

White House Campaign In '72 Under Legal Cloud

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A White House-organized program to "politicize" the federal bureaucracy as part of President Nixon's 1972 re-election effort appears to violate federal criminal and civil laws and "may rise to the level of a conspiracy to interfere with the lawful functioning of government," a Senate select Watergate committee staff report asserts.

The report, circulated among members of the committee yesterday with the approval of Chairman Sen. Sam J. Ervin Jr. (D-N.C.), cites a number of federal laws that may have been violated by the White House-inspired "responsiveness program" that was established with the knowledge and apparent approval of White House chief of staff H. R. (Bob) Haldeman.

The program, designed and supervised to a large degree by former special assistant to the President Fred-

erick V. Malek, attempted to make Cabinet departments and other federal agencies assist President Nixon's re-election through awards of million of dollars in federal grants to key states and voting blocs, according to testimony and memos obtained by the committee.

In addition, according to the staff report—a copy of which was obtained by The Washington Post—the program "entailed instruction to shape legal and regulatory action to enhance campaign goals. It comprised plans to utilize government employment procedures for election benefit."

The report charges that government brochures were printed and released during the election campaign to aid the Nixon re-election effort, that federal agencies were pressured into hiring Nixon supporters to fill career

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civil service positions, that federal grants were directed toward political friends and away from opponents, and that campaign contributions were improperly solicited.

In a March 17, 1972, memo to Haldeman, Malek pointed to \$700 million in grants the Commerce Department had to award in the current fiscal year and to another \$700 million it could award in the following year.

Even if only 5 per cent of this amount can be rechanneled to impact more directly on target groups of geographic areas, it would be a substantial increase over the current efforts," the memo asserted.

One such "target group," according to the report, was elderly persons. According to the report, the committee staff was told in interviews with government and Nixon re-election committee officials that "several departments and agencies prepared, for campaign use and at government expense, brochures reflecting their services for the elderly."

Among the departments

that produced brochures for the re-election campaign, the report said, were Agriculture, Health, Education and Welfare, Labor, ACTION, as well as the Office of Economic Opportunity and the Veterans Administration.

The report also quotes extensively from a Nov. 17, 1972, memorandum to the record dictated by Irven M. Eitrem, chief of OEO's older persons programs, describing his view of a \$400,000 grant to the Federation of Experienced Americans.

According to Eitrem's memo, he was informed by another OEO staff member in early September that "the agency had been ordered by a junior White House staff member to fund a proposal from the Federation of Experienced Americans (an outfit of which I had never heard despite my intimate familiarity with all recognized national organizations in the aging field) to conduct a major project concerned with elderly Spanish-speaking people."

Eitrem said in his memo that he considered FEA "to be totally unqualified to do

the job," that the grant "can produce nothing that is not already well researched and tested," that the grant was "weak, poorly designed and quite inappropriate" for the category of funds that were being used. In addition, Eitrem said, "the budget of \$399,839 (for the grant) is grossly excessive. A planning grant of this nature should not exceed \$75,000 to \$90,000."

In addition to the \$400,000 OEO grant, FEA also received a \$1.5 million grant from the Labor Department to train and provide work for 350 elderly poor persons.

The committee staff report quotes a memo written between June 17 and June 30, 1972, by Dan Todd, director of the Nixon re-election committee's Older Americans Voter Bloc, expressing some concern about the White House providing further support for FEA.

"I anticipate an extremely unfavorable reaction among aging organizations when this group begins to move such that it could totally undermine the President's credibility with OA

(older Americans) and cost considerable votes," Todd said in a memo to Malek.

"Involvement of White House personnel in questionable activities involving millions of dollars of UGS (U.S. government) funds funneled through dubious outsiders could make the Watergate episode look tiny —this has every potential of a major scandal if not brought under control."

According to the staff report, there was "little doubt" that FEA "was friendly to the administration." The report asserts that FEA, "apparently with a \$5,000 contribution from the 3M Company, prepared five radio spots advertising administration programs and favorable to the President, which were sent to 14 states considered crucial to the President's re-election." Copies of the radio spots were sent to the White House before being sent to the radio stations, according to the staff report.

In addition to the grants for programs aimed at the elderly, the report also cites public testimony before the committee concerning attempts to award grants and contracts to groups representing Spanish-speaking and black Americans where it was thought the funds

would bring political support for the Nixon re-election effort.

The staff report rejects the argument that the activities of the "responsiveness program constituted 'politics as usual.'"

Although limited to investigating the 1972 campaign by the resolution establishing the Senate select Watergate committee, the report asserts that deputy Nixon campaign manager Jeb Stuart Magruder researched the question and found "nothing of the magnitude of the present administration's activities to use federal resources to ensure re-election."

"To some degree," the staff report argues, "the contention that other administrations have done the same thing misses the point. For . . . the conduct planned and engaged in by officials of the present administration and (the Committee for the Re-election of the President) not only contravenes the fundamental notions that our nation's citizens are entitled to equal treatment under the laws and that federal awards supported by taxpayer funds should be allotted solely on the basis of merit and need, but also appears to violate numerous federal civil and criminal laws."