

Hoover Balked Nixon Aide on Security Plan in 1970

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WASHINGTON, June 6 — Tom Charles Huston, then a junior man on the White House staff, set out three years ago to conquer the late J. Edgar Hoover as only a 29-year-old newcomer to Washington would have tried.

The 76-year-old director of the Federal Bureau of Investigation could be eased into submission, Mr. Huston predicted in a memorandum to H. R. Haldeman, then a top White House aide, by a "stroking session with President Nixon and an autographed picture from Mr. Nixon.

In promoting a new domestic security plan against Mr. Hoover's objections, Mr. Huston said that he spoke for the President, the White House staff, three intelligence-agency directors and the "intelligence community" at large.

Hoover Kills Plan

Yet in the ensuing battle, Mr. Hoover drew on a lifetime of experience at bureaucratic infighting and quickly killed the plan, at least officially, and sent Mr. Huston reeling from his job.

White House documents obtained by The New York Times and a number of interviews on the 1970 struggle confirm that Mr. Hoover defeated the security proposal, which sanctioned a variety of illegal procedures, almost single-handedly.

The reasons for Mr. Hoover's resistance, however, are not bold lawlessness of the proposed tactics, including burglary and the opening of mail, offended the F.B.I. director's fundamental respect for civil liberties.

Mr. Hoover always professed a profound respect for law;

during World War II, he had been one of the few officials to oppose — unsuccessfully — the internment of Japanese-Americans, on constitutional grounds. Yet according to senior F.B.I. officials, the bureau commonly made illegal searches, including both burglary and mail interceptions, before policies changed in 1966.

According to the White House theory in 1970, the essential reason for Mr. Hoover's opposition to the new plan was that it would have created a so-called interagency group to supervise the F.B.I., ending Mr. Hoover's unolestructural relationship with the President.

'What Was at Stake'

"What was really at stake," in the battle between Mr. Hoover and Mr. Huston, said one of the inside observers, "was whether Mr. Hoover was going to be able to continue running the F.B.I. any damned way he wanted."

Still another theory holds that Mr. Hoover was afraid that F.B.I. agents might get caught in the act of burglary, tainting the bureau's image and violating what came to be a cardinal rule among agents during Mr. Hoover's last years: "Do not embarrass the director."

According to officials who have examined the security plan and Mr. Hoover's specific objections, he never raised objections of principle to illegal acts. On the burglary question, for example, he is said to have insisted, according to these officials, "that the F.B.I. wouldn't do it, but he had no objection if the National Security Agency wanted to do it. He didn't want his agents to get caught."

Finally, some longtime Hoover associates believe, President Nixon's unwillingness to sign

the new security plan warned the F.B.I. director against executing it.

"There was nothing in the plan that Mr. Hoover wouldn't have been willing to do," a veteran Justice Department official, who knew Mr. Hoover well, remarked today, "if Nixon had come to him and said: Edgar, we need you for this job. Only the F.B.I. can do it, and only you and I will know about it." But Hoover was a smart old fellow and he knew damned well you don't run an intelligence operation by committee."

Whatever the reasons, Mr. Hoover signaled early that he was a reluctant participant in the policy discussions. One of Mr. Huston's memos notes that Mr. Hoover tried to "divert" the group from "operations problems to 'analysis of existing intelligence.'"

Another source recalls an early clash between Mr. Hoover and Mr. Huston that seemed to doom cooperation. When Mr. Hoover proposed a historical view of the intelligence problem, Mr. Huston told the director, 47 years older than him, "We're not talking about the living present." The two men did not disguise their rivalry thereafter.

President Nixon had initiated the policy-drafting project at a meeting in the White House on June 5, 1970. Present in the Oval Office that day, according to one who was there, were the President; Mr. Haldeman; John D. Ehrlichman, then the domestic counselor to Mr. Nixon; Mr. Huston and the chiefs of four intelligence agencies: Mr. Hoover; Adm. Noel Gayler, director of the National Security Agency; Lieut. Gen. Donald V. Bennett, director of the Defense Intelligence Agency, and Richard Helms, director

of the Central Intelligence Agency.

In subsequent working sessions, according to Mr. Huston's memorandums, he and the three other intelligence directors formed a united front in support of the new plan, against Mr. Hoover.

That point could not be confirmed today. Admiral Gayler has been reassigned to Honolulu as the commander in chief of United States forces in the Pacific. General Bennett now commands United States and United Nations troops in South Korea. Mr. Helms is now the Ambassador to Iran. Each of their former intelligence agencies declined today to comment on the 1970 discussions.

But Mr. Hoover was evidently confident that his voice would prevail no matter how he was outnumbered.

Mr. Huston observed with irritation, when he transmitted the group's report to Mr. Hoover, that he had insisted on footnoting his personal objections to certain proposals in the text. And according to one senior source in the F.B.I., Mr. Hoover was sure that his footnotes alone would kill the plan.

When, in fact, Mr. Huston issued the "decision memo," dated July 15 and delivered to agency heads a few days later, approving the report in President Nixon's name, Mr. Hoover "hit the roof," on of the late director's aides reported.

Almost immediately, according to sources involved in the dispute, Mr. Hoover confronted then Attorney General John N. Mitchell with his adamant opposition. And within a day or two of that meeting, probably July 28, the sources said, Mr. Hoover and Mr. Mitchell prevailed on Mr. Haldeman to have the "decision memo" recalled, killing the plan.