, nervous woman, buoyed by the visit of her daughter-in-law Leni, and two grandchildren.

Four-year-old Sonny plays Lotto with his grandfather, Jack Sinclair, while Leni nurses her infant, Celia. Both Leni and Sonny wear purple buttons that say "Free John Sinclair." John Sinclair is the eldest son of Jack and Elsie, husband to Leni and father of the two little girls.

John Sinclair, the 28-year-old chairman of the White Panther party, is serving a nine-and-one-half to 10-year sentence in Southern Michigan Prison at Jackson because he gave two marijuana cigarettes to an undercover policeman.

And on Jan. 23 Sinclair and two of his fellow Panthers go on trial in Detroit for allegedly blowing up the CIA's Ann Arbor storefront recruiting office in the fall of 1968.

They were indicted in October 1969, about two months after Sinclair began serving his marijuana sentence. The Panthers were implicated by David Valler, a youth who confessed involvement in the bombing but accused Sinclair and his radical friends of masterminding the plot.

Here in Davison, a town of 3,769 about 70 miles northwest of Detroit, Elsie Sinclair says she plans to take time off from her job as a school teacher to attend John's upcoming trial.

Sinclair says he's innocent: "I didn't even know the CIA had an office in Ann Arbor until I read in the paper that somebody had blown it up. The only crime I'll ever admit to is the only one I ever committed, the assassination of President McKinley in 1901."

Of course Elsie believes in her son's innocence and she has abandoned her plan to retire from school teaching so there will be enough money to pay for John's lawyers: "Six, seven years ago, when John first started growing long hair, living with Negroes, smoking marijuana, and talking all this radical stuff, I was shocked and frightened."

But after I began to see the way the police harassed and persecuted him I began to read and think a little more about what he was saying and it made sense."

Sinclair's family and friends believe he is a political prisoner, but his rebellion has not been strictly political. As his wife Leni explains:

"After John finished college and moved to Detroit in 1961 he decided against simply joining the local Committee to End the War in Vietnam. It was too easy to be just one more middle-class radical commuting in from the suburbs to protest the war. Protest seemed like a sideline, he wanted to set up an alternate life-style."

Sinclair's idea was to find a way for his friends to support themselves through their own creativity. He founded the Detroit Artists' Workshop, arranged club jobs for musicians, sold poetry and staged successful photographic exhibitions.

Every Sunday afternoon there were poetry readings, concerts and shows at the Artists' Workshop storefront near Detroit's John Lodge Freeway. Sinclair also rented six old homes near the Workshop for \$50 a month each and turned them into communal accommodations for 50 workshop members.

The police, however, saw the Artists' Workshop as the base of Detroit's spreading drug culture. Undercover agents soon began infiltrating the group, searching for marijuana. One agent gave himself away by showing up asking: "Is this the place where I can get some dope and hippie broads?"

But on Jan. 24, 1967, the police scored. Agents arrested 56 persons, including Sinclair. The basis for the sweeping raid was Sinclair's gift of two marijuana cigarettes to narcotics agent Vahan Kapegian nearly a month earlier. Kapegian had posed as a hippie candlemaker named Louie. He was not without soul. Shortly before the Jan. 24 bust, Kapegian contributed a bag full of fried chicken to a workshop communal dinner.

Charges against most of the 56 persons arrested were subsequently dropped. Sinclair's indictment shot him for not

about it after being released on bail. He kept busy expanding the Workshop commune into a psychedelic conglomerate called Trans-Love Energies.

Soon five rock musicians from suburban Livonia joined up and gave Trans-Love a national reputation. The musicians called themselves the MC-5 and an allied Trans-Love light company brought psychedelic performances to appreciative young audiences.

By late 1967 Sinclair's hair billowed past his shoulders and he was articulating the Trans-Love philosophy: rock and roll, dope and love-making in the streets. Sinclair rejoiced over the ability of the MC-5 and similar groups to capture the minds of the young and destroy the old order: "You don't need to get rid of all the honkies, you just rob them of their replacements, let them breed, atrophy and die out, with the hairs cheering triumphantly all around."

But as the MC-5 soared to the top of the charts with "Kick Out the Jams," Trans-Love began having problems with the community. Firebombs were tossed at the communes and building inspectors found code violations.

In June 1968, after the band was charged with several noise violations, the commune decided to migrate 40 miles west to Ann Arbor. Two big communal houses were rented in the middle of the University of Michigan's fraternity row. The White Panther party was formed to provide a practical political organization for young white rebels.

