

Spy unit Coverup charged

Nixon's panel was hidden, probers say

By GILBERT A. LEWTHWAITE
Washington Bureau of The Sun

Washington—Senate investigators say they have uncovered extraordinary steps taken by the Justice Department to hide existence of an inter-agency security panel set up by President Nixon in December, 1970.

These include the listing of the agency chief under an entirely different title and division within the Justice Department.

President Nixon revealed in a speech Tuesday that the panel, known as the Intelligence Evaluation Committee, is now under investigation itself.

Mardian's role

Senate investigators said they were making their own inquiries into the agency's operations, but refused to disclose any details.

According to the investigators, the order to "hide" the existence of the agency was given by Robert C. Mardian, former assistant attorney general and official with the Committee to Re-elect the President.

Mr. Mardian has been identified in news reports as the Justice Department's liaison officer with the White House "plumbers" group which was set up in June, 1971, to trace national security leaks after publication of "the Pentagon papers."

One cover blown

Under Mr. Mardian's orders, the Senate investigators said, the head of the agency, Bernard Wells, a former FBI agent with 22 years experience, was listed in Justice De-

partment files as chief of the non-classified Inter-Departmental Information Unit.

"That was just one of the covers we have been able to turn up so far," said a Senate source.

The Justice Department confirmed the misleading listing last night and said it was "probably" done to maintain the security of Mr. Wells's division and for bureaucratic convenience because there were pay slots available in the information unit.

The Justice Department spokesman was unable to say who had ordered that the agency's operations be kept secret.

"It was the consensus of the individuals who took part in setting it up that it be kept limited to need-to-know basis,"

See WATERGATE, A8, Col. 1

WATERGATE, from A1

said a Justice Department spokesman.

The official questioned the Senate investigators's assertion that the order came from Mr. Mardian.

"Mardian didn't give orders like that. The Attorney General [then John N. Mitchell] probably concurred in the fact that this be held secret," he said. Mr. Mardian, a Phoenix, Ariz., attorney could not be reached for comment last night.

What Nixon said

President Nixon in his speech on Tuesday said the agency was set up to help remedy a short-fall in "our national security needs."

Its members included representatives of the White House, CIA, FBI, National Security Agency, the departments of Justice, Treasury and Defense and the Secret Service.

"I understand that its activities are now under investigation. I did not authorize nor do I have any knowledge of any illegal activity by this committee. If it went beyond its charter and did engage in any illegal activities, it was totally without my knowledge or authority," said Mr. Nixon, revealing for the first time the committee's existence and suspicions over its activities.

In separate developments

yesterday:

•Herbert W. Kalmbach, President Nixon's former personal lawyer, conferred for six hours with federal prosecutors conducting the grand jury investigation in the case.

Mr. Kalmbach admitted to government auditors last week that he channeled \$210,000 through intermediaries to the original seven watergate de-



ROBERT C. MARDIAN
... tied to spy panel

fendants or their lawyers. James W. McCord, Jr., one of the defendants, claims the money was to buy silence, but another of the seven, Bernard L. Barker, has denied that any such suggestion was made to him.

•Senator Herman E. Talmadge (D., Ga.), a Democratic member of the Senate's Watergate Committee, said the hearings had been "accelerated" in an effort to shorten the period of doubt over President Nixon's involvement.

"I am unwilling to assume he is involved until there is competent evidence," said he southern Conservative.

"But there is a cloud of doubt in the air in the country which needs to be clarified as soon as possible," he added.

Senator Talmadge said that Senator Sam J. Ervin, Jr. (D., N.C.), the committee chairman, had agreed to insert three additional days of hearings — on June 5, 6, and 7 —

in order to speed progress toward the testimony of former top White House and administration aides who may be able to help answer the key question.

•Jeb Stuart Magruder, a former White House aide and chief of staff of the re-election group, who reportedly is currently waiting to turn state's evidence on the Watergate case, is back at his old job of executive director of the President's inaugural committee

J. Willard Marriott, Sr., the committee chairman, yesterday said that Mr. Magruder was back on the full-time payroll. His salary was reportedly between \$30,000 and \$35,000

His job now is to prepare a master report on Mr. Nixon's inauguration—and make recommendations for the next one.