

Ethics Issue Stalls Probe

Buchanan Stands Firm

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By Lawrence Meyer and Peter A. Jay
Washington Post Staff Writers

The Senate select Watergate committee's inquiry into "dirty tricks" during the 1972 presidential campaign bogged down yesterday in prolonged debate among committee members and star witness Patrick J. Buchanan over what practices go beyond the acceptable limits in American politics.

Buchanan, a White House aide and long-time Nixon adviser was called as the opening witness of the dirty tricks inquiry to show the "tone" or attitude of the White House toward the 1972 campaign.

Committee chief counsel Samuel Dash questioned Buchanan closely about a number of memoranda, including several written by Buchanan, that discussed strategy to be employed by the Nixon forces in the 1972 election.

Fascinating for their insight into the running of a campaign and their detailed tactics for trying to divide the opposition, the memos failed to show, however, any broad campaign to employ illegal practices in the 1972 campaign.

While defending the tactics discussed in the memos, Buchanan disavowed responsibility for proven campaign misdeeds such as the Watergate bugging and admitted that they were indefensible actions.

Apparently in reaction to yesterday's rambling, argumentative session and repetitive testimony Tuesday by Watergate

See HEARING, A13. Col. 1

Media Expert on TV

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By Jules Witcover
Washington Post Staff Writer

For more than four years now, Pat Buchanan has been telling President Nixon and Company how to cope with national television. Yesterday the White House media expert went before the Senate Watergate committee and showed how it's done.

He was called as a key witness in the "dirty tricks" phase of the Watergate hearings. For more than four hours he played the dirtiest trick a witness can

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perpetrate on televised senators—he made them look like a bunch of nit-pickers.

For every supposed political dirty trick they asked him about, he had either an explanation, a denial or involvement, or a similar example from the lore of Democratic politics.

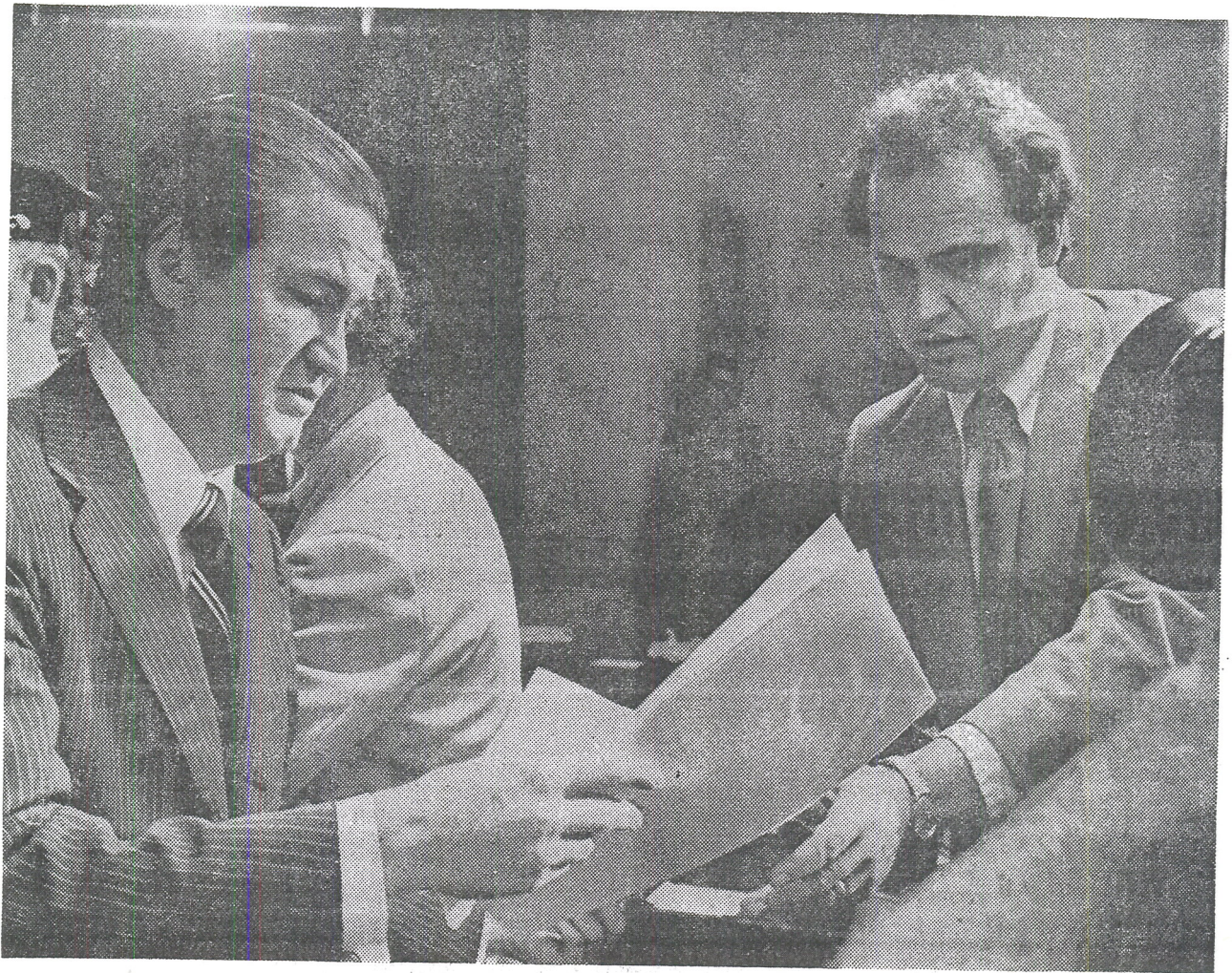
When Samuel Dash, the Georgetown University law professor and chief committee counsel, asked him what tactics he'd have ben willing to use to knock then frontrunning Sen. Edmund S. Muskie from the 1972 presidential race, Buchanan, the Georgetown graduate, replied: "Anything that was not immoral, unethical, illegal—or unprecedented in previous Democratic campaigns."

