

4/15/71

Dear Senator Muskie,

Enclosed is a copy of my today's letter to Press Secretary Ziegler.

I have reason to believe and believe I can prove that this espionage against me continues, that there was a case within the past month (in that case for the CIA, not the FBI). The explanation may be in the subject and nature of my writing, which is a thorough exposure of the FBI. I enclose two current reviews that may suggest this to you also.

This kind of wrongdoing extends into other areas. There is a systematic campaign to deny citizens' rights under the Freedom of Information Act. The record with which I can supply you, on Kleindienst and Mitchell, should be close to unparalleled, begins with written and repeated lies by them and extending to perjury by subordinates and others, is one of undeviating falsehood.

It includes what we would once have regarded as the incredible, the actual confiscation of court records of the public trial of an American and the subsequent insistence that the government did not have them. Ultimately, when a hearing in my suit could no longer be delayed, I was finally given access to the records, but to this day, the copies were not completely delivered to me.

Do I have to tell you what kind of burden it is for a writer to have to sue for public information, to be confronted with nothing but unending official lies, and all this while he is the subject of official surveillance?

Or the depressing effect on that most basic freedom, freedom of information for all citizens and the freedom of a writer to write?

If you succeed in getting the board you propose established, you will also need a few rare experts, those who have penetrated and understood official semantics.

Sincerely,

Harold Weisberg

4/15/71

Mr. Ronald L. Ziegler
Press Secretary
The White House
Washington, D.C.

Dear Mr. Ziegler,

This letter is prompted by the following quotations from you in response to Senator Muskie's charges of federal surveillance of citizens engaged in legitimate and Constitutionally-protected activities:

"Muskie's charges were 'political statements ^{in which} ~~statements~~ may have been made for purposes of getting a headline'."

"The President's attitude is that snooping or surveillance of private citizens is quite repugnant to this administration."

"normal for the FBI 'to observe individuals with records that relate to criminal violence where they attend an event!'"

Now I have been the victim of intrusions into my rights by three such federal agencies. I have been a man of non-violence all my adult life and, save for military duty in World War II, to the age of 56, have never committed any violent act, nor have I recommended any. I have committed no crime, have no reason to suspect I am suspected of having committed any, nor have I any reason to believe I associate with known criminals.

The nature of surveillance against me and other interferences with my rights make it clear they relate to but a single thing: my writing and my public speaking about it. Is there, Mr. Ziegler, a more protected right, or a more "repugnant" transgression against one?

My mail has been regularly interfered with. By way of proof I can refer you, among others, to two reputable literary agents and a reputable publisher. Without doubt, in one case, the interception and delay of my mail cost me publication of one of my books in another country. I can supply the proof from that publisher, who was fed false information at the same time. Had that particular interference, which lasted about two months, been terminated one day sooner, the book would have been contracted. The contract had been agreed to and was being drafted. One reputable Washington correspondent is another with personal knowledge of this, for a manuscript mailed him never reached him and was returned to me six weeks later with an obviously false explanation. Who not federal can interfere with the mails?

On travels, my baggage has been intercepted repeatedly, with damage, including to it, my typewriter and my tape recorder, in each case the carrier making it clear that this was not simply mishandling.

I have copies of some of the espionage on me. And, although I have repeated the request, I have not been able to get even pro forma denial that agents have been speaking to those I have interviewed, defaming me.

The question is not whether such anti-American federal conduct is "repugnant" but what will this administration do about it, what will it do to undo the damage already done, and how to it propose to see that it ends?

cc: Senator Muskie

Sincerely,

Ziegler Calls Charge 'Political'

Muskie Says FBI Spied on Earth Day

4/15/71
By Spencer Rich

Washington Post Staff Writer

Sen. Edmund S. Muskie (D-Maine) accused the FBI yesterday of spying on 40 to 60 "Earth Day" conservation rallies all over the nation last April 22.

Calling the FBI activity a "fishing expedition" and "general political surveillance" for which no constitutional or legal authority exists, Muskie released copies of what he described as an internal FBI report on the Earth Day rally held here at which he himself was a speaker. He said he had obtained the document about two weeks ago and had no doubt of its authenticity.

Muskie said the FBI surveillance of innocent activity by conservationists represented "a threat to our privacy and freedom" and a "monumental waste of the taxpayer's money and of the valuable time of trained FBI agents."

The FBI and Justice Department had no comment, but White House Press Secretary Ronald L. Ziegler suggested that Muskie's charges were "political statements which may have been made for the purpose of getting a headline." Ziegler said, "The President's attitude is that snooping or surveillance of private citizens is quite repugnant to this administration."

Ziegler said the administration had no policy of snooping on Earth Day, which the White House supported.

See MUSKIE, A8, Col. 5



SEN. EDMUND MUSKIE
... "threat to freedom"

Muskie Says FBI Spied on Earth Day

MUSKIE, From A1

He said that if the FBI did spy; it was contrary to administration policy. But he said it was normal for the FBI to "observe individuals with records that relate to criminal violence where they attend an event."

Muskie, who is widely regarded as the front-runner for the 1972 Democratic presidential nomination, said the document he received "raises far-reaching questions over the present surveillance activities of the FBI. He went on:

"If there was widespread surveillance of Earth Day last year, is there any political activity in the country which the FBI doesn't consider a legitimate subject for watching? If anti-pollution rallies are a subject of intelligence concern, is anything immune? Is there any citizen involved in politics who is not a potential subject for an FBI dossier?"

