

MITCHELL IS CITED IN INQUIRY REPORT

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Draft by Staff of Senate
Panel Links Him to a Plan
That Led to Watergate
NYTimes

WASHINGTON, May 8 (AP) —The weight of evidence tends to establish that former Attorney General John N. Mitchell approved the intelligence-gathering plan that led to the Watergate break-in, the Senate Watergate committee staff says in a draft report.

The report, portions of which were made available today by a source close to the Senate committee, also said that evidence tended to show that money paid by White House officials to the original Watergate defendants was intended not as support payments but to assure their silence.

The report also rejects any national security justification for the break-in by the White House plumbers unit at the offices of Dr. Daniel Ellsberg's former psychiatrist.

The source stressed that the 170-page report was only a rough draft, written mainly by the Watergate committee's chief counsel, Samuel Dash, and had not been approved by the committee's seven Senators.

The report is to be discussed and perhaps modified by the committee in an executive session tomorrow.

Magruder Testimony

During the Watergate hearings last summer, Jeb Stuart Magruder, the deputy director of the Committee for the Re-election of the President, testified that Mr. Mitchell had approved the third scaled-down version of an intelligence-gathering plan prepared by G. Gordon Liddy. Mr. Mitchell was the head of President Nixon's re-election campaign.

Mr. Mitchell has repeatedly denied that allegation. And his attorney, William Hundley, told a reporter today, "We'll stand by our testimony before the committee that we didn't have any prior knowledge of the bugging or authorize it in any manner, shape or form."

The portions of the staff report made available to reporters did not state that Mr. Mitchell had approved the specific operation at the Democratic National Committee.

Mr. Magruder said that Mr. Mitchell's approval of the general plan had prompted Mr. Magruder to authorize cash payments that eventually were used to finance the break-in and wiretapping at Democratic National Committee headquar-

ters.

The draft report concluded, "The committee finds that the weight of the evidence tends to establish that Mitchell did approve the Liddy intelligence plan with a quarter million dollar budget."

Public Attorney Urged

The Washington Star-News

WASHINGTON, May 8 —

The staff of the Senate Watergate committee has recommended that Congress create a permanent public attorney's office to investigate and prosecute alleged wrongdoing within the executive branch of the Government.

The recommendation was one of a half-dozen contained in a draft report submitted yesterday to the seven Senators on the Watergate committee by its chief counsel, Samuel Dash, on behalf of the committee's staff.

All recommendations in the report remain subject to debate and approval by the full committee.

Under the proposal, an independent public attorney's office would take over the functions of the Justice Department and the Federal Bureau of Investigation in prosecuting alleged misconduct within the executive branch.

Last summer's Watergate hearings; the staff report said, clearly demonstrated that "unmonitored executive investigative and prosecutorial agencies will, at the least, be reluctant to expose executive branch wrongdoing and, at the worst, would actively participate in covering up such wrongdoing."

To guard against future abuses, the staff recommended that Congress empower the Chief Justice of the United States to select three retired Federal Appeals Court judges who would be responsible for appointing a public attorney with a five-year term of office.

The public attorney, who would in effect be a permanent special prosecutor, would investigate and prosecute cases involving "a real or apparent conflict of interest within the executive branch."

He would also investigate "complaints and criminal charges concerning matters pending in or involving the conduct of Federal Government or regulatory agencies."

In another recommendation, the committee's staff urged that Congress approve legislation prohibiting White House officers or employees from engaging in national security or domestic intelligence activities.

The committee's staff, in its report, also urged more stringent review by Congressional oversight committees responsible for monitoring activities of the Central Intelligence Agency.

The staff said that the agency had provided considerable assistance, at White House urging, to the plumbers and suggested that the agency's relations with the White House be subjected to more intensive scrutiny.