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A Court Order  
on Spying Plan

Los Angeles

A Los Angeles federal judge yesterday ordered former presidential aide Tom Charles Huston to explain what kind of individuals or groups were to be included under a 1970 secret White House domestic intelligence gathering operation.

U.S. District Judge Malcolm M. Lucas gave Huston 30 days to provide the information or refuse to do so on the ground of executive privilege.

The judge made the ruling in a \$2.8 million civil suit filed against the executive branch of the federal government by actress-activist Jane Fonda who claims she was harrassed by the White House.

The intelligence gathering plan, and what role President Nixon played in it, is one of the major areas the House Judiciary Committee is considering in its impeachment inquiry.

Huston also was ordered by Lucas to answer whether President Nixon ever approved the controversial and highly secretive plan.

When word of the plan was leaked to the press last summer, Mr. Nixon admitted he had once approved it. But the President said he withdrew his approval five days later because then-FBI Director J. Edgar Hoover

objected to it.

The House Judiciary staff maintains it could find no evidence that the President ever withdrew his approval.

Government attorneys have opposed attempts to have Huston give additional background on what led to the creation of the plan that was named the "Huston Plan."

Justice Department attorney Garvin Lee Oliver argued in court here that "disclosure of such information could expose confidential informants and investigative techniques, and internal operating procedures and advisory procedures . . . by which governmental decisions are formulated."

There was no immediate indication whether the President would claim executive privilege in an attempt to prevent Huston from answering the questions.

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