As if he were the teacher and Dash the student, Buchanan led the chief coun-

See SCENE. A12. Col. 1



SAMUEL DASH
... "how far?"



By James K. W. Atherton—The Washington Post

Minority counsel Fred D. Thompson (right) receives information from presidential aide Patrick J. Buchanan.

SCENE, From A1

sel and the senators—all of whom have been in a campaign or two — through a lively course on the practical side of politics.

He reminded them that a Democrat named Dick Tuck—who looks like Harpo Marx and has just as lively an imagination — has been the reigning king in the field of political sleight-of-hand for years.

The difference, he said, was that Tuck's capers are called pranks, and when Republicans do them they're dirty tricks.

Confronted with a stack of his memos to the President and other high administration officials dealing with tactics he recommended for tracking and combatting Muskie and other Democratic hopefuls in 1972, Buchanan served up memories of Tuck to bal-

ance things out. The senators seemed non-plussed, but the Caucus Room audience loved it.

There was the time in the 1962 gubernatorial campaign in California, Buchanan recalled, when Tuck "put on an engineer's cap and signaled the engineer to drive off, leaving Mr. Nixon standing" on the back of his whistlestop train, in mid-speech.

There was the time Tuck dropped a fire escape beside a speaker as he reached his denouement, and finally the time in Miami Beach in 1968 when a group said to be welfare mothers demonstrated against Mr. Nixon. "They were all black, they were all pregnant," Buchanan said, "and they were all carrying placards that said, 'Nixon's the One!'"

Buchanan volunteered that he had attended a meeting with presidential aide Dwight Chapin and others at which it was discussed that it was "about time we had ourselves a political Dick Tuck" and "how the Dick Tuck should be structured."

But that discussion proposed "that it should be a small operation," and that was the last he ever heard of it. "I do not know if Donald Segretti (confessed hired hand of the Nixon re-election dirty tricks operation) turned out to be the Dick Tuck gone awry or not," Buchanan said.

One senator, Lowell P.

Weicker (R-Conn.) expressed unhappiness that Buchanan seemed to be lumping such pranks in with the Watergate break-in, as if there were no difference. Buchanan quickly assured him that "I did not consider Watergate a prank; it was a crime." Weicker, the wind out of his inquisitorial sails, meekly thanked Buchanan for saying so in public.