Modeled along the lines of the Black Panther party, this organization now claims about 3,000 members in various chapters across the country. The primary goal of the party is liberation of the youth culture. Specific aims include abolition of money, dissolution of all political boundaries, legalization of marijuana, release of all political prisoners, free education and an end to the draft.

Panther literature began going out to high school students, particularly in the Midwest, and angry parents asked postal officials to ban it.

Clyde Smith of the Pontiac, Mich., Post Office, charged

"It's strictly the filthiest stuff I've ever seen. Ten, 11 and 12-year-olds are receiving it. I'm bewildered with some of it and it frightens me." Two Panthers were charged with distributing obscene materials to minors and several obscenity cases were brought against record store clerks who sold the MC-5's "Kick Out the Jams."

One national magazine wrote that the record album was "rancid with rotten revolutionary rhetoric, and the music... well, there's no music, just sound; ugly crashes and bangs and whizzes and wings and dings... manic, vulgar sound."

Sinclair ignored the criticism and worked hard to reduce tensions between Ann Arbor youth and police. He encouraged youths "to attend city council meetings and make themselves heard instead of sitting around bitching about conditions."

The Panthers negotiated with the city fathers to obtain permits for Sunday afternoon concerts in local parks. They wanted youths to stay away from dangerous drugs like heroin, morphine and barbiturates.

By the summer of 1969 Sinclair was so busy working on these problems that he had nearly forgotten about the 1967 marijuana offense. But when he was notified of a July trial date he didn't panic; he organized an elaborate defense challenging the constitutionality of marijuana prohibition.

In court medical experts told a three-judge panel that marijuana was not addictive and that it was safer than cigarettes. But the panel threw out the challenge and on July 23, 1969, he was convicted. He was sentenced July 28, 1969 by the Detroit Recorder's Court Judge, Robert J. Colombo:

"John Sinclair has been out to show that the law means nothing to him and to his ilk. Well, the time has come. The day has come. And you may laugh, Mr. Sinclair, but you have a long time to laugh about it. Because it is the judgment of this Court that you, John Sinclair, stand committed to the State Prison for a minimum term of not less than nine and one-half nor more than 10 years."

For two marijuana cigarettes. (Copyright, 1971, Roger Rapoport)

KALAMAZOO, MICH. GAZETTE JAN 15 1971

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# 'The People' Vs. Courts

## Defense Attorney Kunstler Pleads His Case At WMU

By ARTHUR SILLS  
Gazette Staff Writer

Claiming the nation is in a Nazi-like nightmare, William M. Kunstler Thursday urged "unity against repression before it's too late."

The country's courts are being used to crush dissent, the defense attorney told an audience of some 2,000 at Western Michigan University.

It is, he said, "the utilization of legal processes to crush social movements, to keep decaying systems alive a little longer and to stagnate and frustrate the power of the people."

The trial itself "is the obscenity...that will do the legalized murdering," he said.

"The strange thing in this country is that we take the courts seriously" when they are "used to destroy good men and good women," Kunstler said.

"We tolerate them when we should destroy the institution that can be so perverted," he told the applauding audience at Read Field House. Many of the youthful listeners sat on the floor.

Kunstler shared the platform with poet Allen Ginsburg at the Thursday night program sponsored by the WMU Associated Student Government and the newly-formed Serving the People (STP).

The attorney threaded his 45-minute address with warnings that the anti-war movement is marked for destruction and must unite against it.

"Otherwise," he said, "they will divide and conquer all of us."

The 51-year-old Kunstler has appeared in countless court-



**A THANK-YOU KISS** — Poet Allen Ginsberg expresses his thanks in Detroit to attorney William Kunstler for bringing him to the preliminary hearings of three white panthers accused of bombing a CIA building in Ann Arbor. Later Thursday Kunstler and Ginsberg traveled to Kalamazoo where they spoke at WMU's Read Field House.

rooms for a client list that reads like a roster of dissent.

Dr. Martin Luther King, Malcolm X and the Freedom Riders are on it. So are Adam Clayton Powell, Jack Ruby and Jerry Rubin.

He was named this week as defense attorney for six persons, including the Rev. Philip Berrigan, accused in a conspiracy - to - kidnap - and-bomb plot.

The federal indictments indicate, said Kunstler, that court force is now aimed at the American middle.

Contrasting the six with the "extreme" of Yippie leader Ruben, he said they were named "because they are at the

people."

