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No. 26

22 JANUARY 1973

Governmental Affairs

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WASHINGTON POST
8 JANUARY 1973

Llewellyn King

From AEC to CIA: 'Intellectual Man of Action'

IN HIS 16 months as chairman of the Atomic Energy Commission, James R. Schlesinger Jr., whom Mr. Nixon has nominated to head the CIA, achieved what has seemed to be a minor miracle: He has taken an ailing department overwhelmed by demands and given it a new sense of purpose and vigor. His record should be of some interest to those who are wondering how he will conduct the affairs of the Central Intelligence Agency.

When Schlesinger took over in August 1971, the AEC was gun-shy and exhausted, and the reorganization plan that would have parcelled off some of its functions to the proposed Department of Natural Resources then being considered by the Congress seemed like the only kindly way out.

These were some of the woes then facing the AEC:

The AEC's licensing procedures for nuclear power plants, based on exten-

The writer is Washington editor of *Nucleonics Week*.

sive public hearings and designed to inform the public what it meant to have such a plant in their community, had become a battleground between environmental groups and electric utilities. Utilities themselves were caught between projections of a doubling of electricity demand every 10 years until the end of the century and rising costs of fossil fuels, plus stiffer air quality standards. Environmentalists were reflecting generally a disillusion with technology similar to that which ended the SST project. A large body of opinion among AEC's critics, as well as some in industry, was saying that the AEC was in conflict of interest by being both a regulatory and promotional agency. Then, shortly before Schlesinger's arrival, the Court of Appeals for the District of Columbia ruled that the AEC had been ignoring the provisions of the National Environmental Policy Act in not considering environmental matters in its hearings, and in one stroke the AEC's regulatory workload was doubled.

THERE WERE other problems, too. The AEC was under fire for then-current standards of radioactive effluent releases from power plants. The liquid metal fast breeder demonstration reactor program, on which the government hinges its hopes for meeting the country's mid-term electrical needs, was dragging along in a series of ineffective discussions. The Joint Committee on Atomic Energy was practically at war with the administration over the nation's future capacity to enrich uranium, the processed fuel. AEC is committed to supply for the domestic industry and a large part of the free world's nuclear generating capacity. Congress had authorized and appropriated funds for increasing the capacity of the AEC's three existing

uranium enrichment plants, but the Office of Management and Budget had steadfastly refused to spend the money.

And behind these day-to-day problems of atomic energy were the national security issues of the SALT talks and the planned detonation of a nuclear warhead at Amchitka Island.

Presiding over the AEC was Glenn Seaborg, a respected scientist and internationalist who was a lot happier discussing the long-term benefits to mankind world-wide than he was with the daily hassle of running the AEC, a problem that he appeared to have solved by leaving the daily troubles to his division heads while contemplating the big picture himself. His attitude to the public was patronizing and is summed up by what the critics of the AEC call "papa-knows-best." Some evidence of this is provided by his relegation of a minor role to the AEC public information function.

THEN CAME Schlesinger, a tall, boyish 43-year-old with an omnipresent pipe in his mouth and a twinkle in his eye. A man who put in 16-hour days, Schlesinger found time to introduce some humanizing innovations, as well as to restructure the AEC. Wine appeared in the executive dining room, and alcohol was served for the first time ever at AEC receptions. Substantive innovations occurred. The two aspects of the AEC, the regulatory and promotional branches of the agency, were overhauled. Teams of consultants were set up for major reorganization of the agency. New departments and new department heads were introduced. A new policy of running an "open" agency was introduced.

In a major speech six weeks after taking office, Schlesinger said that the cozy, incestuous relationship between the industry and the AEC was over. He called environmental critics of the AEC into meetings and "jawboned" with them.

One of his division chiefs said, "He seems to be that amazing combination, an intellectual man of action." There is evidence that it was a good analysis of the man. He was a defense analyst for the Rand Corp. and was for a little over a year an assistant director of the Office of Management and Budget, where he prepared a study for President Nixon on overhauling the intelligence establishment that he is now to head. He had no administrative background, but seems to have tapped a great latent talent for administration. He is a devotee of analysis and planning and has borrowed the Defense Department's "critical path analysis" computer profiling system for AEC licensing. The system allows the entire state of the licensing program to be seen at a glance on a computer readout. He is a voracious reader of English history and is fond of quoting Burke and Haslitt.