Before he was through, the methodical, rapid-talking Buchanan had provided the senators with a handy guide for rating political antics. He listed four categories: (1) utterly outrageous, (2) dirty tricks, (3) political hardball and (4) pranks."

In the first he put the Watergate break-in and the circulation of a scurrilous letter imputing sexual misconduct to Sens. Hubert H. Humphrey and Henry M. Jackson on Muskie stationery in the 1972 Florida primary, for which Segretti already has been indicted.

In the second he put the "Canuck" letter which led to Muskie's emotional speech during the New Hampshire primary, which he won, unimpressively.

He didn't spell out political hardball, which in political circles usually means playing tough but legal.

And pranks, as he emphasized earlier, are acts of political sabotage performed by Democrats—or so, he

complained, the press always said.

About the only thing hard the committee got on Buchanan was confirmation of the broadly held suspicion that he is now, and always has been, a card-carrying conservative who not only preaches conservatism but wants to implant its principles into the very fiber of national policy.

To this, Buchanan cheerfully, enthusiastically and zestfully pleaded guilty on all counts. He allowed that he would have been "less apprehensive" about the future of the country had Senator Jackson been the Democratic nominee, and he said he once recommended the creation of a conservative-oriented tax-exempt institution as a counter to the Brookings Institution to receive federal grants from the Nixon administration.

Buchanan, who looks like an ex-FBI agent who has taken a desk job, did the cause of the administration another favor: his TV appearance shattered the image of button-down, unthinking conformity constructed by the other young fogeys out of the Nixon ranks who preceded him in the Caucus Room. He confessed that on occasion he said "No."

When White House superiors H. R. (Bob) Haldeman, John D. Ehrlichman and Charles W. Colson asked him to head up an investigation of Daniel Ellsberg for

political purposes, Buchanan said, he turned them down flat and recommended that the idea be dropped.

Nor would he personally engage in political spying within an opponent's campaign, he said, though he would not pass judgment on those who had agreed to do so for the Nixon campaign—without his knowledge, he emphasizes.

Of those who did, and of all those implicated in Watergate, Buchanan said near the close of his testimony, "men are responsible for what they do themselves." The remark seemed to pass by the senators unnoticed, but it was the antithesis of the theme of "I was just following orders" that has accosted their ears since last May.

Though like those others he expressed eternal loyalty to Richard Nixon and said his defeat would have been "catastrophic," Buchanan demonstrated through the long day that his own loyalty still left room for him to be his own man.

It was, in all, a believable, confident performance for a man who, though he has been a long-time student of television and a critic of its impact, has been a very rare performer on it.

Last spring, Buchanan ventured out of his White House sanctuary and went on the Dick Cavett night time talk show. In a lively discussion, he got so carried

away in debate that in the view of many he nearly gave away the family jewels.

There were those who said after that night that Buchanan, the White House TV expert, was a prime example of the old adage that those who can, do, and those can't tell others how. But after yesterday, one has the impression they'll be listening a lot more to Pat Buchanan about a lot of things around the White House.

HEARING, From A1

conspirator E. Howard Hunt Jr., the three major television networks voted yesterday, with CBS dissenting, to drop live coverage of the hearings. The Public Broadcasting Service will continue, however, to rebroadcast taped hearing sessions at 8 p.m. each evening. (See details on page A-9).

A principal focus of the committee's questioning yesterday was Buchanan's advice in several memos written in mid-1971 and early 1972 to direct principal Republican attention to thwarting the presidential candidacy of Sen. Edmund S. Muskie (D-Maine), whom Buchanan saw as the strongest Democratic candidate. Buchanan also advised not immediately attacking Sen. George S. McGovern, whom Buchanan saw as the weakest Democratic candidate.

Throughout his testimony, Buchanan firmly insisted that nothing he had advocated in the memos was illegal, immoral or unethical but rather was the stuff and substance of time-honored American political traditions. At one point, as Buchanan's tough language in the memos was quoted back to him, he complained to the committee that what he had written was intended as a confidential communication.

