

1-6-76

A New CIA Furor

Born of the cold war, shielded by unprecedented governmental secrecy and infused with a romantic cloak-and-dagger glamour, the U.S. Central Intelligence Agency has been able to resist close scrutiny and withstand harsh criticism throughout most of its 27-year history. But recent disclosures of the agency's involvement in Watergate and its role in the fall of an elected Marxist government in Chile have left the CIA unusually vulnerable. And when The New York Times broke a story last week alleging that the agency had conducted massive, illegal surveillance of American citizens, the result was electric. Within days, the CIA's top counterintelligence officer announced his resignation, and former CIA director Richard Helms seemed likely to lose his current post as ambassador to Iran. Capitol Hill rang with calls for greater Congressional control of the agency, and President Gerald Ford took time out from his holiday ski trip to consider a blue-ribbon investigation of the whole mysterious affair.

The story that touched off the flap was surprisingly tough in the headline (HUGE CIA OPERATION REPORTED IN U.S. AGAINST ANTIWAR FORCES . . .) but sparse in detail. Reporter Seymour M. Hersh, who won a Pulitzer Prize in 1970 for uncovering the My Lai massacre, cited "well-placed government sources" in reporting that the CIA, "directly violating its charter," had conducted massive, coordinated intelligence operations in the U.S. during the Nixon Administration—following and photographing antiwar activists and other dissidents (including at least one member of Congress), undertaking illegal break-ins and wiretaps and compiling dossiers on more than 10,000 American citizens under the control of a special unit that Hersh said reported directly to CIA chief Helms. "It was highly coordinated," one Times source was quoted as saying. "People were targeted, information was collected on them, and it was all put on [computer] tape, just like the agency does with information about KGB [Soviet intelligence] agents."

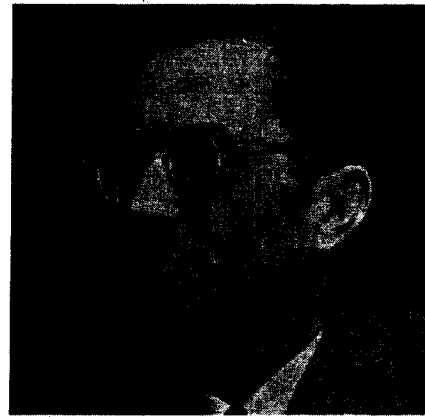
Conspiracy? The reaction was immediate. The chairmen of four Congressional committees announced inquiries into the affair, and President Ford declared that he would not tolerate illegal domestic actions by the CIA. Ford said the current director, William E. Colby, had assured him that no such operations were now under way, but he ordered Colby to prepare a complete report on the matter—and he had it within days.

Still, confirmation of the charges was at best partial and cautious, and there was no confirmation of the Times's clear im-

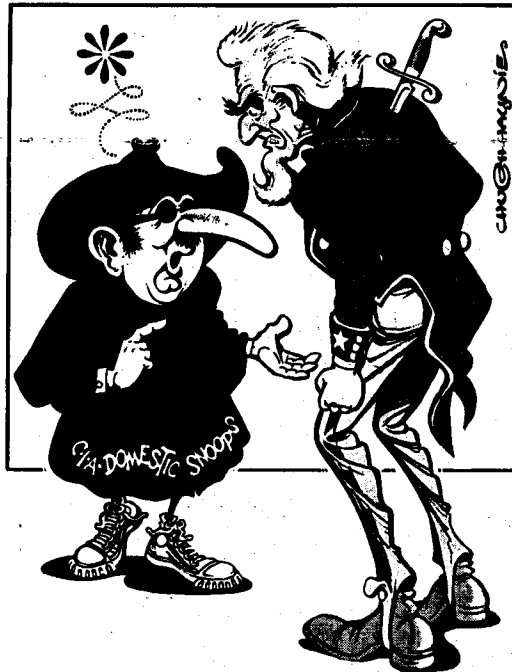
plication that the CIA's operation had been prompted by the Nixon Administration to harass the left. The resulting confusion nurtured conspiracy theories in Washington: that the whole flap had been used to blast the CIA's top counter-spy out of his job, for example, or that it was an eruption of the intricate rivalry between Defense Secretary James R. Schlesinger, a former CIA head, and Secretary of State Henry Kissinger, the White House national-security adviser and head of the top-secret Forty Committee, which approves all covert operations.

