

Rt. 8, Frederick, Md. 21701
12/30/73

Dear Mr. Schorr,

In your entertaining "The Strange Case of..." there is another possibility of which you appear to be unaware, that the hoked-up background investigation of you was what in the detective-agency business used to be called "rough shadowing."

I don't know how much George Herman told you of me. I was part of a Senate investigation of real finks and the agencies for which they worked. This was back in the 1930s.

"Rough shadowing" was the opposite of clandestine operation. Its purpose was for the shadowed to know. The intended effect was intimidation.

Whether Hoover, who knew the business he invented, was no more than "impish" I cannot say. He could have desired to try intimidation when he had a White House cover for it or those fascists in power may have had the idea, knowing that investigations of that sort can't be kept secret.

I would suggest that by that relatively later date, long after your assignment to Washington, it was not necessary to conduct any new investigation of you and whatever it might have been that the White House or Hoover may have wanted to know about you did not require any investigation. They had it all on file.

If this does not eliminate the possibility of Hoover "impishness," it tends to make me believe that he or someone else in the FBI rather than the White House wanted to try to intimidate, if this was the name of the game, with the possible side benefit of being able to transfer the blame, should you complain.

When the FBI does not want to be "clumsy" it isn't.

You add one to the number of divisions of all gall, I suggest one is not enough. Your fourth is "the unraveling." As a minimum there is a fifth, the not yet unravelled.

You also refer to Ervin committee witness summaries. If you have those on Helms, Cushman and Walters and letting me see them involves no breach of confidence, I would much like to.

From your career, or that part of it of which I am aware, I believe that agencies other than the FBI have files on you. This is true of me and I am not remotely as well known. I have copies of part of one agency's and the identification of the file in another agency.

Sincerely,

Jim-His piece in in today's Outlook section. I suggest you pay close attention to the quotation from Haldeman's testimony for possible revelance in the proposed damage suit. I have not yet read that part of the transcript so I can't refer you to the pages. I'll be looking for it as I read further, however.

Harold Weisberg

The Strange Case Of Daniel Schorr

By Daniel Schorr

Schorr is a Washington correspondent for CBS News.

ALL WATERGATE is divided into four parts: the plot, the goof, the cover-up, the unraveling. So it was with my own mini-Watergate which, unrecognized at the time, was the first thread in the web of White House paranoia to come loose.

I didn't know what to make of it on Aug. 20, 1971, when the FBI began to interview me, my relatives, my neighbors, my bosses and ex-bosses, saying that it was in connection with an imminent appointment to a high government post that nobody, before or since, has ever offered me. The official explanation, when the story hit the papers, was that the White House had briefly considered me for an environmental job, and then changed its mind. The real explanation has only emerged for me this year, pieced together from bits of testimony.

The cover-up was still in full swing last March, and President Nixon was playing his part in it. The still-operative position was the President's statement that I had been briefly considered for a job, that the investigation had been "clumsily handled" and that in the future "such preliminary job investigations will not be initiated without prior notification to the person being investigated."

Acting FBI Director L. Patrick Gray, in his ill-fated confirmation hearings before the Senate Judiciary Committee, stuck to that line on March 9. He insisted that it was "a routine background investigation for possible federal appointment, in which inquiries are made regarding a person's charac-

ter, loyalty, general standing and ability."

The cover-up had its last gasp, but a flamboyant one, when presidential assistant Patrick Buchanan, on ABC's Dick Cavett Show, sought to grapple his way out of a logical inconsistency.

Buchanan had been saying some unfriendly things about me:

"Schorr personally dislikes this administration. I think that 'detest' is not too strong a word. He has a right to do that, a right to be on the air and a right to express his views. But when CBS assigns him to explain the social policies of the Nixon administration to 20 million Americans, that is a prima facie case of bias."

Buchanan was interrupted in mid-denunciation to be asked why such an anti-administration bigot would have been considered for presidential appointment. His remarkable reply: "If you've got a guy that's hatcheting you on the air night after night, maybe you say to yourself, 'Why don't we offer the clown a job and give him a big fat paycheck and get him off so that we can get someone else on?'"

Taking the Heat

BUCHANAN'S WAS a far-out version of the job thesis, but the last time that this thesis was publicly advanced. By the end of March, with James McCord charging perjury, payoffs and pressure for silence on the

Watergate defendants, and with John Dean finding his pen paralyzed at Camp David in trying to write a report for President Nixon, the White House was preoccupied with bigger problems about disintegrating cover stories.

