

Washington Merry-go-round

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By Jack Anderson & Les Whitten

WASHINGTON — Chief Justice Warren Burger is deeply indebted to his old friend, ex-Attorney General John Mitchell, for his Supreme Court job. Yet Burger has refused to disqualify himself from Mitchell's appeal of his Watergate cover-up conviction, now pending before the high court.

The white-maned Burger has been trying to persuade reluctant fellow justices to hear the appeals of Mitchell and ex-White House aides H. R. Haldeman and John Ehrlichman, National Public Radio reported last week.

The report, which our sources confirmed, said that Justice William Rehnquist voluntarily stepped down from the case because of his past friendship with Mitchell.

But Burger and Mitchell also were personally close, high ex-Justice Department sources told us. In fact, they said, it was the pipe-smoking attorney general who recommended Burger to President Nixon in 1969.

This charge was bolstered by no less than Mitchell's wife, the late loquacious Martha. She told friends that her husband had tapped Burger for the nation's highest judicial post. At a May, 1970, gathering in New York attended by both Burger and Martha, free-lance photographer Fred Ward casually asked Martha whether she knew Burger.

"Who do you think put him where he is?" Martha said. Ward, then on assignment for Look magazine, relayed the incident to Winzola McLendon, a close friend of Martha and a writer for Look.

McLendon, alone with Martha in the powder room, asked: "What did you mean by that remark to Fred? Did John put him in there?" According to the notes McLendon made at the time, Martha replied: "John is the one who put him on the Supreme Court."

Martha later told McLendon that the two men often gabbed on the telephone until Mitchell left the Justice Department to run Nixon's 1972 campaign. But a Supreme Court spokesman said Burger spoke only infrequently with Mitchell from 1969 to 1972, and then only on official business. Only once did Burger talk by phone with Mitchell at home, the spokesman said.

The Watergate cover-up trial is not the only one in which Burger's participation has been questioned. Burger's voice reportedly appears briefly on the suppressed White House tapes in a conversation with Nixon. Although Burger ordered Nixon to release certain other tapes in 1974, he has not removed

himself from the continuing battle over whether Nixon or the government should get custody of all the tapes.

Footnote: Both McLendon and Ward confirm their portions of the May, 1970, conversation. Although the Justice Department could ask Burger to disqualify himself, a department spokesman said such questions are always left up to the justices. A spokesman for Burger said he had no intention of disqualifying himself. Mitchell could not be reached for comment.

WASHINGTON WHIRL — The military brass are trying to raise the religious consciousness of its troops around the world. The Army has just bought 70 copies of the "New Media Bible," an ambitious multimedia depiction of the Old and New Testaments. Each one contains 10 quarter-hour sound movies, 10 narrated filmstrips, 10 teacher's guides, and 10 slick magazines containing biblical articles, including "A Different Perspective on the Cain and Abel Story." The cost: \$140,623. The biblical word seems to be spreading — the Air Force just shelled out \$10,000 for five copies and the Navy also has bought an undisclosed number.

— First Lady Rosalynn Carter has angered the United Service Organization (USO) for breaking a precedent

dating back at least to Mamie Eisenhower. Mrs. Carter refused to serve as honorary chairman of the local servicemen's clubs. Her staff says she doesn't want to lend her name to anything she can't participate in.

— In a recent column, we reported that the federal government has ignored alarming evidence about three cancer-causing pesticides, including Treflan, made by Eli Lilly Co. One Lilly chemist who worked with Treflan, Ed Hobbs, had a heart attack at age 36 and suffered severe ear infections. When his doctor ordered him to stop working with chemicals, the company fired him. Lilly insists that its pesticide is safe and did not cause Hobbs' illnesses.

— The Public Broadcasting Service, which is supposed to be opening up access to the airwaves, hasn't opened up its ranks to minorities. PBS's failure to enforce equal employment laws among its member stations "borders on negligence," according to a House Communications subcommittee report. The study also has harsh words for the Federal Communications Commission and the Justice Department's Civil Rights division which have been "equally disappointing" in halting PBS discrimination. A PBS spokesman says the report fails to recognize PBS progress.