If the six are convicted, he asked, "Then who is immun-

general repression."

His field house address was broken by applause several times, along with shouts of "Right On!" from the audience, mostly college-age.

Trim in a black and white checked suit, Kunstler has an angled face (Esquire said he looks like "Lincoln on pot") framed by bushy gray sideburns and topped by a scoop of curling silver-flecked black hair.

His WMU address was a roving, rambling talk strung with warnings about rolling repressions and urgings to work for a "freer, more decent, more loving society."

He compared the new bomb plot charges to the Nazi arson of the Reichstag that was blamed on scapegoat communists to spur Hitler's seizure of German power.

Demonstrations of the use of "seemingly legal procedures" to crush dissent are all through history, including the trial of Jesus, said Kunstler.

Kunstler catalogued the pivots of protest: My Lai, Kent State, Jackson State, the "murder of (Black Panther) Fred Hampton in his bed in Chicago," the trials of Bobby Seale, Angela Davis and John Sinclair.

"How can we live with these things and call ourselves men and women?" he asked.

"If it isn't you that moves... your generation . . . we will stand forever . . . and more good men and women are going to go down in the dust of our system."

"Power to the People has a meaning," he said, "It means power."

# Limits of Academic Tolerance

By GRAYSON KIRK

Eleven years ago C. P. (now Lord) Snow caused a stir in intellectual circles by his perceptive analysis of the widening gulf between scientists and humanists in modern society. Today that rift still exists and it is related to a greater and more serious social phenomenon, the growing cleavage between the university world and the Government.

A kind of polarization seems to be taking place. Intellectuals outside the academic world rally behind protesting students and professors. Against them university alumni, Government officials, and legislators at all levels close ranks in support of measures designed to curb the excesses.

On campus, examples of anti-Government sentiments are dismally numerous. Even disregarding such acts of appalling vandalism as the destruction of Sterling Hall at the University of Wisconsin, there are other indications. Recruiters for the armed forces and such civilian agencies as the CIA encounter hostile demonstrations on university premises. Angry faculties suddenly discover that student military instruction is not compatible with the maintenance of academic standards. Faculty Senates restrict university acceptance of defense-related Government-sponsored research projects. Scholars hesitate to ask for leave to accept temporary appointments in activities related to defense or foreign affairs lest their future academic careers be blighted. Noisy faculty and student groups demand that the university forsake its traditional neutrality and take an offi-

## *A Line Must Be Drawn Between Tolerance and Anarchy*

cial stand on controversial questions.

Meanwhile, the President asks Congress to authorize the Federal Government to take the initiative in dealing with campus violence. More than half of the state legislatures have already enacted laws to curb disorders within the colleges and universities. University administrators are exhorted to deal more firmly and decisively with campus disruptions.

In my judgment it is wrong to conclude that the root of the ill-feeling lies merely in the hostility of the academic community to Vietnam. The basic source is a sharp disagreement over the primary function and responsibility of a university in a time of social upheaval.

Legislators and Government officials fully appreciate the importance of our colleges and universities. They are prepared to spend much public money on education. In Washington, the billions appropriated annually to support research, student aid and the creation of new academic facilities reflect a similar commitment. In return, the lawmakers—and the general public—expect the colleges and universities to supply a flow of men and women who have been trained to cope with these expanding needs. They expect these graduates to be responsible citizens. Understandably, they are outraged when such a huge investment

seems to be producing a crop of malcontents.

Many academics simply do not hold this view. To them, university autonomy is basic. All outside interference is viewed as a threat to academic freedom, which in this context means the right to criticize Government whenever a scholar is moved to do so.

Just as student radicals have seized the spotlight by their rioting, so the more radical faculty members often are regarded by the public as speaking for the academic community. Why, then, do the nonradical professors, who constitute the majority of the senior men on any campus, allow a small, shrill group of colleagues to hold the limelight? Partly, it is because they are still prisoners of the long academic tradition of liberalism. Few faculty members like to think of themselves as conservatives.

Somehow, because our universities and our Government are ever more interdependent, campus rifts between radicals and conservatives and between the humanities and the sciences must be diminished. Interference by public authorities in university affairs ought to be limited to support for the academic authorities in their efforts to free the campus from disorder. Our universities are too important to be allowed to suffer from the activities of a small group of men who seek to distort the spirit of a university and who, in their mistaken efforts, have been allowed to benefit from the healthy tradition of academic tolerance.

Grayson Kirk is President Emeritus, Columbia University.