It was Dean, discharged as presidential counsel on April 30, who started the unraveling of my episode. In May, tossing out tantalizing tidbits in his quest for immunity from prosecution, Dean told Walter Cronkite in a filmed interview that the White House had a practice of assigning innocent persons to take the heat for miscalculations of superiors. So it was, said Dean, that Special Counsel Charles Colson, identified in the public mind with "dirty tricks," had to take the heat for controversial newspaper advertisements on the Vietnam war. Dean volunteered another example:

"I recall the incident regarding the FBI investigation of Daniel Schorr where ultimately an answer was put out that doesn't really meet with reality, but yet it was an answer. And somebody was put out in front—in this instance, Mr. Malek—to explain what

this was all about."

Frederic V. Malek was the White House talent scout, and so the natural man to take the responsibility for a cover story involving a job. He had loyally given interviews telling how he initiated the investigation, with elaborate details of the job to be filled. White House Press Secretary Ron Ziegler had made it official in a letter to me: "Fred Malek tells me you were suggested to him for the position (assistant to the chairman of the Council on Environmental Quality) by one of several people he often uses for recruitment ideas, and remained under consideration for about 10 days."

That, said Dean, "was typical of the type of razzle-dazzle they are able to put together. I'm not sure how many people believed that official story, but I'm sure that Daniel Schorr does not!"

Dropping the Cover

NO, I NEVER DID believe it. But I had no idea what the real story was. That began to emerge, bit by bit, before the Senate Watergate Committee.

First, the indication that there had been a goof. On June 26, questioned by Sen. Lowell Weicker about White House uses of the FBI, Dean told of White House assistant Lawrence Higby asking Director J. Edgar Hoover for an investigation of me. But Hoover, "to the dismay of the White House," started "a sort of full-field, wide-open investigation." That, said Dean, put the White House "in a rather scrambling position to explain what happened."

But who ordered the investigation? What prompted it? And what went wrong to produce the White House "dismay" and "scrambling?"

On the first question, Dean could give only partial help. Asked, by Sen. Herman Talmadge, for whom Malek had taken the blame, Dean said, "Mr. Haldemen . . . or the President."

On the witness stand more than a month later, on Aug. 1, former presidential chief of staff H. R. Haldeman added another couple of jigsaw pieces. Pressed by Sen. Joseph Montoya to say whether he had ordered the investigation, Haldeman resorted to strenuous circumlocution to indicate that he had only transmitted the order.

"The request for the check," he said, "was in connection with something, apparently, I assume that arose at that



Sanders in the Milwaukee Journal

"Hello, dear. I see the President didn't like your newscast again tonight."

time that generated a request for a background report on Mr. Schorr."

"That time" was Aug. 19, 1971. On that day Haldeman was traveling with President Nixon in the Grand Teton National Park in Wyoming, inaugurating the "Legacy of Parks" program. It looked as though the other fellow must have "generated" the order, especially since Haldeman professed not even to remember why it had been ordered.

"I am not sure in what connection it was, but I am sure there was something that arose at the time that this request was made, and I don't know in what context, but there had been, as has been indicated in earlier testimony, concern from time to time and statements that were made and the reasons for them in terms of national security questions, and I don't know that this was in such a context because I simply don't recall what the reason was for it."

That old debbil "national security" comes readily to the lips of Nixon peo-

Sunday, Dec. 30, 1973

ple. In this case, since I don't cover defense or foreign policy, Sen. Montoya was mystified.

MONTOYA: "Why would you order a check in that context? Was Mr. Schorr being considered for an appointment?"

HALDEMAN: "No, sir. He was not."

MONTOYA: "Why would you check on him, then?"

HALDEMAN: "The check was made. I don't know why, but the check was made."

"They Have a File"

THE WITNESS was a little more forthcoming on what had gone awry with the FBI. "The request, I would like to emphasize, senator, was not a request for an investigation of Mr. Schorr, and at the time the request was made, it was for a background file which the FBI has on individuals—that is, a summary report on their activities and background."

MONTOYA: "Wouldn't you call that 'investigate' when the FBI goes out to try to get the background on an individual?"

HALDEMAN: "When they go out to do it, I would, but the request was for the file. What happened . . ."

MONTOYA (interrupting): "What file? Do you have a file in the White House on Mr. Schorr?"

HALDEMAN: "No, sir. The FBI did, or may have."

MONTOYA: "How did you know they have?"

HALDEMAN: "They have a file on most people who are known publicly, and the request was for whatever file they have."

MONTOYA: "You mean, the FBI has a file on every American that is known publicly?"

HALDEMAN: "I think they probably do. I have not been through their files, so I can't verify that."

This casual suggestion of widespread FBI files on publicly known Americans was denied by William Ruckelshaus, who was interim director of the FBI. He told Tom Wicker of The New York Times, "I think it important that people understand that the FBI does not run around and keep files on everybody of any note in the society."