"I think you should be held accountable for what you say publicly," Buchanan told the committee, "but I think a man's entitled to the privacy of his own papers." Had he known that his choice of words in memos would become a matter of public scrutiny, Buchanan said, "I certainly would have written them differently."

The committee also spent considerable time with Buchanan discussing his urging that a conservative tax-free foundation be set up to compete with the liberal-oriented Brookings Institution. In doing so, the committee briefly opened again the sore subject of the role that tax-free institutions play in shaping public policy.

Unlike previous witnesses who worked in the White House but have come to regret—at least publicly—what they did in the campaign, Buchanan had no con-

fession or apology to make to the committee.

Buchanan began his testimony on a combative note, criticizing the committee for failing to restrain leaks to the news media of information about Buchanan's expected testimony. Without mincing words, he defended himself against preview stories suggesting that he had advocated any improper campaign activities.

"I did not recommend or authorize nor was I aware of, any ongoing campaign of political sabotage against Sen. Muskie or any other Democratic candidate," Buchanan said. "I did not recommend, either verbally or in memoranda, that the reelection committee infiltrate the campaigns of our opposition."

Muskie's downfall was not the result of Republican activity, Buchanan told the committee, but the result of McGovern's superior campaign organization and hard

work by McGovern supporters.

In his testimony, Buchanan demonstrated fierce pride in his loyalty to President Nixon, coupled with a quick wit that periodically turned an aggressive question back on the questioner.

How far, Dash asked Buchanan, was he willing to go to re-elect Richard Nixon?

Buchanan: Charles Colson (Former special counsel to the President) was quoted once as saying, "I would do anything the President of the United States would ask me to do, period." I would subscribe to that statement for this reason: The President of the United States would not ask me to do anything unethical, improper or wrong or illegal . . . I am loyal to the President of the United States, that is correct. I have been loyal to him for eight years.

Dash: I am not questioning that Mr. Buchanan.

Buchanan: What is it that you are questioning, Mr.

Dash?

Dash: I am just asking you in the memorandum where you have indicated the nature of the danger that you saw to the country and the importance that the forces of the Republican Party including the White House be aimed at knocking out the front-runner, Mr. Muskie, how far would you go to do that. What tactics would you be willing to use?

Buchanan: What tactics would I be willing to use? Anything that was not immoral, unethical, illegal or unprecedented in previous Democratic campaigns.

One of the few points that Buchanan seemed the least bit apologetic about was his choice of words in writing his memos. "Incidentally," he said at one point during Dash's questioning, "let me make a point here. The exaggerated metaphor is really the staple of American politics."

In one memo about Muskie, for example, Buchanan had said, "We ought to go down to the kennels and turn all the dogs loose on Ecology Ed."

And in another, entitled "The Muskie Watch," written in March, 1971, he asked, "Who should we get to poke the sharp stick into his cave to bring Muskie howling forth?"

By June, 1972, when it had become clear that McGovern would be the nominee, Buchanan recommended in a memo, entitled "Assault Strategy," that "From the way the stock market is reacting, it is apparent that McGovern's nomination should bring about a sharp drop. We should do nothing to prevent this from happening. Indeed if Shultz (George Shultz, then Director of the Office of Management and Budget) or Connally (John Connally, then Treasury Secretary) or one of them can predict that McGovern's election would mean a depression or panic on Wall Street, and do it creditably, then they might well do so."

Republican members of the Senate committee lost no opportunity, meanwhile, to cite examples of pranks that had been played in the past on Republican candidates—especially by Democratic prankster Dick Tuck—and that tactics similar to

those advocated by Buchanan had been used by Democrats in other elections.

At one point in the hearings, Buchanan's political advice drew praise from committee chairman Sam J. Ervin Jr. (D-N.C.). "Well, I will have to say I admire the Buchanan recommendations. They are very forthright."

"Thank you, Senator," Buchanan replied.

Ervin, delivering a delayed punch line, concluded, "I do not fully approve all of them, however."

Under questioning by Sen. Howard H. Baker Jr. (R-Tenn.), Buchanan outlined the task that the committee faces in this, its second, phase.

"My own view is that there are sort of four gradations. There are things that are certainly outrageous and I would put that in with the kind of demonstrations against Vice President Humphrey in 1968 which denied him an opportunity to speak for almost a month.

