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CIA Is Hiring D.C. Lawyer For Hill Work

By John P. MacKenzie
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The Central Intelligence Agency is hiring Mitchell Rogovin, a Washington lawyer active in ferreting out evidence of illicit government surveillance, to help it deal with congressional investigators.

Negotiations are near completion for the CIA to retain the Arnold & Porter law firm and Rogovin, a partner in the firm since 1969, to consult with the agency about responses to the Senate intelligence committee and other congressional committees.

Rogovin, 44, a former assistant attorney general and Internal Revenue Service chief counsel, has a reputation for independence and public opposition both to illegal government snooping and excessive government secrecy.

Washington lawyers interpreted the development as a sign that the CIA, which is under heavy attack for admitted illegal domestic surveillance and alleged involvement in assassination plots, will cooperate completely with congressional investigators because, the lawyers said, Rogovin would insist upon cooperation.

Rogovin said last night that he would be representing the CIA "in its corporate capacity" but was also prepared to advise individual officials if that should be requested of him. Describing himself as "a new boy in school," he said he spent much of the day at CIA headquarters yesterday.

It was learned that the arrangement was extensively discussed at the firm over a period of several weeks, with emphasis on such questions as what became known as the "St. Clair problem" during former President Nixon's last days in office.

Attorney James D. St. Clair and his client, Nixon, were criticized for a working relationship that kept St. Clair in the dark about crucial information incriminating his client. Ultimately St. Clair, when informed of damaging recorded conversations, warned that if Nixon did not make them public, he would.

Kenneth C. Guido, an attorney with the lobby Common Cause, said that on the basis

of his work with Rogovin he was sure the lawyer would "push to be totally informed at all times" about the availability of information sought by Congress. "He's no babe in the woods," Guido said.

Also under discussion in recent weeks was whether Rogovin's work as general counsel for Common Cause and in cases questioning government surveillance and secrecy created a potential conflict of interest with his proposed CIA consultations.

Lawyers representing conflicting interests are ethically bound to stop representing one interest or the other.

Common Cause, which paid Arnold & Porter \$31,000 last year and has budgeted \$25,000 for the firm's 1975 legal services, was among the lobbyists pressing for creation of the intelligence committee headed by Sen. Frank Church (D-Idaho).

It has invoked the Freedom of Information Act to demand CIA Director William E. Colby's still-secret report to President Ford on the agency's domestic surveillance activity.

Common Cause also has demanded—unsuccessfully—access to or a copy of the CIA's budget. Colby said recently on national television that even partial budget disclosure was impossible.

Rogovin also has represented the Institute for Policy Studies, a Washington "think tank" where strong antiwar views stirred the interest of Nixon administration officials, in a suit charging the Justice Department and District of Columbia police with infiltrating its ranks and tapping its telephones.

Common Cause president David Cohen said the organization saw no conflict at this time but would watch the situation closely. Officials at the institute could not be reached but were reported angry and considering severing its 12-year relationship with the law firm.

Rogovin said he saw no conflict of interest between his CIA work and his representation of other clients, but added that it was up to the clients "to do what they want to do." He said he expected the CIA work to be very time-consuming.