The only flat denial of Hersh's charges came from Helms, and even then it took him three days to issue a statement through the State Department before dropping out of sight on what officials said was a long-planned European vacation. But there was fragmentary confirmation of a sort from James J. Angleton, a top-level CIA veteran who resigned as chief of counterintelligence after the Times story described him as the director of the alleged domestic spy operation (opposite page). Angleton called the Times story an exaggeration, but he conceded there was "something to it." In an extended interview with CBS-TV correspondent Daniel Schorr, he admitted keeping files on "Americans like Black Panthers and antiwar demonstrators, but only after they'd contacted agents abroad." Such action, ostensibly, was in line with the agency's lawful foreign-intelligence responsibilities.

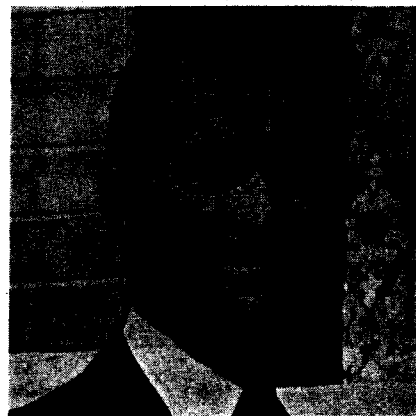
'Overstepping': Reactions from other well-placed sources ranged from guarded confirmation to outright skepticism. A source familiar with Colby's 30-page report to Ford told NEWSWEEK: "There's something to Hersh's charges, but a hell of a lot less than he makes of it." Rep. Lucien Nedzi, chairman of the House Armed Services Intelligence subcommittee, said he had been briefed last year about "overstepping of bounds" by the CIA. "You might call it illegalities in terms of exceeding their charter," he said, "but it certainly wasn't of the dimension . . . of what has appeared in the newspapers." The FBI tended to scoff at the whole notion of a massive domestic operation by the CIA; had it happened, said one longtime agent, "we would have come across it. Our guys were out there doing the same thing." If dossiers were kept, other sources



Colby: Report to the chief



Hugh Haynie © 1974, Louisville Courier-Journal
'Pardon me, of timer . . . but it seems that I've mislaid my dagger . . .'



Helms: A flat denial

ANGLETON: THE QUIET AMERICAN

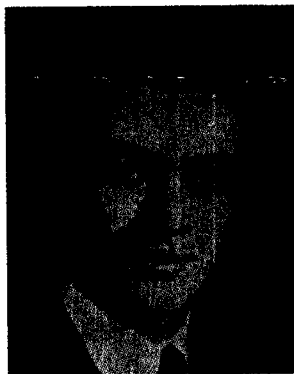
Angleton was an owlish man of 57 with a center part to his hair, a neglected inch of ash on his cigarette and the slouch of a 6-footer gone prematurely to seed. Thick at the waist, sunken in the chest, he had an intimacy with modern poetry that, the new men were told, had included personal acquaintance with T.S. Eliot, E.E. Cummings and Ezra Pound. He had an ironic face, wry, and functional clothes that hung loosely on his stooped frame. In both build and looks he might have been the failed English professor of an Ivy League university. But the tight line to his thin mouth and his elliptic, sidelong habit of speech conveyed real experience. It was hard to place Angleton.

If John le Carré and Graham Greene had collaborated on a superspy, the result might have been James Jesus Angleton, 57, the head of the Central Intelligence Agency's Counterintelligence Department and, until his abrupt resignation last week, one of its most powerful and least known men. To a former colleague, Angleton was a "spook's spook, the complete secret agent, a man completely dedicated, completely engrossed and, I think, completely obsessed with the tactics of espionage." To one of his rare friends, he was a highly literate and complex individual, a devout Roman Catholic and cold warrior unable to adjust to either ecumenism or détente. Whether he was a target or an accidental casualty of the disclosures concerning CIA domestic spying is unclear, but the feeling in the agency had long been that Angleton had outlived his usefulness—and last week Angleton finally stepped down.

