

See also Clayton Fritchey, Wx Post 24 Mar 73, filed Prep.

MAR 27 1973

# Internal Security Dies Quietly at Justice

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The Kennedy Administration tried it, the Johnson administration came close to doing it, but it finally took the Nixon administration to abolish one of the most controversial divisions of the Justice Department.

A cause célèbre at both ends of the political spectrum, the Internal Security Division went out of existence yesterday morning.

There was no partying, protesting or philosophizing

to accompany the apparently momentous occasion, which would have sparked both angry opposition and delighted applause just a few years ago.

But then there hadn't been much time to plan a reaction—the event was only announced last Thursday.

Death came not because of any act of Congress, a cutoff of funds or a federal court decision, but rather by a stroke of Attorney Gen-

eral Richard G. Kleindienst's pen.

According to the official Justice Department press release on the matter, the abolition of Internal Security and the transfer of its duties to the department's Criminal Division—where they originally were until 1954—was merely "in keeping with the administration's program of streamlining the Executive Branch."

Justice Department sources said that is a euphemism for the fact that

the administration needed to shake loose a sub-Cabinet slot to house its new overall narcotics-enforcement agency.

Formal establishment of that agency is expected to be announced within the next few weeks, and its director will hold the "assistant attorney general" title dropped yesterday morning by A. William Olson, the Southern California lawyer who had been head-

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of Internal Security for the past year.

Administrative strategists hope that internal security watchdogs on Capitol Hill won't notice, but there is also a substantive reason for doing away with the division: it was running out of business.

With American participation in the Vietnam war virtually at an end, with draft calls down to zero, there will be no need in the foreseeable future for vigorous enforcement of the Selective Service Act.

Speaking somewhat with the wisdom of men who have outlived their usefulness, Internal Security secretaries also note that domestic terrorism—considered a major problem in the heyday of the Weatherman militants—has nearly subsided.

Some suggest that the division is a casualty of the same winds of change which have reeled the Subversive Activities Control Board in the shadow of its former self and which make the House Internal Security Committee (formerly the House Un-American Activities Committee, or HUAC) fight for its life and funds every two years.

It is perhaps a sign of the times that federal officials no longer seem vitally concerned about the threat of subversion and the need to fight it.

Even the Federal Bureau of Investigation and the Central Intelligence Agency are said to be making cutbacks in the area of domestic intelligence and counter-intelligence.

It was not always thus, especially in 1954 when President Eisenhower's Attorney General, Herbert Brownell, elevated the internal security

division of the Justice Department's Criminal Division to the status of a separate division. By 1957 it had 94 of its own attorneys.

By the early days of the Kennedy Administration, the division was being called into question and its chief, J. Walter Nease, was forced by congressional opponents to justify its annual budget.

The Washington Post reported on Nease's failure.

"The internal security division of the Department of Justice has almost come to the end of the line. Internal wars, both real and imaginary, have been decreasing. Now Attorney General Robert F. Kennedy is farming out a large part of the division's personnel to other divisions in the department because there is little for them to do."

Rep. Kennedy and other Democrats who opposed him as Attorney General, including Ramsey Clark, never managed to do away with the division.

In 1970, Yeagley, who had only 42 lawyers left under his command, was relieved of his vigil and appointed by President Nixon to be a judge of the newly strengthened District of Columbia Court of Appeals.

Then-Attorney General John N. Mitchell used the occasion to beef up the Internal Security Division under a new leader, Robert C. Mardian, who had worked in Sen. Barry M. Goldwater's 1964 Republican campaign and Mr. Nixon's 1968 effort.

Mardian took his mandate seriously, building his staff (there were 65 attorneys and 75 other employees in the division yesterday) and launching grand jury investigations of radical activities across the country.

Under him, the Internal Security Division was assigned jurisdiction over a number of controversial cases that would ordinarily have gone elsewhere, including the Harrisburg, Pa., conspiracy trial of the Rev. Philip Berrigan and other Catholic militants and all litigation growing out of disclosure of the top-secret Pentagon papers.

Justice Department officials insist that the division's work will not be downgraded because of the transfer, but sources said that many of its personnel will be promptly shifted to other, non-security-related tasks.

It was not immediately clear what would become of some of the division's most disputed responsibilities, including its secret "security index" of so-called potential subversives.