

# Surveillance Halt Is Disputed

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The highly classified papers that former Presidential Counsel John W. Dean III took from the White House indicate President Nixon's aides continued to formulate plans for potentially illegal domestic security operations after the date Mr. Nixon has said he rescinded a plan authorizing wiretapping and burglary, according to reliable sources.

One of the documents, a memorandum from former White House aide Thomas Charles Huston to former

White House chief of staff H.R. (Bob) Haldeman, "deals with electronic surveillance and break-ins involving the National Security Agency, the Defense Intelligence Agency, the Central Intelligence Agency and military intelligence," according to a Justice Department source.

A Senate source confirmed the substance of the memo, dated Aug. 5, 1970, and said it left unclear whether the named agencies had received authorization to conduct such operations.

According to both sources, that memo and seven other Dean documents are dated after July 28, 1970 — the

date President Nixon has said he rescinded a White House plan authorizing wiretapping and breaking and entering on "national security" grounds. Mr. Nixon has said he rescinded the plan after it was in operation for five days, because the late director of the FBI, J. Edgar Hoover, strongly objected to it.

In addition, a source involved in the Watergate investigation reported this weekend that the staff of Special Prosecutor Archibald Cox is investigating the possibility that as many as 25 burglaries were carried out under White House auspices.

The Dean papers are dated, all in 1970, as follows: Aug. 5, Aug. 7, Aug. 14, Aug. 25, Sept. 10, Sept. 19, Sept. 21 and Sept. 24, according to sources who have examined them.

The Justice Department source said the Aug. 14 memo, also written by Huston, "deals with the progress of the intelligence-gathering operation," and indi-

cates that plans for potentially illegal activities either had been approved or were awaiting approval.

In addition, a Sept. 10 memo by Huston indicates that an intelligence-gather-

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ing program—similar to the one President Nixon said he rescinded—was actually ongoing, the same source said, "because the memo deals with the interagency reaction to the intelligence-gathering operation."

The sources declined to be more specific about the contents of the documents because they remain classified Top Secret. Senate sources said they expect the so-called "Dean Papers," which are reportedly at least four inches thick, to be released this week in a "sanitized" version that eliminates information that could compromise national security.

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Another memo, dated Sept. 21, 1970, concerns a little-known unit in the Internal Revenue Service known as the Special Services Group and recommends that the unit be made available for special, sensitive White House assignments.

According to IRS officials, the Special Services Group was established in 1969, primarily to investigate the tax-exempt status of "extremist" organizations on both the political left and right and to probe the failure of some persons to pay federal taxes as a protest of the Vietnam war.

Both White House and IRS sources said there is no indication that the IRS group ever responded to White House pressure or carried

out White House assignments.

Dean, who appears before the Senate Watergate committee today, is expected to testify that President Nixon once complained to him that the IRS was not responsive to undertaking political assignments for his administration, according to sources close to Dean.

The remaining Dean docu-

ments were described as follows by Senate and Justice Department sources:

• Sept. 24, 1970—dealing with "interagency domestic intelligence operations."

• Aug. 7, 1970—describing problems posed by radical organizations in Portland, Ore.

(According to the files of The Oregonian newspaper, on May 2, 1970, a group of students and professors from Portland State University held a large demonstration that was rumored to include Black Panthers and members of the militant Weatherman faction of Students for Democratic Society. A grand jury investigation conducted in late July and early August, which was later made public, found that neither of the groups was involved in the demonstration.)

• Aug. 25, 1970—A memo from Huston discussing the advantages to the White House of appointing Otto F. Otepka, the controversial former State Department security official, to a full five-year term on the Subversive Activities Control Board.

In 1969, President Nixon had appointed Otepka to complete an unexpired term on the board which ran out Aug. 9, 1970—about two weeks before the Huston memo. It was not until

June, 1971, that Otepka was nominated to the full term. He retired June 30, 1972.

In 1963, Secretary of State Dean Rusk had fired Otepka from his post as chief of evaluations in the department's security office for giving classified information to the staff of the Senate Internal Security Subcommittee.

The Washington Post was unable to learn the subject discussed in the Sept. 19 document.

Dean, who was fired as the President's counsel April 30, took the top secret documents from the White House with him and put them in a safe deposit box in a Virginia bank.

Dean gave the keys to the safe deposit box to U.S. District Court Chief Judge John J. Sirica, who later gave copies of the papers to both the Senate Watergate committee and the Justice Department.

The New York Times published the full text of three of the Dean papers on June 7. Those three documents show that President Nixon

approved an enlarged domestic intelligence plan in July, 1970, after he was warned that portions of it were "clearly illegal."

In one of those documents, Huston told Haldeman: "We don't want the President linked to this thing with his signature on paper ... all hell would break loose if this thing leaks out."

In a statement issued May 22 apparently in anticipation of the release of the Dean documents, the President said that the intelligence agencies were notified of acceptance on July 23, 1970, of "specific options for expanded intelligence operations." The President added: "After reconsideration, however, prompted by the

opposition of (FBI) director Hoover, the agencies were notified five days later, on July 28, that the approval had been rescinded."

The Huston memo, dated July 15, 1970, and printed in The Times, says that the President had specifically approved additional wiretapping "of foreign nationals and diplomatic establishments," surveillance of the

mail, surreptitious entry, and the lifting of all restraints on coverage of "violence-prone campus and student-related groups."

Senate and Justice Department sources say that they are trying to determine if the plan was used by the White House in domestic intelligence operations, despite its formal rejection by the President.