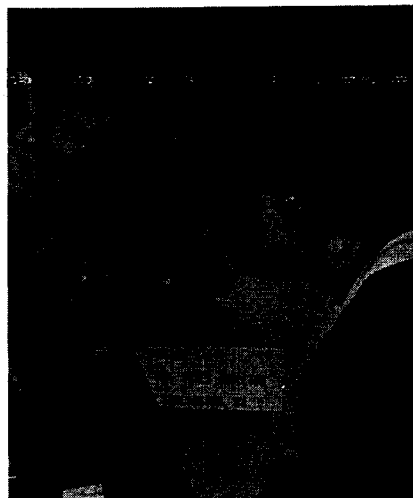
Like other CIA men of his generation, Angleton was of the old school: boyhood in Italy, prep school in England, poetry and soccer at Yale. He had barely enrolled in Harvard Law School when Pearl Harbor was bombed, plunging the U.S. into war and Angleton into the Office of Strategic Services, the precursor of the CIA. On assignment in Italy, Angleton added to his love for poetry two more passions—counterintelligence and the Mediterranean; to these he would later add the cultivation of prize-winning orchids. Thus when the war ended and the stars of such classmates as Kingman Brewster and William Kunstler ascended, Angleton stayed out in the cold. As one member of the class of '41 put it, "Jim sort of went into the woodwork 30 years ago and hadn't been seen since then—



ABC News from UPI



Trail of 'the Fisherman': Angleton today, his Yale yearbook photo and one of his prize-winning orchids



until he surfaced the other day."

In 1954, Angleton—known to some in the trade as "Fisherman"—began his two decades as head of the powerful and mysterious unit whose task is to ensure that foreign intelligence agents do not infiltrate the CIA. Its chief, one source said, meets the greatest "personal demands any human can face. He is a secret policeman within a secret organization. He must constantly deal with the reality that his friends, his colleagues, his leaders or indeed his own family could be 'penetrated.'" (Ironically, one of his friends was Kim Philby, the British agent who defected to Russia in 1963.) The stress took its toll on Angleton, jeopardizing his marriage, cutting him off from his three children and endangering his life. "He had emphysema," said an ex-FBI agent, "and he'd had half his stomach removed. It was his pace. He literally worked himself to pieces."

Angleton's reaction to last week's disclosures betrayed the strain, careening from belligerent denial to

partial agreement. When New York Times reporter Seymour M. Hersh published his story, Angleton called the reporter a money-grubbing "son of a bitch"—but then added that the Times account had "something to it" and that "there should be a full investigation." When another reporter in a late-night telephone interview asked why he had resigned, Angleton seemed still more disjoined: "Police state . . . Soviet bloc . . . fragmentation . . . I had a son in the infantry in Vietnam. Went from private to corporal." Was the boy wounded or killed? "No," Angleton replied slowly, "I think he's OK."

That odd speech was only an exaggeration of Angleton's usual convolution; by one account, two previous CIA directors had considered sacking him. But in the end, it was Angleton's total distrust of Communism and détente that became burdensome to the CIA. "He was not a man for all times," said an ex-agent. "He was a man for one time. He was a man for the cold war."

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said, they could have been compiled from intelligence that is routinely supplied to the CIA by the FBI or local police departments with which the agency maintains close—if questionable—ties.

