

Nixon Linked to Weatherman Plan

Washington

A former FBI official's lawyer contends there is evidence that former President Nixon had a role in authorizing allegedly illegal surveillance against the radical left-wing Weatherman faction in 1970.

The claim by the attorney for W. Mark Felt, the former No. 2-ranking FBI official, is contained in a legal document in federal court here.

Felt, former acting FBI Director L. Patrick Gray III, and another top assistant to Gray, Edward S. Miller, are due to go on trial in January on charges they authorized illegal break-ins, wiretaps and mail openings against members of the Weatherman organization, their friends and relatives.

Brian P. Gettings, Felt's attorney, said in the legal memorandum that Nixon talked on the phone with J. Edgar Hoover in mid-August 1970 and that the conversation "resulted in the implementation of certain recommendations of the Huston Report directed specifically at the apprehension of the Weatherman fugitives."

The Huston Report, named for Nixon White House aide Tom Charles Huston, mapped a strategy of spying on revolutionary groups.

Until now, it has been generally believed that Nixon vetoed the plan five days after initially approving it because of Hoover's objections.

But in his legal memorandum, Gettings contends the president actually approved parts of the plan which led to "surreptitious entries in Weatherman investigations."

In the memo, Gettings said that when Gray approved the practice of surveillance against the Weatherman faction in 1972 as Hoover's successor, his action "did not reinstitute the practice. It merely continued the practice, under tighter control, reinstated by Mr. Hoover in 1970. Mr. Felt will show this by overwhelming evidence at trial."

Gettings declined to comment on how he knew what Hoover and Nixon said to each other over the phone.

The assertions by Gettings are contained in a memo that is aimed at forcing the government through a court order to reveal additional documents that the lawyer said could aid in Felt's defense.

Gettings contends that Felt believed he was acting within the law in conducting surveillance activities against the Weatherman group, in part because presidential administrations over the previous 25 years had carried out similar practices.