

He Swears He Never Knew of Mail Openings

Longer story filed CIA (d).

Washington

Former Attorney General John Mitchell returned to the site of the Senate Watergate hearings yesterday and said under oath he was never told that the Central Intelligence Agency or the FBI was illegally opening mail.

Mitchell, who is appealing his conviction for perjury, conspiracy, and obstruction of justice in the Watergate coverup case, said he does not recall that CIA Director Richard Helms ever told him of the mail opening operation.

He also told the Senate intelligence committee he has no reason to believe Richard M. Nixon was informed of it while president.

Mitchell's testimony appears to conflict with Helms' statement to the committee Wednesday. Helms said he left a 22-minute meeting with Mitchell on

June 1, 1971, with the clear impression that Mitchell understood that the CIA was opening and reading letters to and from the Soviet Union.

Helms testified he showed Mitchell information that obviously had come from an illegally opened personal letter.

Mitchell said he can't recall being shown anything of the sort but declined to say Helms had "misled" him.

"You're implying an intention on the part of Mr. Helms to mislead me that might not have been the case at all," Mitchell said.

Mitchell appeared in the marble-walled Senate room where he told the Watergate committee in July, 1973, that he had not heard of the so-called Gemstone files of information derived from wiretaps on Democratic party officials.

For that and related testimony he has been convicted of perjury.

Mitchell said yesterday that "to the best of my recollection I was never told that anyone was carrying on a mail opening operation. It is my testimony that I never knowingly saw the con-

tents of any letter that had been opened."

He said he had been under the impression that Helms told him about a legal "mail cover" program in which only the outside of an envelope is examined.

In a memo he wrote for the record after his meeting with Mitchell, Helms said he had told the attorney general of the true nature of the program and that

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Mitchell had no "hangups" about it.

On another subject, Mitchell said he advised Mr. Nixon to withdraw his approval for the so-called Huston intelligence plan because it included programs for illegal mail openings and such other illegal acts as burglary.

"The proposals were inimical to the best interests of the country and they were not something a president of the United States should be approving," Mitchell testified.

The Huston plan was rescinded by Mr. Nixon in July, 1970, five days after he first approved it.

Mitchell said he was asked whether Mr. Nixon knew about the CIA program which one of every 13 letters to and from the Soviet Union was opened on a selected and random basis.

"I would believe not," Mitchell

said. "At least not at the time we discussed the Huston plan. I would believe he did not."

Evidence has shown that the CIA mail openings, which first began in 1953, continued while the plan was being considered and for three years after it was disapproved.

Mitchell was asked why he thinks the CIA did not stop the program when Mr. Nixon withdrew his authorization.

"Apparently the old-school-tie boys who had been doing it for 20 years decided they were going to continue to do it," Mitchell said.

Donald E. Moore, a retired FBI agent with direct knowledge of the mail opening program, said the FBI opened the mail in periodic programs in eight U.S. cities from 1940 until director J. Edgar Hoover ordered the practice stopped in 1966.

In previous testimony, FBI officials have said the longest and most extensive of these programs — all of which were aimed at uncovering foreign espionage agents — was conducted in New York City from 1959 to 1966 and involved opening a total of 1001 letters.

The CIA has said it opened more than 215,000 letters in the Soviet-U.S. mail stream over a 20-year period.

Hoore said the FBI told the CIA about its mail opening program in 1961. But the CIA didn't tell the FBI it had a similar program until three years later.

Associated Press