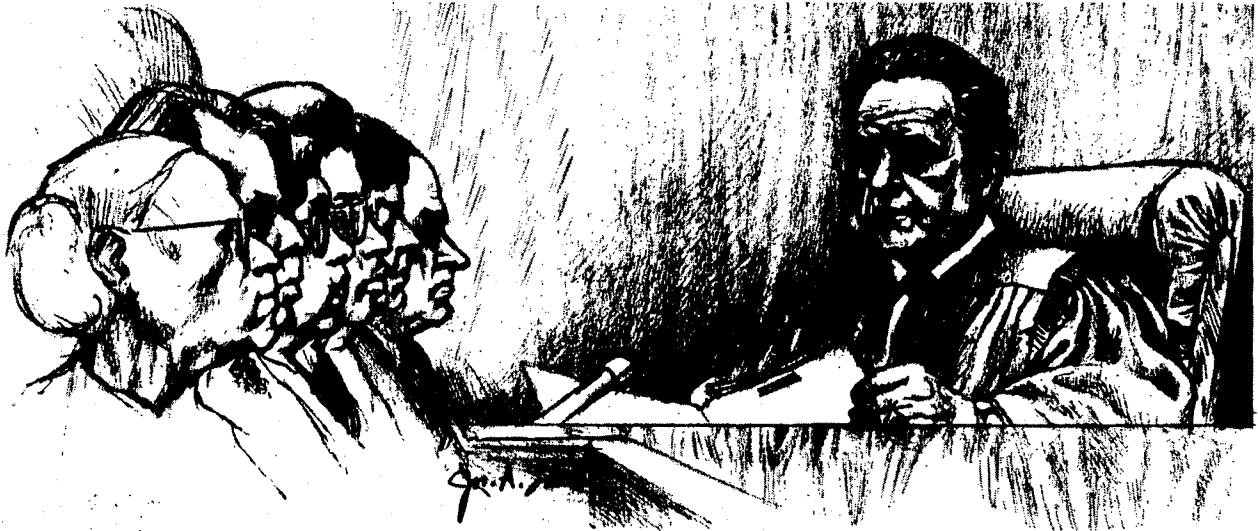
Just what *had* gone on? To begin with, the CIA has a long history of domestic activity, much of it perfectly legal. Despite restrictions in the 1947 National Security Act (in which the agency was barred from domestic "police, subpoena, law enforcement powers or internal security functions"), the agency recruits staffers inside the U.S., investigates their backgrounds and associates, sets up sophisticated "front" organizations for use in foreign operations and takes steps to protect all its plans, personnel and projects from enemy penetration. "This gave rise to the most enormous counterspy activities you've ever imagined," one source told NEWSWEEK—and he cited the agency's security division and James Angle-

ton in domestic surveillance and wiretapping prohibited by its 1947 charter. These cases were generally a direct result of CIA foreign investigations, they said, but even Americans with only second- or third-hand contact with a "foreign agency" might well come under scrutiny.

Obsessed: In 1970, the Nixon Administration stepped up demands for CIA activity inside the U.S. As the Watergate hearings revealed, the President and his closest advisers were nearly obsessed by fears that foreign elements were firing up domestic radicals. And a top-level FBI official says H.R. Halde- man, then the White House chief of staff, "was no longer satisfied with what we [the bureau] were giving him." Some sources maintained last week that Helms was reluctant to follow the White House orders and that his response was mostly pro forma, but others described the former CIA chief as an artful bureau-

a 1968 bombing in Ann Arbor, Mich. In addition, the agency reportedly was prevailed upon to undertake domestic "field work" on the international problems of narcotics traffic and airline hijacking by terrorist groups.

But it was unclear whether Helms or anyone else at the agency actually went on to set up the secret unit mentioned in the Times story. And thus it remained to be seen whether the irregularities involved were even more serious than those already privately conceded by officials. Meanwhile, Washington was trying to figure out just how last week's revelations figured in the internal politics of "the invisible government"—as the U.S. intelligence establishment came to be known. Among the logical sources of the story were some of the 1,800 CIA staffers cashiered by former director Schlesinger in his 1973 attempt to streamline the agency (an effort so unpopular, re-



Judge Sirica and the jury: A plea to close the ledger on Watergate.

ton's counterintelligence section as centers of widespread domestic activity.

The legal operations, however, occasionally "spilled over" to illegal operations—and CIA sources privately admit that the agency has been exceeding its authority on a more-or-less-regular basis at least since the Kennedy era. To be legal, most domestic surveillance work triggered by CIA operations overseas should be farmed out to the FBI. But former top officials of both the CIA and the FBI concede privately that the initial "close working relationship" between the two agencies often resulted in the CIA handling its own affairs. "We'd ask the bureau to do something and maybe they didn't have the strength in that area or they were short of manpower, and they'd tell us to take care of the matter ourselves," said the CIA veteran. "So we would."

As far back as the 1950s, these sources agreed, the agency was involved

crat who generally did as the President desired. White House aide Tom Charles Huston reported to his boss at the time that Helms was "most cooperative and helpful" in meetings called to set up the short-lived "Huston plan" for all-out domestic surveillance by various agencies of the government.

In any event, the CIA was foremost among the agencies that submitted reports on domestic radicals to the Nixon-created Intelligence Evaluation Board. And a responsible official familiar with the evaluation board's activities told NEWSWEEK that the CIA contributions "showed a good working knowledge of the radical left and in my opinion must have resulted from some field work in this country." One CIA source acknowledged that the agency had conducted investigations of campus disorders in the late '60s and early '70s, particularly in cases where CIA recruiting stations or research projects were involved—such as

portedly, that his squad of personal bodyguards had to be increased). Some insiders also suspected a contribution by a Schlesinger staffer and onetime CIA division chief who is thought to harbor a personal grudge against Angleton.