On paper Schlesinger reads like a second Robert McNamara. He has a facility to grasp a complicated problem at a glance, and his computer-like

qualities are modified by unexpected personal charm and a very human warmth.

ONE OF THE MOST encouraging things that Schlesinger has done is to reduce some of the more sinister aspects of the AEC that resulted from its weapons producing role. When a reporter told Schlesinger that the agency's civilian regulatory building in Bethesda, Md., was still subject to Pentagon-type security, he said: "Christ, is that still going on?" and turning to an aide, he added: "That is going to stop now." It did.

When *Nucleonics Week*, the trade publication for the atomic energy industry, published an article about AEC scientists who feared they would be the victims of reprisals for their views on the controversial subject of nuclear safety, he was incensed. Schlesinger berated the reporter who wrote the report. But when the reporter insisted on the veracity of the story, Schlesinger demanded more facts. Then he said: "I know who it is (naming the head of one of the AEC's divisions). It is not going to happen any more."

And to all appearances it hasn't. The agency now has a small band of in-house critics who speak out against what it is doing. Although often doing this off the record, they are well known inside the agency, but they do not appear to have been silenced in any way. At the time of the incident, Schlesinger said, with considerable emotion: "While I am chairman here there are not going to be any reprisals. We are not going to have that kind of — here." He is no stranger to pertinent epithets.

On several subsequent occasions he has inquired whether there has been any new word of reprisals.

In the personnel area, he encouraged many old AEC hands to seek early retirements and brought in highly qualified new individuals, including a new director of licensing.

When he took the AEC job, Schlesinger was as alien to publicity as he was to administration, but he showed the same quick taste for both. He appeared to like the company of newsmen and would gravitate to them at receptions and on public occasions, although his treatment of them was often avuncular. He never appeared in his AEC job to be enjoying himself as much as when he was debating with one or more members of the press, and he seems to have as much a taste for a party as he does for computers, facts and statistics. He has a hunger for facts and figures that he spews out in the course of his conversation as naturally as breathing.

At an AEC reception recently, as several stragglers approached the bar for another round, the bartender replied politely that the party was over. "The hell it is," said the chairman of the AEC, extending his glass for a refill. Those who know him believe that the AEC is in for a shot of change, and they feel pretty good about it.

LOS ANGELES TIMES
10 January 1973

CIA Change: Bird Watcher as Spiespy

BY RUDY ABRAMSON
Times Staff Writer

WASHINGTON—Not long after James R. Schlesinger became chairman of the Atomic Energy Commission, somebody noticed that he kept high-powered binoculars on the windowsill in his office at the AEC's Germantown, Md., headquarters.

The word got around quickly that he was spotting the license numbers of employes who were ducking out early in the afternoon to mow the lawn or get ahead of rush-hour traffic.

When an aide discovered the chairman was watching birds rather than bureaucrats, Schlesinger puffed on his pipe and said, "Well, let's just not tell anybody anything different."

So the AEC civil servants went on thinking the boss was watching for people who weren't putting in a full day.

Today or Thursday, some 16 months after he became AEC chairman, Schlesinger is expected to go before the Senate Armed Services Committee to be approved as director of the Central Intelligence Agency.

Intriguing Shuffle

In the most intriguing shuffle of the Administration lineup for President Nixon's second term, the 47-year-old economist will replace Richard Helms, a widely respected veteran of nearly 30 years' intelligence work, as leader of the enormous intelligence community.

Schlesinger will be responsible for advising the President of the weapons being built by potential adversaries, of political undercurrents in the third world, of collecting and analyzing the raw material on which crucial national security decisions are based.

He will supervise a budget estimated at as much as \$6 billion, but unknown to all but a few because much of it is hidden in the appropriations of other government agencies.

He will oversee a conglomerate of a dozen or so separate fiefdoms, jealous of their own prerogatives, sometimes overlapping in responsibility, and not above quarreling over the meaning of the secrets they glean.