"Then, there is dirty tricks, then there is political hardball, then there is pranks. I think you will almost have to leave it to the individual and his own sense of ethics as to what is permissible. There is no question but what the line was probably breached in both campaigns in 1972 and perhaps previous ones," Buchanan said.

Baker asked Buchanan whether "political monitoring activity, that is, keeping account of the political health and prospects of potential adversaries in a presidential

campaign is the general practice and is always done, or has been as far as I know."

Buchanan agreed that monitoring the opposition party's potential candidates was "routine."

"Do you think they are desirable?" Baker asked. "I happen to think they are."

Buchanan agreed with Baker that such monitoring practices were desirable.

Under questioning by Sen. Montoya (D-New Mexico), Buchanan conceded that he had been wrong in allowing a pamphlet to be distributed that purported to be an attack by liberals on Muskie. At the same time, Buchanan turned over to the committee a pamphlet, which he said had been distributed at the Democratic National Convention and that he attributed to AFL-CIO President George Meany, that attacked McGovern.

Dash asked Buchanan if he had other materials to turn over to the committee. "Mr. Dash," Baker interrupted, "I might say there are others and you will indeed receive copies and you will not be disappointed."

One of the major themes sounded by Buchanan in his testimony yesterday was the need, as he saw it, to place checks on major American foundations that he described as basically hostile to the Nixon administration.

Similarly, he said, he favors the establishment of a new foundation to serve as a haven for conservative intellectuals and support Republican administrations the way existing foundations

like the Brookings Institute, he said, serve Democratic ones.

In a 1970 memorandum to the President in the possession of the committee and made public yesterday, Buchanan spelled out a program "to combat the institutionalized power of the Left concentrated in the foundations that succor the Democratic Party."

He recommended that "the administration should begin . . . to initiate a policy of favoritism in all future federal grants to those institutions friendly to us . . . and we should direct future funds away from the hostile foundations, like Brookings."

At the same time, he said, "there is a clear national need for a Republican conservative counterpart to Brookings." His proposed foundation he tentatively titled the MacArthur Institute, presumably named after the late Gen. Douglas MacArthur.

"The name MacArthur Institute was taken rather than the Eisenhower Institute to prevent the co-opting of part of it by a number of liberal Republicans of the Scott variety," Buchanan's memo says. He did not say, nor was he asked, if "Scott" referred to Sen. Hugh Scott of Pennsylvania, the Senate minority leader.)

To finance this foundation, Buchanan said in the memo, big contributors would be persuaded to provide an adequate endowment. "All the high rollers we know would be passed

the word that of the charities the President prefers, this one is best," the memo says.

"The Big Supporters would find themselves on White House Guest Lists, while the friends of Brookings would stay in outer darkness."