Boiling: Angleton, in turn, has told friends he was done in by Secretary of State Kissinger in retaliation for his outspoken doubts about the U.S. policy of détente with Russia and China. Kissinger, one insider said, was not above exploiting an opportunity to embarrass Colby, who on several occasions has appeared to blame the Secretary for ordering the CIA's controversial assistance to the now-deposed Greek junta and the Chilean "destabilization" plan. "Henry's been boiling for a chance to get Colby, and this was it," said one CIA nuance-reader. "He loves to see Colby squirm."

But far more serious was the state of public confidence in the CIA and the Congressional controls under which it is

rate. Even supporters agreed that a full-scale audit would be necessary to dig out the rot if the rumors if there were CIA executive disempowerment. And such policy picked up on Capitol Hill for the agency.

Two weeks ago, Mississippi's Sen. J. Dan Claitor stoutly defended the approach. "You have to find that you are going to shut your eyes some day," Stennis said. "The bill that passed recently passed on the expenditure of operations abroad, and 33 have agreed to co-sponsor

Watergate: The Last Act

It was the final inquest into the political crime of the century—a thirteen-week reprise of the lies, the payoffs, the promises and the corruptions of power that destroyed the Nixon Presidency. From Columbus Day to just past Christmas, the Watergate cover-up trial had once again laid out the evidence for and against the five fallen men actually in the dock, and, in absentia, Richard Nixon himself. Now, at long last, the case was set to go to the jury this week, and not even the hardest optimists around the defense tables looked forward happily to the day of judgment. "The evidence is all there," one lawyer conceded gloomily, "and it just kicks the bejesus out of you."

The behavior of juries, to be sure, is

with a daily deepening melancholy—the more so the higher each man stood in the old Nixon pecking order. Through the long trial, and in last week's closing arguments, they blamed one another for the Watergate crimes; they made an archvillain of their old colleague John Dean; they portrayed themselves variously as scapegoats, or outsiders, or lambs fallen innocently among wolves. And where all else failed, some of them turned on Nixon. Mitchell's lawyer, William Hundley, called the former President the "maestro" of the cover-up, and Ehrlichman's man William Frates pointedly reminded the jury that "the orchestra leader" was missing while his people were left to face the music. Deserting Nixon thus became the last resort of men



Drawings by Jos. A. Smith

Parkinson, Mardian, Ehrlichman, Haldeman, Mitchell: A sense of gloom as judgment day drew near

establishing a new four-member joint committee with powers to investigate all U.S. agencies. "The documented shops spying domestic—reluctance of these agencies to Congress, tears at the heart of our constitutional decision. Connecticut's Lowell of the bill's originators. Ford, NEWSWEEK learned, a "blue-ribbon" investigation, although whether it died by one man or a species not immediately clear. ain," said one former CIA the Times story has again forces critical of the agency is going to have a hard time it off with a superficial just as clear that Ford and had a real chance to rein in government—and that the is able than ever to resist.

difficult to read and dangerous to predict. But no one who had lived out the past three months in U.S. Judge John J. Sirica's courtroom doubted that the prosecution had put together a potent case indeed out of its parade of prison-pallid witnesses and its 28 damning reels of White House tape. The jury would have to sort through a total of seventeen conspiracy, perjury and obstruction-of-justice charges against the five accused men—onetime White House topsters John Ehrlichman and H.R. (Bob) Haldeman, ex-Attorney General John Mitchell and two 1972 Nixon campaign lawyers, Robert Mardian and Kenneth Parkinson. The government lawyers made it sound simple, and simple duty as well. "You, as the representatives of a free people," prosecutor James Neal said at the close, "are the ones who... must now balance the accounts and close the ledger [on] Watergate."

The defense by contrast was afflicted

who had come to grief defending him; it was, said one lawyer forbidden by a court ruling to speak on the record, "the only thing we've got going for us."

