

MUSKIE SAYS F.B.I. SPIED AT RALLIES ON '70 EARTH DAY

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Tells Senate That Report on
Gathering in Washington
Took Note of His Talk

WHITE HOUSE COMMENT

Press Aide Says President
Finds the Surveillance of
Citizens 'Repugnant'

By JOHN W. FINNEY
Special to The New York Times

WASHINGTON, April 14 —
Senator Edmund S. Muskie
charged today that the Federal
Bureau of Investigation con-
ducted widespread surveillance
of last year's antipollution ral-
lies on Earth Day, including his
own appearance before a Wash-
ington meeting.

In support of his charge, the
Maine Democrat made public an
F.B.I. intelligence report on the
Earth Day rally in Washington
on April 22, 1970. The long re-
port, written on Department of
Justice stationery, noted that
Senator Muskie arrived shortly
after 8 P.M. and "gave a short
antipollution speech."

'A Dangerous Threat'

In a Senate speech today
Senator Muskie said he under-
stood that there were 40 to 60
F.B.I. reports on other Earth
Day rallies around the nation
last April and that at least one
Senator and probably others
had been subjected to surveil-
lance for their participation in
the rallies.

Describing such surveillance
as "intolerable in a free soci-
ety" and "a dangerous threat
to fundamental constitutional
rights," the Senator asked:

"If there was widespread sur-
veillance over Earth Day last

year, is there any political ac-
tivity in the country which the
F.B.I. does not consider a leg-
itimate subject for watching?
If antipollution 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 F.B.I. dossier?"

F.B.I. Declines Comment

Neither the Justice Depart-
ment nor the F.B.I. had any im-
mediate comment on the Mus-
kie speech, which fits into a
growing Congressional pattern
of criticism of the F.B.I. and its
director, J. Edgar Hoover. Sen-
ator Muskie, an unannounced
candidate for the Democratic
Presidential nomination, has
previously called for the retire-
ment of Mr. Hoover and today
he attacked the bureau's meth-
ods of operation.

At the White House, the
Presidential press secretary,
Ronald L. Ziegler, when ques-
tioned about the Muskie speech,
said that "snooping or sur-
veillance of private citizens is
totally repugnant" to President
Nixon. Throughout the ques-
tioning by reporters, however,
a sometimes indignant Mr.
Ziegler seemed to be drawing
a distinction between Admin-
istration policy on surveillance
and F.B.I. activities.

While saying that he did not
know if the F.B.I. had moni-
tored Earth Day activities, he

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said if the F.B.I. had, it was
"not for the surveillance of
Earth Day activities on the
Administration's behalf."

In response to a question,
Mr. Ziegler said it would be
inconsistent with Administra-
tion policy if the bureau had
monitored private citizens at
the rallies. But, he went on to
say that there was no indica-
tion that the F.B.I. had con-
ducted itself contrary to Admin-
istration policy and he offered
the supposition that if they
were present, the bureau's
agents were carrying out their
"normal duties."

Mr. Ziegler described him-
self as "exercised" over the
Muskie speech as well as re-
cent statements by Representa-
tive Hale Boggs, the House
majority leader, charging that
the F.B.I. was tapping the tele-
phone lines of some members
of Congress.

Such statements, he com-
plained, were "aimed at getting

big headlines" and left "a total-
ly misleading impression" about
Administration policy on sur-
veillance.

In his speech, delivered be-
fore a virtually empty Senate
chamber, Senator Muskie pro-
posed the creation of a domes-
tic intelligence review board,
composed of prominent mem-
bers of Government intelligence
agencies, Congress, the judiciary
and the bar, to supervise the
domestic intelligence activities
of the F.B.I. and other agencies
as well as to recommend exec-
utive orders and legislation "re-
quired to curb the unnecessary
use of surveillance in our so-
ciety."

Senator Muskie did not say
where he had obtained the
F.B.I. report, except to state
that it was "in no way con-
nected" with documents stolen
from an F.B.I. district office in
Media, Pa. A spokesman for
Mr. Muskie would say only
that the report came from "a
third party."

The report, dated June 10,

1970, was, a footnote indicates,
apparently distributed among
other Government agencies. It
includes a chronology of the
preparations for the Earth Day
rally, lists the individuals in-
volved and gives a detailed de-
scription of the songs sung,
speeches made and signs car-
ried at the rally. Senator Mus-
kie figured only briefly in the
report.

Attached to the report were
two appendixes, one describing
the Students for a Democratic
Society, the other describing
the Progressive Labor party.
Senator Muskie said the "coin-
cidence" of attaching the re-
ports on the radical political
organizations "underscores my
concerns."

Mr. Muskie said:

"Here is a report that identi-
fies me as a speaker to an
Earth Day audience; describes
certain other speakers as hav-
ing association with those far-
left organizations, and then
wraps it all up—all the concern
and indignation people felt that

day about the spoiling of the American environment—with a brief outline of two radical political groups.

"This document is then distributed to various other intelligence organizations, and perhaps elsewhere. What is the inference?"

"Unless one is accustomed to this kind of thing, and therefore hardened to it, the inference is that Earth Day, Senator Muskie and many thousands of Americans who gathered together to protest pollution were somehow related to S.D.S. and the Progressive Labor party. And that inference is hardly removed by the standard closing lines, "This document contains neither recommendations nor conclusions of the F.B.I.""

From the report, it appeared that the appendixes were attached to identify the association of William Hobbs, editor of a newsletter published by the Environment News Cooperative of Takoma Park, Md.

Noting that the newsletter made its debut about a week before the rally, the report said that Mr. Hobbs, "according to another Government agency, was formerly associated with the Students for a Democratic Society at George Washington University, with the Southern Christian Leadership Conference, and was one of the prime movers in the Action Coordinating Committee to End Segregation in the Suburbs, better known as ACCESS."

At another point, the report noted that one of the persons attending a pre-rally news conference was Sammie Abbott, publicity director for the Emergency Committee on the Transportation Crisis, a foe of inner-city freeways. Mr. Abbott, the report said, "has been publicly identified in the past as a Communist party leader" and his activities on behalf of the E.C.T.C. have led to local publicity and several arrests."

"Why," Mr. Muskie asked, "does the F.B.I. need to know who attended and what was ju

said at Earth Day rallies across the nation?"

"No crime or threat of crime was involved nor was any violence threatened. Even if our intelligence agencies believed that Earth Day might turn into a threat to our national security or a scene of violence requiring Federal troops, that would not justify a report about the rallies afterwards, when it was clear that no threat to our Government did occur. And why is the report of nonviolent and noncriminal events distributed to other agencies of our Federal Government?"