Yet, the White House apparently believed there *were* such files which could be quietly obtained on request. Higby, who received the call from the Grand Tetons and relayed the request to Hoover, was questioned by the Senate committee in executive session. A staff summary, couched in the third person, quotes Higby as saying that he asked Hoover for "a complete back-

ground on Daniel Schorr," and learned a few days later that "the FBI wasn't putting together a background, but was launching an investigation of the poor guy."

"Higby," said the confidential summary, "still doesn't know why it was made. Higby thinks there was probably an FBI file on Schorr and that's what was being requested, and that the FBI simply misunderstood."

Misunderstood? The FBI does not usually misunderstand the White House on such matters. There are strict FBI guidelines on investigations. But we know a lot now that we did not know before about Hoover's feuds with the White House—his successful resistance to the Tom Huston burglary-surveillance plan in 1970, his unwillingness to pursue Daniel Ellsberg as zealously as the White House desired, the White House fears that he would exploit illegal wiretap files to entrench himself in office.

It is wholly conceivable, therefore, that the embittered Hoover, consummate bureaucrat that he was, engineered a deadpan "misunderstanding" of the White House request and ordered an open, full-field investigation that would embarrass the President.

What Was the Motive?

SO NOW, MORE than two years after the FBI agent showed up at my office to interview me for a position of "trust and confidence," I can largely reconstruct the picture of how it started. It is a picture of President Nixon, high over the Grand Tetons aboard Air Force 1 on Aug. 19, turning to Haldeman and saying something like, "Get me something on this Dan Schorr!" And Haldeman picking up the phone that connects the airborne White House to the earthbound White House, telling Larry Higby to get an FBI file. And Higby dutifully calling Hoover. And, somehow lost in transmission, the thought that the President wanted just a file, not a scandal.

But there remains the final question: Why, on this busy cross-country swing that started in New York, included stops in Wyoming and Dallas, and brought him to San Clemente in the evening, did the President have this sudden impulse to set the FBI on me?

Apparently no such thing has ever happened before. Alexander Butterfield, the former Haldeman aide who exposed the presidential tapings, told the Senate committee in executive session that only eight times did the

White House—"Haldeman and occasionally Ehrlichman" — request FBI checks on persons not under consideration for presidential appointment. The other seven—including Helen Hayes and Frank Sinatra—were all persons who would be in close contact with the President at social functions. There had been distressing experiences with some who had come to the White House to amuse and stayed to protest. And so, as Haldeman testified, it became necessary to screen invited guests "to avoid embarrassments to the White House and embarrassments to the individuals."

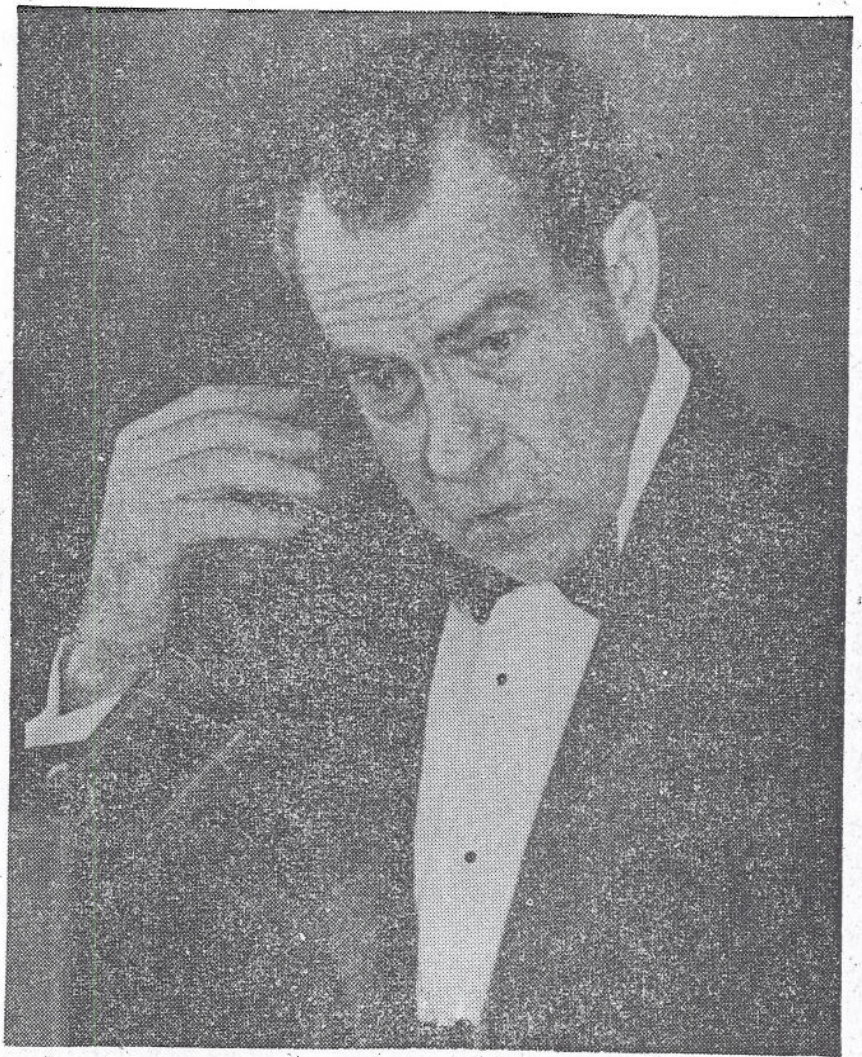
But me in the position of being the only person not in line for appointment or invitation to be investigated on White House order. In executive session, reported in the committee's summary, Higby tried to explain the unique event: "The normal procedure for getting a background check was Dean's office. Higby does not know why this one was different. Higby recalls that Schorr had leaked some bad information or done a bad report that afternoon."