Dean: Neal and his prosecution team had filled 29 of the trial's 52 days rehearsing the now painfully familiar story of Watergate—the burglary plot first proposed in the office of a U.S. Attorney General; the telltale files incinerated in a fireplace and spaghettied in paper shredders; the hush-money drops in airport lockers and exurban mailboxes; the offers of clemency, allegedly in exchange for silence; the perjuries rehearsed by the President's men and acquiesced in by the President. The repertory company that played the Ervin hearings two summers ago all reappeared in Sirica's courtroom, Jeb Stuart Magruder still relentlessly penitent, Herbert Kalmbach still sad-eyed and rueful, John Dean still flat in tone and devastating in his recall of the details of a

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conspiracy of silence at the summit of American government.

Dean, ashy and thin after seven weeks in prison, burned his old chums badly; several defenders concluded after three bootless days of cross-examination that their best hope was to let him go and hope the jury would forget him. But Dean in a larger sense was secondary in the prosecution case to the most telling evidence of all—the disembodied voices of the Nixonians themselves on the former President's own tapes. The recordings, played extensively in public for the first time, caught Haldeman hatching a plan to deflect the FBI's Watergate inquiry on fictitious national-security grounds. They implicated Ehrlichman in confecting the lies required to sustain the cover-up. They revealed Mitchell to have been the prime Watergate suspect even among his own supposed friends—including the President

state to pay attention to what his underlings were doing. But the tapes placed him in the thick of the effort to abort the inquiry early on, and they sharply undercut the defense contention that the payments to the Watergate burglars had been no more than simple charity. On one recording, Haldeman agreed with Dean that the payments had been necessary to "get us through" the '72 election; on another, he told Nixon straight out that money had gone out "when a guy had to have another \$3,000 or something or he was gonna blow."

■ **Ehrlichman**, 49, rested his defense on the premise that he had tried all along to get the truth out and that Nixon had deceived him along with the rest of America. But he too was entangled by the tapes, notably those from the desperate hours of March and April 1973, when he, Haldeman and Nixon groped for a "scenario" to keep the cover-up to-

a member of a conspiracy, he was a victim of it"; his contention, supported by the tapes, was that the President and his White House command had designated the former A.G. as the "fall guy" in an effort to save themselves. But the recordings further showed that the Nixonians themselves genuinely believed Mitchell guilty of having authorized the Watergate bugging. And a string of witnesses testified that he had suggested burning some evidence; that he sat in on a meeting at which Magruder concocted his perjurious cover story, and that he cleared both payments of silence money and a veiled promise of clemency to Watergate burglar James McCord.

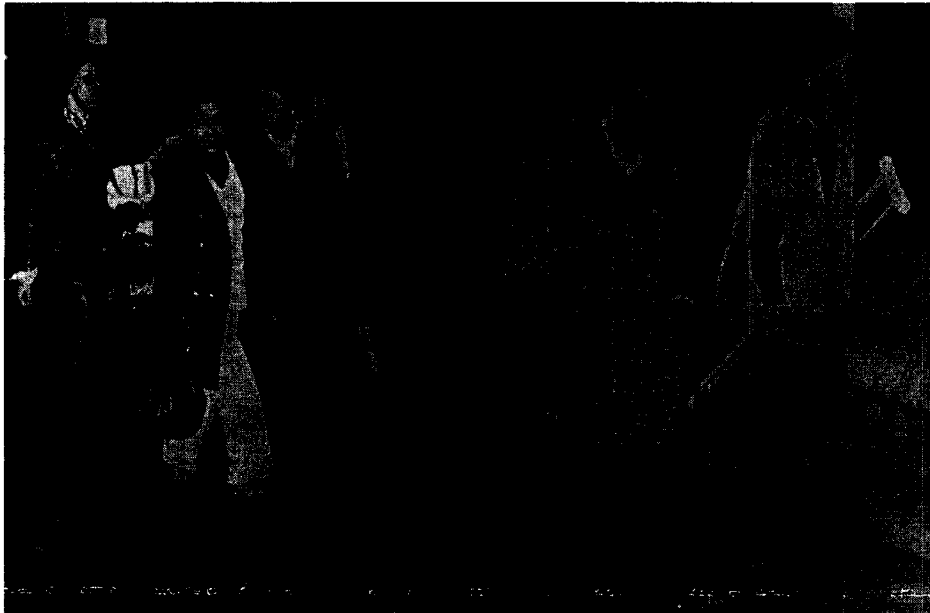
■ **Mardian**, 51, and **Parkinson**, 47, were by the prosecution's own accounting smaller fry—the "cymbal players," said Neal, in an orchestra dominated by their superiors in the White House and the Committee for the Re-election of the President. Mardian's lawyer,