200,000 Employes

There are about 200,000 employes in the CIA, the Pentagon's defense intelligence agency, the supersecret national security agency, charged

with development and security of cryptographic codes and equipment, and lesser bureaucracies.

Just why the President decided to move Helms out and replace him with Schlesinger still is unknown. But the real reason is acknowledged to be far more complicated than the one announced: that Helms felt he should follow a CIA policy of retirement at 60.

But in picking Schlesinger, the President was consistent with his practice of seeking unusual managerial talents.

Although he is a relative newcomer to the federal bureaucracy, the AEC chairman has developed a reputation as a shrewd handler of tax

dollars and a man intolerant of laxity.

Brought into the Administration four years ago by Robert Mayo, then budget bureau director, Schlesinger, who had been director of strategic studies for Rand in Santa Monica, was put to work on the Defense Department budget.

One official in the Office of Management and Budget said Schlesinger was able to trim the Pentagon budget by \$6 billion.

The official said that Schlesinger was largely responsible for convincing the Navy it was wasting money by maintaining vintage warships and that he hastened the trend toward fewer and more up-to-date naval vessels.

Schlesinger became AEC chairman in 1971 upon resignation of Glenn Seaborg, the Nobel Prize-winning chemist, who had been in the job since the Kennedy administration.

Since then, Schlesinger has carried out two substantial reorganization programs at the AEC, put it on more communicative terms with environmental critics, and generally breathed new life into an agency with a seemingly cloudy future.

AEC officials, by and large, are not happy to see Schlesinger leave.

While Schlesinger seems a Nixon-style manager, his personal style is a far cry from others Mr. Nixon has drawn around his Presidency.

His idea of a gourmet lunch appears to be a cold cheeseburger at his desk. He buys his clothes off the rack, apparently without accurate recollection of the size. His shirttail is out more often than in, and his omnipresent pipe is constantly hammered loudly into an ashtray to keep it functional. His au-

tomobile is an economy model Ford, circa 1960.

He is an accomplished pianist, something of a guitarist and also plays harmonica.

On weekends he often heads for the Potomac River or Chesapeake Bay on private bird-watching expeditions. During business trips, he has been known to get up at 4 a.m. to go bird watching; at least once he appeared in the lobby of a posh hotel dressed like a lumberjack as he set out to add to the list of more than 500 birds he has identified.

Once Taught Theology

In the course of pursuing one of his three Harvard degrees, he taught an undergraduate course in theology. In conversation, he easily quotes Latin and English literature, but in his spare time he delights in settling down with a beer to watch a college football game on television.

When he became AEC chairman, a veteran of the agency likened his performance to Gen. George S. Patton assuming command of a defeated army.

At the same time he was reorganizing the AEC's regulatory office and general manager's office, he swept aside some practices that existed solely because they had always existed.

He permitted cocktails to be served at official social occasions at the AEC's headquarters and allowed wine in the cafeteria. He stopped a practice in the commission's downtown offices of having visitors fill out a form, receive a badge, and have an escort before entry.

Three months after he took the top AEC post came the controversial underground test of a several-megaton nuclear warhead on Amchitka in the Aleutian Islands. Environmental activists pressed all the way to the Supreme Court in efforts to stop the explosion, which they maintained would endanger wildlife on a massive scale.

Schlesinger, showing a flare for the spectacular, flew to Amchitka for the test, taking along his wife and two of his eight children. By the time the earth stopped shaking, he was on the communications network advising news media covering the shot that it had gone ex-

actly as planned.

During his years with Rand, he became an expert on the subject of nuclear weapons proliferation and also developed a deep interest in the field of intelligence.

Later, after joining the Nixon Administration, he was deeply involved in discussion and planning of the United States' position in strategic arms limitation negotiations with the Soviet Union, although it was not specifically a part of his assignment at the White House budget office or the AEC.

A former associate at the White House said, "He may be the best appointment Nixon has made in four years.

"He has made it completely on his ability. He can be a nasty bastard. There is very little soft soap. Play the social game he doesn't."

Schlesinger apparently came into serious consideration for the top intelligence job after heading an intensive 18-month study with K. Wayne Smith, then a staff member of the National Security Council, on organization of the U.S. intelligence establishment.