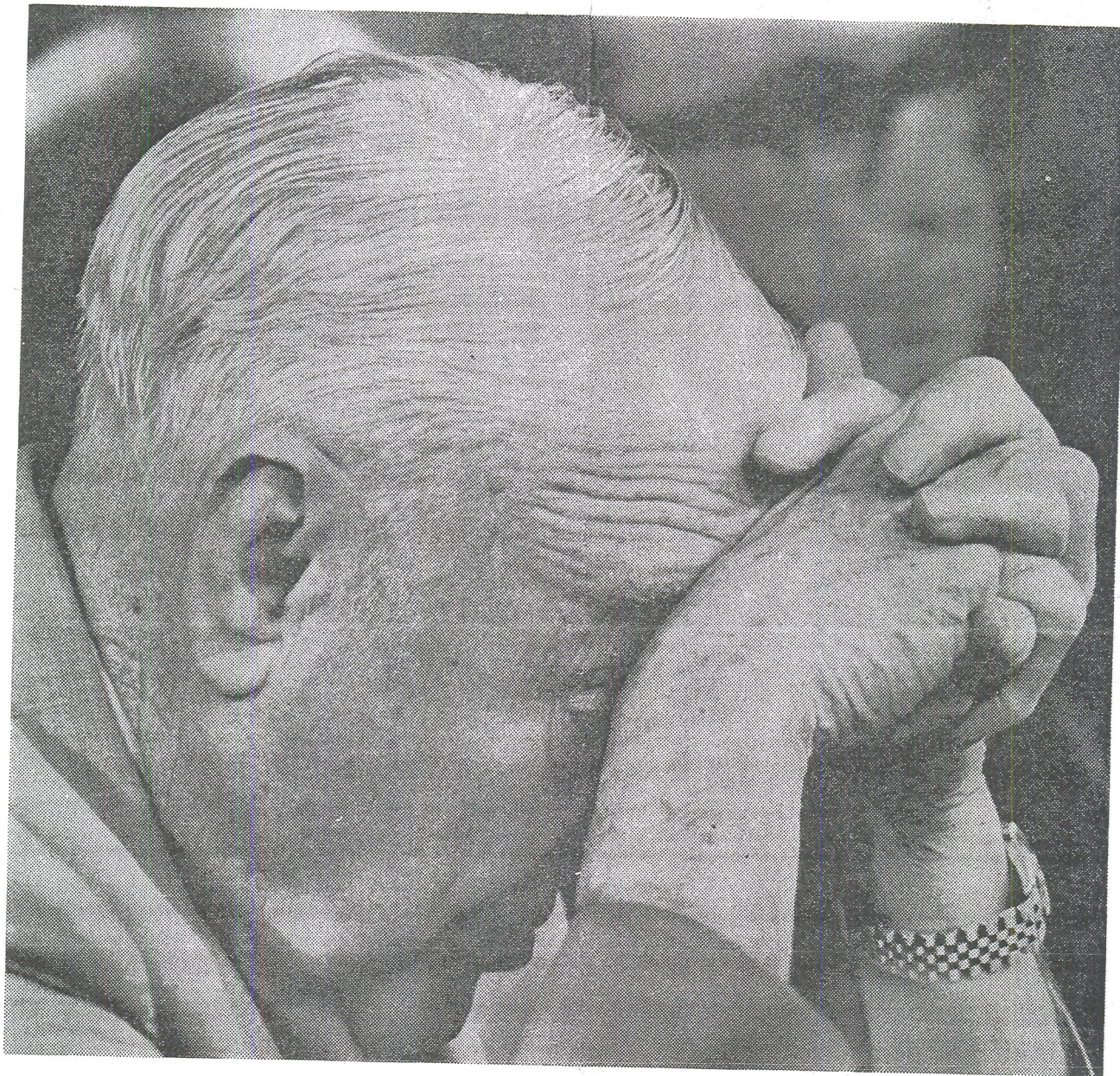
Buchanan told the committee that he has been interested in foundations since the earliest days of the first Nixon administration.

"It is my view," he said, "that, for example, the tax-exempt funds of the Ford Foundation, which is the largest of all foundations," are often channeled "into public policy institutes which (are) in basic disagreement with our own political philosophy."

He said he believes that "these tax-exempt multimillions (of dollars) have the effect, in my personal judgment, of unbalancing the political process, and that he has drafted presidential speeches—never delivered—urging reform of the foundation structure.

(The Ford Foundation denied yesterday that it has engaged in partisan politics. "Our record is an open book," said Richard Magat, a spokesman for the Foundation. "We abide by the letter and spirit of the law" and engage only in legally sanctioned educational and charitable activity.)

"The fact that the Ford Foundation is using its tax-exempt funds to fund, by and large, liberal or left institutions presents a distortion, in my judgment, of the



By James K. W. Atherton—The Washington Post

Committee Chairman Sam Ervin, as the hearing day grew long, reflected in his attitude the need for rest

American political process. . . That is why I wrote the speeches and (my) investigation was not anything done covertly in any manner," Buchanan told the committee.

At one point, Buchanan asked curiously of Dash, as his questioning on the subject of foundations continued, "What does this have to do with the campaign of 1972?"

Dash responded that he wanted to know about "the Ford Foundation and the influence of foundations in the campaign."

Dash also noted that Buchanan's memo expressed a concern that there be "a strong fellow running the Internal Revenue Division and an especially friendly fellow with a friendly staff in the Tax-Exempt Office"—especially while his proposed new tax-exempt foundation was being set up.