Thomas Green, argued skillfully that the case against his man was built of sand; Parkinson's attorney, Jacob Stein, verged on tears portraying his client as an innocent political naif who had never known Nixon and never even met some of his supposed co-conspirators until their arraignment. The prosecution insisted nevertheless that both were involved, Mardian in the first frantic scrambling to keep the lid on, Parkinson as a middleman in the hush-money negotiations that ensued. But they distanced themselves from the Big Three in standing and complicity, and the corridor speculation at the weekend was that they stood proportionately better chances for acquittal.

The despond among the defenders was otherwise unrelieved. It was one measure of the force of the government's case that none of them denied that a conspiracy had existed; each sought instead to absolve his own man and lay the principal blame on somebody else—on

Nixon, or Dean, or Colson, or even a co-defendant. Haldeman's aging chief counsel, John J. Wilson, pounced on some early gaffes by Judge Sirica and filed them away in what he liked to call his "error bag"—a ploy widely read as his acknowledgment that he may well have a conviction to appeal. Frates, for his part, saved one emotional passage in his summation for an appeal to the jurors not to "go along with the crowd . . . but stick with your firm conviction." His between-the-lines wish was transparently a hung jury—an outcome some of the defense lawyers concede among themselves to be the happiest ending still available to them.

The gambit rested in turn on the hope that one or two strong-willed jurors would be offended by Nixon's having



The jurors leaving court: A world apart from the five men in the dock

himself. And they demolished Nixon's own protestations of innocence: the tapes confirmed his acquiescence in—and sometimes active direction of—the crimes that brought him down.

Out of it all, piece by piece, the prosecution fit its five interlocking mosaics of evidence together:

■ **Haldeman**, 48, stood accused not only of trying to untrack the FBI—the attempt that drove Nixon himself from office when the tape came out last August—but of authorizing hush-money payments out of a secret \$350,000 political fund in his control. The heart of his defense was that, as lawyer Frank Strickler put it last week, the scandals had been no more than "a pimple on the mound" of Haldeman's duties; he accordingly was too preoccupied with matters of

gether. And colleague after colleague from the old crowd implicated him in phase after phase of the cover-up—telling Kalmbach to "go forward . . . in absolute secrecy" with raising money for the Watergate defendants; suggesting that Dean "deep-six" an attaché case full of incriminating material; authorizing one-time staff colleague Charles Colson to pass "general assurances" of clemency to Watergate conspirator E. Howard Hunt—"to keep him happy," Colson said.

■ **Mitchell**, 61, was enmeshed in a skein of evidence beginning with the first flip-chart presentation of G. Gordon Liddy's plans for bugging the Democrats (he was there) to the last \$75,000 pay-off to Hunt (he was said to have authorized it). His chief counsel, Hundley, argued passionately that Mitchell "wasn't

gone free and so will hold out against convicting his subalterns. Frates played particularly heavily on the former President's absence, until, with the jury out of the room, Sirica cut him short. At one point, the judge edged toward expressing his own apparent misgivings about the Nixon pardon, then caught himself; he said only that it was irrelevant to the trial—that the defendants were “all over 21” and could have said no even to a direct Presidential order to “stonewall” Watergate. He proposed, as an analogy, a case in which five men get caught robbing a bank and one, by luck or pull, engineers a pardon for himself. “Does that mean,” asked Sirica, “the jury must acquit the other four who were equally guilty?”

“No, sir,” said Frates.

“Absolutely not,” said the judge.

“Of course not,” said Frates.