He continued, in a Senate speech, "What possible legitimate use could this report serve? . . . What is a more proper or protected activity for an American than a rally to bring to the attention of

our government a concern for a cleaner environment?"

"I know that at least one other member of this body, and probably others, had some of their speeches and participation in Earth Day rallies subject to surveillance," said Muskie. He declined to identify the other senator, but it was widely believed to be Gaylord Nelson (D-Wis.), an originator of the Earth Day concept. Nelson spoke at 19 rallies between April 4 and April 24 last year in connection with Earth Day.

Nelson could not be reached directly, but his office issued a statement saying, "I was shocked to learn that the FBI felt it necessary to spy on the literally tens of millions of Americans who were involved in Earth Day activities all across the country last year."

Nelson said last year's Earth Day celebrations had been praised by such administration figures as Russell Train, chairman of the President's Council on Environmental Quality, and James Allen, Jr., then Commissioner of Education. At least 150 members of Congress and 100 representatives of the Nixon administration

had participated in the Earth Day rallies, Nelson said.

According to news accounts at the time, Earth Day speakers at various places last year included such GOP stalwarts as Transportation Secretary John A. Volpe, Interior Secretary Walter J. Hickel, Navy Secretary John H. Chaffee, and Sens. James B. Pearson (Kan), Hugh Scott (Pa.), John Tower (Texas), Robert W. Packwood (Ore.) and Clifford P. Case (N.J.).

The President himself sent word through a press aide that he "feels the activities show the concern of people of all walks of life over the dangers to our environment."

Both Muskie and Nelson said the FBI activity suggested that the nation could not depend on "self-restraint" by government agencies to prevent abuses in surveillance of citizen activities.

Muskie proposed creation of a Domestic Intelligence Review Board, responsible both to the President and Congress, to supervise every kind of government surveillance.

The Maine Senator's slashing criticism came at a time when the FBI's surveillance

activities were already under severe questioning from the Senate Constitutional Rights Subcommittee, headed by Sen. Sam J. Ervin Jr. (D-N.C.). It has been trying—so far unsuccessfully—to obtain memoranda showing what standards the FBI uses in deciding whom to spy on. The FBI also has been attacked by House Majority Leader Hale Boggs (D-La.), who accused it of listening in on congressional phone conversations.

Adverting to these charges, Muskie said he hasn't any way of knowing whether the FBI taps the phones of congressmen, but "I find myself thinking twice before saying certain things on the phone."

The document put into the record by Muskie was identified as a June 10, 1970, internal memorandum, bearing the Justice Department-FBI seal and written on Justice Department stationery, describing the April 22 Earth Day rally at the Washington Monument. It included the comment that Muskie, shortly after 8 p.m., "arrived and gave a short anti-pollution speech."

Muskie Says FBI Spied

Robert F. Levey
and
Philip A. McCombs

Washington Post Staff Writers

Sammie Abdullah Abbott said it proves the FBI operates from "the depth of a sewer." I.F. Stone said it was purposeless. Robert Waldrop said it was pathetic.

Abbott, Stone and Waldrop were among 11 Washingtonians who, according to Sen. Edmund S. Muskie (D-Maine), were observed and reported on by the FBI on Earth Day, the national "day of concern" for the environment held April 22, 1970. Muskie said he was quoting from an FBI report.

In telephone interviews yesterday, Abbott, Stone and Waldrop said they were unaware that they had been under surveillance on Earth Day, and said they do not consider themselves or the environmental issue subversive. The three were the only ones among the 11 identified in the report who could be reached yesterday for comment.

Abbott, a former labor union organizer who has led the fight against new freeways in Washington, was not only identified in the report as one of those who had been under surveillance, but was described as a "publicly identified . . . Communist party leader."

Asked if he could categorically deny being a Communist, Abbott said:

"I don't have to categorically deny s . . . like that. It's nobody's frigging business. My whole record is public. If they can't judge me by what I do and how I act, then I've got every damn right. . . ."

Abbott added, however, that at a time he would not specify, the FBI had approached him and asked him as "a patriotic American" to be an informer.

"The agents . . . told me that they knew I was not a subversive or a foreign agent," Abbott said. "They knew about my decorated war record." Abbott refused to be an informer, however, he said.

On Earth Day, Abbott was one of several speakers at an American University rally. His speech dwelt on how new freeways would create new air pollution.

"I think the time has come," Abbott said yesterday, in a reference to FBI Director J.

Edgar Hoover, "to cleanse America from a purveyor of untruths, half-truths and falsifications."

Stone, a journalist who published a newsletter here, spoke at the same rally on the Mall as Sen. Muskie on Earth Day. In his speech, Stone declared that the day was "a beautiful snow job" because it was diverting attention from the Vietnam War, which Stone said he considered a greater menace.

"I certainly don't mind the

on Earth Day

FBI coming to hear me speak," Stone said yesterday. "But I don't see what purpose it had except to educate FBI men on the environment."

"The problem the FBI ought to be worried about," Stone said, "us that they have so many agents infiltrating the left "that many of them get radicalized and liberalized by what they hear."

"There must be some way to repasteurize or rehomogenize them," he said.

Waldrop, a Washington rep-

resentative of the conservationist Sierra Club, said he felt "outrage" that a "patriotic movement" like Earth Day "should be tarred with a subversive brush."

"On the one hand they ask us to work within the system for change," Waldrop said, ". . . and on the other hand they slap us with this."

"The FBI, more than any other element in America today, is forcing a polarization . . . I don't have any idea why they would do it."