

## Political Orders

While the White House has tried to ignore some unpleasant FBI findings in the Watergate case (*see following story*), it has used the agency in an unprecedented way to aid the Nixon campaign. In September, TIME learned last week, Presidential Assistant John Ehrlichman asked the FBI for expert advice to aid Republican campaigners. L. Patrick Gray, acting director of the bureau, forwarded the request as an order to 21 FBI field offices in 14 states.

The aim was to get FBI agents' guidance on how the President and his surrogates might handle campaign issues related to criminal justice. The directive also asked for ideas on specific campaign activities that Ehrlichman could recommend to the President. Though coming under the heading of political intelligence, the service requested was far different from espionage activity like the Watergate affair. The FBI was not asked to eavesdrop, spy on candidates or disrupt campaigns. Nevertheless, the order was a violation of the FBI's nonpartisan tradition.

**Keep It Brief.** Teletyped to the field offices under Gray's name on Sept. 8, the message began: "In order for John Ehrlichman to give the President maximum support during campaign trips over the next several weeks, the following information is required for each of the states listed: 1. The identification of the substantive issue problem areas in the criminal justice field for that particular state. Please limit yourself to problems of sufficient magnitude...Keep it brief. All that is necessary is to flag a sensitive problem so that it either can be avoided or more extensive preparation can be undertaken should we choose to speak about it.

"2. A list of events relating to the criminal justice area that would be good for John Ehrlichman to consider doing. For each suggested event, the following items should be indicated: A. The purpose of the event. B. The nature of the group or institution involved. C. The

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content of the event. D. The names of specific people who can be contacted for the purpose of setting it up. E. All trade-off factors to be considered in scheduling the event."

As an example of the kind of issue Ehrlichman was interested in, the directive suggested that "there are certainly criminal justice problems such as the Fort Worth Five that we should flag for the President." This referred to the case in which five New York men were jailed in Fort Worth for refusing to answer federal grand jury questions about buying guns for the Irish Republican Army. Agents worked over the weekend of Sept. 9 and 10 to obtain the information required by Gray and to meet his Sept. 11 deadline. Concluded Gray's message: "The deadline must be met." FBI sources would not reveal just what the replies from the field contained.

While it has been normal for the White House to ask for FBI files on individuals—a request former FBI Chief J. Edgar Hoover routinely granted Lyndon Johnson, for instance—there is no public record of the bureau's having been asked to initiate political studies for a President.\* Ehrlichman later told TIME that the request for information had gone from his office to the Justice Department and should not have gone to the FBI. If it did, he said, it would violate Administration policy and "would not be condoned by the White House."

The procedure astounded veteran FBI officials. Said one of them: "The White House wouldn't have dared to send over an order like that when Hoover was in charge. He would have kicked it right back to them and refused to do what they wanted."

\*Gray revealed last week that he is discontinuing a 22-year FBI practice of maintaining biographical data on congressional candidates. He said that the information had been used mainly to help check out any threats made against them.