The judge echoed the sentiment in the instructions he prepared for the jur-

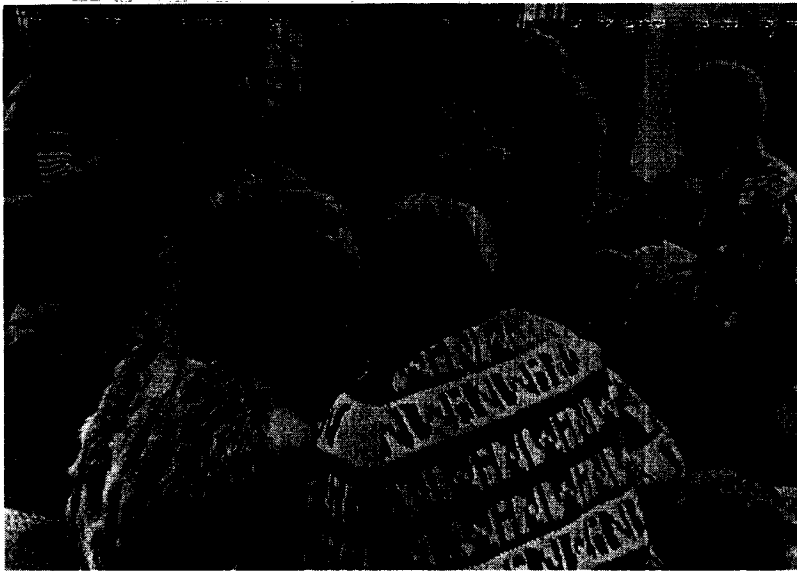
Tough Choices in the Snow

Gerald Ford went skiing for Christmas as usual, but it wasn't the same.

The snow at Vail, Colo., lay deep and crisp and even, and Ford was in his best skiing form, skimming the powder with a finesse that left his instructor beaming. But there were bumps along the way. The Secret Service had ruled that he couldn't even stay in his own condominium. A new Gallup poll found that his popularity had waned to an all-time low of 42 per cent—down 29 points since he took office. Fully 158 bills left by the outgoing 93rd Congress lay on his desk. He had to contend with allegations of illegal domestic spying on Americans by the CIA—and Ford's advisers on energy and the economy, whom he had summoned to help prepare the programs he will announce in his mid-January State of the Union speech, brought only chilling

ing firm)—warned at a press conference that the energy crisis posed the most serious economic threat since the Great Depression. They urged Ford to adopt stringent, mandatory measures—among them, stand-by rationing power and stiff petroleum taxes.

Ford himself conceded in an interview with UPI's Helen Thomas that public cooperation had failed, and promised “very strong measures” to curb oil consumption. In the same interview, he reiterated that only a “family tragedy,” such as a recurrence of his wife's breast cancer, would deter him from running for President in 1978—and he confirmed some long-expected changes in his Cabinet. Housing



The White House

Ford with family, on the slopes: ‘Scrooge came with Santa Claus’

ors this week, pronouncing the pardon “extraneous” to their deliberations and instructing them to disregard it. But the question of justice as well as the burden of judgment rested finally with them. They are mostly black (eight of twelve), mostly women (nine of twelve) and mostly of ordinary callings (a doorman, a dime-store clerk, a retired maid); they are a slice of a Washington life far distant from that of the five privileged white men sitting before them. They have sat impassively through their three-month confinement with the Watergate crimes, betraying little of their emotions and nothing of their intent. It was they who were to cast America's verdict on Watergate this week; it was for them to bring what Gerald Ford called “our long national nightmare” to its denouement at last.

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news. White House aide Donald Rumsfeld was the taskmaster, and he drew an uncharacteristic bit of Presidential grumping. “Scrooge came with Santa Claus,” Ford told newsmen. “Rumsfeld came.”

Presidential duties took up more than half his holiday time, and while Ford said the idyllic mountain setting made it “hard to concentrate,” he was sensitive to gathering pressure for tough policy decisions. He cleared a fifth of the bills awaiting him, vetoing two as inflationary. And as he prepared for an all-day session Friday with his senior energy advisers, a new, high-powered citizens' group—including such luminaries as former Secretaries of Commerce John T. Connor (now chairman of Allied Chemical) and Peter G. Peterson (chairman of Lehman Brothers, the investment-bank-



BARRY STOTT

Secretary James T. Lynn will be replacing departing Roy Ash as budget director; Edward Levi, president of the University of Chicago, will be nominated for outgoing Attorney General William Saxbe's job, and James Schlesinger, contrary to speculation, will be kept on as Secretary of Defense. Without being specific, Ford made it clear that he would soon be replacing some remaining holdovers from the Nixon Cabinet.

Plaid: For all the demands of his office, Ford managed to have one of the folksiest Presidential holidays since LBJ's day. Forsaking suit and tie for turtle-necks, plaid trousers and moccasins, he