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High-Level Backing Cited In C.I.A. Drug-Unit Spying

By NICHOLAS M. HORROCK

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WASHINGTON, July 10—Narcotics, the infiltration program was instituted at the request of John Ingersoll, then director of the narcotics bureau, and partly paid for out of "unvouchered" funds available to the Attorney General. Three Attorneys General—Mr. Mitchell, Richard G. Kleindienst and Elliot L. Richardson—knew about the program, but never questioned its legality, these sources said. James R. Schlesinger, former head of the C.I.A., may not have been briefed on the operation during his short tenure at the agency, the sources said. Mr. Colby halted the operation in 1973, when the Drug Enforcement Administration abolished the narcotics bureau in a major reorganization. The agents allegedly used in the narcotic bureau were recruited and trained by the C.I.A. As the program moved forward

This report came as William E. Colby, the current Director of Central Intelligence, denied as "outrageous nonsense" a report indicating that a high-level member of the Nixon White House staff had given information to the C.I.A. Also today, the House Rules Committee moved to abolish the strife-torn House Select Committee on Intelligence and replace it with a larger panel that would retain the same authority. [Page 34.] According to the sources familiar with the Bureau of

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in 1970 and 1971, there was concern as to whether the 13 men who had infiltrated the B.N.D.D. might still be reporting to the C.I.A., sources said. Two of the men, for instance, went overseas as part of their function for the narcotics bureau.

The program is under renewed scrutiny by the Senate Select Committee on Intelligence and is also being investigated by the Senate Permanent Subcommittee on Investigations, whose chairman is Senator Henry M. Jackson, Democrat of Washington.

The program has come under sharp criticism on two grounds. The Rockefeller commission found that it violated the C.I.A.'s 1947 charter, which prohibits the agency from exercising police powers within the United States. And army officials believe that in its primary goal of stamping out corruption among Federal narcotics agents, the program abrogated the agent's rights to due process of law and privacy.

John R. Bartels Jr., who recently resigned as head of the Drug Enforcement Administration, told the Jackson subcommittee today he did not continue the program under D.E.A. because "the philosophy of using this type of covert program seemed to me to be potentially damaging to the morale of agents in the field and also at variance with my philosophy of according the same type of constitutional protections to agents as one accords to defendants in drug-related cases."

The idea for the undercover men was conceived by Mr. Ingersoll in 1970 as a result of his growing concern about how to identify and halt internal corruption in the narcotics bureau. He received approval for the program from Mr. Mitchell and—on the basis of it being a request from the Attorney General—Mr. Helms pledged agency cooperation. No consideration was given to the question of whether the program was legal, two sources familiar with it said.

"It could not be said that the C.I.A. was in any way reluctant to cooperate," one source said. According to sources, the following occurred:

Two C.I.A. agents, posing as private businessmen, began recruiting candidates for a secret operation in law enforcement.

Candidates were not told they would be working undercover within B.N.D.D. at first. The men were trained in two-

week courses in the "trade craft" of code names and other aspects of covert operations. They were also given a rigorous background check.

At the end of this period they were asked if they wanted to work for the narcotics bureau. Thirteen of the 19 candidates eventually went to work there. The secret operatives applied, were examined and trained as Federal narcotics agents with the knowledge of only two men, Mr. Ingersoll and Patrick Fuller, then Chief of Internal Inspection. Mr. Ingersoll is abroad and Mr. Fuller declined to comment.

The operatives were spread out over the various B.N.D.D. regions, and eventually two of them went abroad. In one case, officials of the bureau heard a "rumor" that agents in a field office were drinking heavily and using Government cars to drive around with their girl friends.

One of the operatives was "routinely" transferred into the suspect office and assigned to

cultivate the erring agents.

It was his job to find out if there was sufficient truth to the rumor to begin an internal inspection case. The agent reported only to Mr. Fuller, using a code name and other protections. There is some question over the effect the undercover report of corruption might have on the victim.

"There's a phrase in the trade," said one source. "It's called, 'dropping a dime on a guy.' That means you can ruin a man with a telephone call." He said that unsubstantiated allegations by these secret operatives resulted in men's chances for promotion being halted. Another source, however, said the material was not used against an agent unless it could be substantiated in a case for dismissal or other Civil Service action.

The 13 men are all still with the narcotics bureau, according to several sources, and have been transferred to routine jobs. The Drug Enforcement Administration also has some 60 former C.I.A. employees working in its structure.

What has concerned several intelligence sources is the reason the C.I.A. would cooperate in such a program and whether, in fact, some of these operatives were placed to give C.I.A. secret internal power in the narcotics agency.

Yesterday a source close to the staff of the House Select Committee on Intelligence told The New York Times that the staff director, A. Searle Field,

had seen a document that indicated that a high level member of the Nixon White House staff was reporting to the C.I.A. Several members of the committee told reporters that Mr. Field had issued an internal advisory to the committee members suggesting the C.I.A. documents showed the agency had a pattern of infiltrating the executive branch.

Today a source close to the House Committee's investigation said the documents that Mr. Field saw were apparently produced by the Office of the C.I.A.'s Inspector General, but had not been provided to the Senate Committee.

This source said Mr. Field saw the documents as part of a list of possible improprieties that the C.I.A. might have to answer to. This, the source suggested, would make it appear that the C.I.A. had men in the White House without the knowledge of the President.

Mr. Colby, however, reacted to these reports with an angry charge that they were "outrageous nonsense" and there was "no truth to" the proposition the C.I.A. had secretly infiltrated the White House. Ron Nessen, the White House press secretary, said there "may be a handful" of C.I.A. employees working at the White House but it "shows up on the payroll . . . they're here quite openly."

Authoritative sources familiar with the Rockefeller commission activities said the commission never saw any evidence that the C.I.A. had made improper infiltration into any other United States Government agency except the narcotics bureau.

Senator Frank Church, Democrat of Idaho, who is chairman of the Senate Select Committee on Intelligence, has ordered his staff to make an investigation into the infiltration charges. He declined, however, to confirm or deny whether his committee had received any C.I.A. documents that implied it was spying on the White House.