Buchanan answered that it was his view that "the tax-exempt division of the Internal Revenue Service had been biased against conservative tax-exempt organizations and had been very lenient in regard to liberal tax-exempt organizations and their activities which crossed the boundary into politics."

The IRS, he said, "was politically controlled by Democrats, or had been at that particular time" — 1970 when he wrote the memo.

Under later questioning from Sen. Herman E. Talmadge (D-Ga.), Buchanan said that "as long as (a foundation is) educational, even if it's liberal, I've got no objection to its tax exemption."

If grants to foundations from the government are awarded on the basis of competitive bidding, then they should be given to the lowest bidder, Buchanan said.

But if they are discretionary and can be awarded by the President to any founda-

tion he chooses, "I would recommend to the President that he turn any grants for studies or projects . . . over to institutions which generally support the values and principles in which we believe, and not to other institutions, such as the Brookings Institution, which in my judgment amounts to, really, a government in exile for the Democratic Party."

Buchanan said, however, that he believes institutions that study public issues—as does Brookings—should be entitled to tax-exempt status, whether liberal or conservative in outlook, as long as they do not actively participate in politics. He said he does not believe that the Brookings Institution engages in politics.

As examples of what he called the Ford Foundation's political involvement, Buchanan said the foundation funded the Institute for Policy Studies which he said has, in turn, funded The Quicksilver Times—a now defunct underground newspaper in Washington.

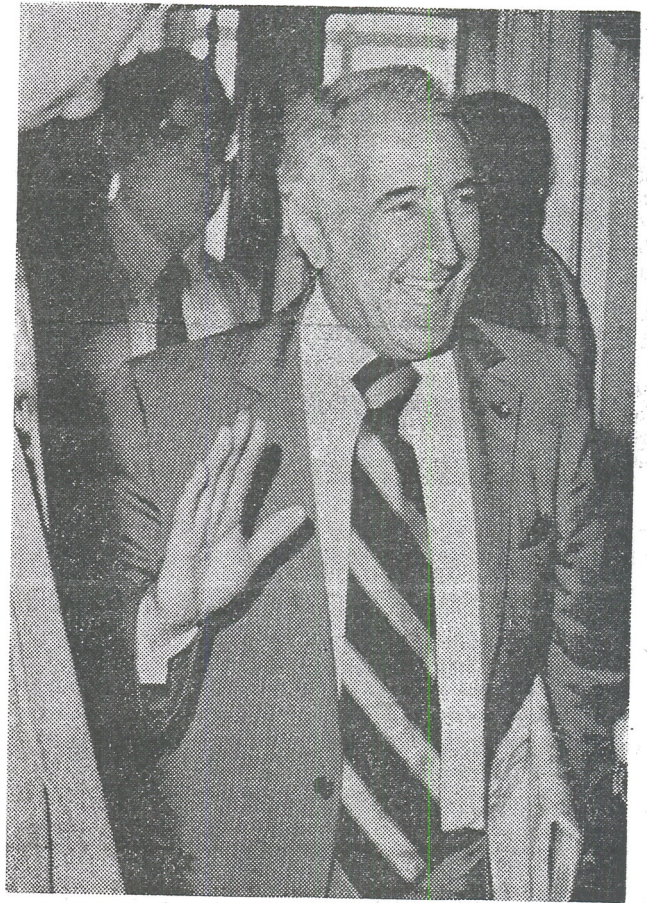
(Magat, at the Ford Foundation, said that the Foundation's only grant to the Institute for Policy Studies was "a one-year grant of \$7,800 in 1964 for seminars on the subject of the Alliance for Progress.")

Talmadge at one point yesterday suggested to Buchanan that what he was really seeking was "to get unfriendly foundations in." Buchanan said that wasn't so and that what he was really after was tight controls on foundations' political activity.

"I do not see how you can outlaw liberal foundations," Talmadge said.

"You cannot, Senator," Buchanan agreed.

The committee recessed after Buchanan completed his testimony yesterday. It will reconvene next Tuesday, but the name of the next witness to be called has yet to be announced.



Associated Press

House Judiciary Committee Chairman Peter Rodino leaves meeting on Agnew's request for inquiry.