The reference to "a bad report that afternoon" provided the clue as to the direct stimulus for Mr. Nixon's action.

At a dinner of the Knights of Columbus in New York City on Aug. 17, 1971, the President had received a tremendous ovation for a speech promising to come to the rescue of the beleaguered Catholic parochial schools, menaced by Supreme Court rulings against governmental assistance. He evoked the names of some of his Catholic-educated associates—John Volpe, John Mitchell and his "very fine secretary," Rose Mary Woods. He grieved over the fiscal travail of the Catholic schools, closing at the rate of one a day, and said, "We must resolve to stop that trend and turn it around. You can count on my support to do that!" The Catholic audience came to its feet with a roar of applause.

The film of this proceeding was broadcast on the CBS Evening News the next night, followed immediately by an analysis which I had been asked to prepare of what device the administration planned to use to get around the Supreme Court rulings. On the strength of what I had learned from the Department of Health, Education and Welfare and from leaders of the Catholic education movement, I reported that there was "absolutely nothing in the works," and I quoted Catholic sources as saying, "We can only assume the President's statement was for political or rhetorical effect."

The next day, Aug. 19, I was invited



Associated Press

It all began with this 1971 speech by President Nixon.

to the White House to meet with presidential aides who wished to complain about that analysis. On that day, Haldeman, traveling with the President in Wyoming, telephoned to request an FBI report about me.

My sin, then, had been reporting that punctured a public relations posture. It was reporting that often seemed to irk the administration more than commentary. And my assignment happened to be in the area of domestic social programs, where the administration felt most vulnerable because it had few real successes to claim that would parallel its accomplishments in foreign policy. I had felt the wrath of the administration before for my reports on failures in welfare reform, in school desegregation, in management of health services. In this pre-election year of 1971, clearly, the exposure of the weakness of domestic programs was perceived as blunting carefully calculated appeals to segments of minority voters, and apparently that was perceived as more threatening than di-

rect criticism.

Patrick Buchanan suggested as much when he complained that CBS had assigned me "to explain the social policies of the Nixon administration to 20 million Americans." And William Safire, who helped to write the Knights of Columbus speech, now writes of me, "As an expert on health and education matters, he was in the administration's hair just in the area where it didn't need anybody in its hair."

"Screwing" the "Enemies?"

WHAT DID THE President plan to do with any adverse information the FBI might have obtained about me? That can only be surmised against the background of what has now been unearthed about the White House bent for character assassination.

It was the time when Ellsberg's psychiatric file was being pursued in an effort to besmirch rather than convict (to "nail him to the wall," in the language of a Charles Colson memo). It was the period when Anthony Ulasewicz was being programmed for a private-eye quest for dirt on political opponents, when Howard Hunt was going after Sen. Edward Kennedy and the "Plumbers" were looking for something on Democratic Chairman Lawrence O'Brien.

It was the summer of the enemies lists. John Dean's memorandum, "How we can use available federal machinery to screw our political enemies," was dated Aug. 16, 1971—three days before Haldeman's order to the FBI to provide a report on me. Yet, though I figured on all the lists as "a real media enemy," Haldeman testified before the Watergate committee that his request to the FBI was "not in connection with the enemies list."

In a limited sense that may have been true. The order from the Grand Tetons was a separate and unique matter, a reaction to a flash of presidential irritation over nettlesome reporting. But, in a larger sense, it reflected the general tendency to strike at anyone who might blunt the impact of Nixon image-making in the crucial pre-election year.

One former White House official who was involved in these activities has said that these things—and Watergate—grew out of "an atmosphere" and "a way of life" that targeted anyone perceived as a threat at any given moment. "First it was the radicals, then it was reporters and leaking White House aides, then the Democrats."

Curiously, it now appears that the FBI investigation of me, exposed because of crossed signals or Hooverian impishness, was the first manifestation of that "way of life" to break to the surface. But no one, least of all myself, could recognize the implications at the time.