

Watergate Prosecutors Defend Andreas Case

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Watergate prosecutors yesterday defended their indictment of Dwayne O. Andreas charging 1968 campaign financing violations as solidly within their jurisdiction.

Accused last October of consenting to \$100,000 in corporate contributions for Sen. Hubert H. Humphrey's 1968 Democratic presidential campaign, Andreas has moved for dismissal of the charges on the grounds that they went beyond the Watergate prosecution force's charter.

Lawyers for Andreas, one of the country's biggest political money-givers, and his First Interoceanic Corp. contend that the Justice Department's assignment of the case was made by "secret letter" and therefore "invalid and ineffective."

Declaring that the case has "absolutely no relation" to the Watergate scandal or the Nixon administration, the attorneys maintain that the assignment is a big enough change in the Watergate force's mandate to have required publication in the Federal Register before it could be upheld.

In a reply filed yesterday, the counsel for the Watergate force, Philip A. Lacovara, argued that the assignment—approved by former Attorney General Elliot L. Richardson—was fully sanctioned by the Watergate force's charter. It permits the special prosecutor to investigate and prosecute not only Watergate and related allegations but also "any other matters which he consents to have assigned to him by the Attorney General."

Publication in the Federal Register, Lacovara protested,

"would lead to the ludicrous—and obviously unfair and prejudicial conclusion that the Attorney General would have to proclaim publicly the identity of persons being investigated by the special prosecutor long before anyone could determine whether there were grounds for formal proceedings against them."

Assistant Special Prosecutor Charles F. C. Ruff added in an attached affidavit that lawyers for Andreas and his companies were notified before the indictment was returned that Watergate lawyers were conducting the investigation.

A wealthy Minneapolis banker, Andreas has pleaded not guilty to the misdemeanor charges. He faces trial in federal court in Minneapolis.

In other legal action yesterday, Special Prosecutor Leon Jaworski asked for a court order that would give Internal Revenue Service agents access to the records of the newest federal grand jury assigned to the Watergate force.

Jaworski said IRS help was needed for his investigations of "possible tax liabilities of individuals, corporations and political committees or organizations" in connection with illegal campaign contributions and perhaps other "illicit ventures."

U.S. District Court Judge John J. Sirica has already approved the same arrangement with the IRS in connection with the work of the original Watergate grand jury and the supplementary grand jury appointed last August. The third grand jury, named earlier this month, has been assigned much of the work generated by Jaworski's investigations of presidential campaign financing.