

Ex-FBI Aide Says He Doesn't Recall

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A former chief of FBI intelligence operations has told Justice Department officials that he has "no recollection" of having authorized FBI agents to commit illegal burglaries in pursuit of radical fugitives during the early 1970s.

William C. Sullivan said yesterday that he gave this information to Assistant Attorney General Benjamin Civiletti, head of the Criminal Division, and another department attorney in a meeting Monday at Sullivan's home in Franconia, N.H.

Sullivan, who retired in 1971 as the FBI's third-ranking official, said he also specifically denied to Civiletti having any knowledge about the possible involvement of top-level Nixon administration figures in the bureau's use of illegal methods in domestic security investigations.

In a telephone conversation, Sullivan characterized as "misleading and distorted" an article in yesterday's Washington Star. It quoted him as saying it was "possible" that on "two or three" occasions he gave FBI agents permission to carry out burglaries in the early 1970s.

"What I told the Star," Sullivan said, "was the same thing that I told the two gentlemen from the Justice Department—that I certainly did not initiate any such activities and that I have no recollection of agents asking me for authorization to conduct surreptitious entries and giving them the go-ahead."

"I also said that this involved things that happened some years ago when I was engaged in a large volume of business regarding intelligence investigations," he added. "Therefore I was reluctant to make a dogmatic, positive statement of denial, since there's always the chance that six months from now, someone will come up with a memo about some incident that I'd forgotten."

"So I qualified my answers to Mr. Civiletti and the Star by saying I had 'no recollection' of such incidents," he said.

Sullivan was questioned as part of the Justice Department's continuing probe into allegations that, from 1970 through 1972, FBI agents in New York used illegal burglaries, mail tampering and wiretapping to pursue fugitive members of the Weather Underground.

On April 7, John J. Kearney, a retired supervisor in the New York field office, was indicted on charges of helping to direct the mail-opening and wiretapping operation. The Justice Department is known to be weighing

the possibility of indicting several other present and former FBI officials on related charges.

Kearney's indictment has stirred angry charges from rank-and-file FBI agents that they are being made scapegoat for activities that they believe were authorized at high levels of government.

During recent weeks, some FBI sources have told reporters they believe that the New York operations were initiated by former Attorney General John N. Mitchell or Robert C. Mardian, who headed the Justice Department's Internal Security Division in the early 1970s. According to this story, Mitchell and Mardian may have enlisted Sullivan as an ally to bypass the late FBI Director J. Edgar Hoover, who ordered the bureau to halt its use of surreptitious entries in 1966.

A former Central Intelligence

Agency official, James Angleton, has said that Mardian was aware of the FBI's renewed use of burglaries, but Mardian has denied the charge. None of the FBI sources telling of a possible Mitchell-Mardian connection has offered any proof, and sources said the Justice Department probe so far has not uncovered any evidence that they or other Nixon administration officials were involved.

Sullivan, in adding his denial,

pointed out that he was forced by Hoover to retire from the FBI on Oct. 6, 1971. It is generally believed that the New York burglaries did not begin until 1972 or, at the earliest, the end of 1971. Sullivan, in noting those dates, said, "I was gone by then. How could I have approved things that happened after my time?"

He also objected to a passage in the Star article quoting him as saying that if FBI agents had asked him to

authorize burglaries, he would have "given the green light."

"That, he said, 'came about in the context of my telling the Star that I believed Kearney and possibly others were being unfairly prosecuted for doing things that had long been standard practice in the bureau and that I was willing to testify to that on their behalf."

"I did say that such things had been accepted practice and that even after

Hoover issued his ban on surreptitious entries in 1966 there were occasions when he made exceptions."

"So," he said, "in that context, I told the Star that if a situation arose where there seemed to be a compelling national security interest in making a surreptitious entry, I would be in favor. But I also told them I wouldn't have done it on my own hook. I would have gone to Hoover and put the question to him."