The study, which still remains highly secret, was

WASHINGTON STAR
7 January 1973

CARL T. ROWAN

aimed primarily at searching for ways in which the United States could get more effectiveness for the dollar in collecting and analyzing intelligence information. It led last year to a substantial reorganization of intelligence functions.

Strangely enough, its major effect was to increase in the overall intelligence community the influence and responsibilities of the director of the Central Intelligence Agency.

Range of Options

After analyzing the establishment, the study presented President Nixon with a range of options. The President accepted proposals which specified that the CIA director should exercise control over the overall intelligence budget and should be chairman of the major committees supervising intelligence activities.

Afterward, there was discussion within the Administration of bringing Schlesinger into the White House as a super-intelligence adviser, on the level with Henry A. Kissinger in foreign affairs and John D. Ehrlichman in domestic affairs.

There have been reports

in recent weeks that Helms' shift resulted over a split with Kissinger and/or other officials in the national security area over interpretation of Soviet missile developments.

It was indeed highly debated in 1970 and 1971 as to what the Soviets were planning when they began building large new missile ships.

Secretary of Defense Melvin R. Laird raised the possibility that the Soviets might be trying to develop a first strike capability—that is sufficient missiles and large warheads to knock out U.S. retaliatory forces in a sneak attack. Helms took a much less alarmist view.

Intelligence sources within and without the Administration now maintain the switch of Schlesinger for Helms resulted because Mr. Nixon decided Helms had not moved vigorously enough to implement the reorganization decisions taken on the basis of Schlesinger's study.

Beyond that, another official said, there was a matter of Helms, growing up as he did with the CIA, being more interested in CIA operational details than with battling all the intelligence agencies over budget matters and deliv-

ing into the tedious matters of intelligence analysis.

And even beyond that, some say, there was a question of style. Helms was a holdover from the Democratic years — urbane, in many ways liberal, and dedicated more to ideas and institutions than to the Nixon Presidency. Schlesinger, according to some sources, would have preferred to pursue what he has started at the AEC for another year or so before moving on to another job.

But now that he is going, a friend said, "My feeling is that there will be a lot more cloak and a lot less dagger at CIA. If anybody can make that job effective and respectable, it's Jim Schlesinger. He'll bring dimension to that job that it has never had before."

Helms, meanwhile, will move to Iran to become U.S. ambassador, still probably the most respected intelligence official the United States has had.

James Schlesinger, tucked away in the trees at CIA headquarters off the George Washington Parkway north of Washington, will find better bird-watching.

At Germantown all he ever saw, besides employees sneaking out early, were buzzards.

Too Many CIA Men in America's Embassies

My travels in the Far East and Latin America in 1972 have alerted me to a little-known but deeply-disturbing aspect of the State Department's decline in the conduct of foreign policy.

In country after country, foreign service personnel complained to me that "the intelligence agencies are sneaking more and more of their men into what on the surface appear to be State Department slots."

"We'll soon be just like the Russians, who scatter KGB agents into the highest and lowest posts in their embassies," one high ranking Foreign Service officer said. "It seems that every month the CIA is pressing to ease another of its men in as a political officer, or economic officer."

The Russians long have had a reputation for making their embassies mostly cloak-and-dagger operations.

All countries have long given their agents and such

operatives the respectable cover of diplomatic assignments, except for those under such "deep cover" that they are in pursuits totally removed from any official government agency. But the United States has been pretty circumspect about the extent to which it permitted intelligence operators to penetrate the entire foreign establishment.

As first director of the Peace Corps, R. Sargent Shriver got presidential backing for a rigid prohibition against using Corps volunteers as intelligence agents.

When I became director of the U.S. Information Agency one of the first messages I sent to the field asserted that any employe found working for CIA who could not produce an authorization signed by me would be automatically fired—and none had such an authorization.

The idea was that it was not have foreigners feel that our

Peace Corps teachers were Mata Hari, or that our cultural and information programs bore the taint of espionage.

All the evidence I saw indicated that the CIA respected and honored that viewpoint.

I heard nothing to indicate that the Peace Corps or USIA policies now differ.

But the complaints and expressions of deep concern that I have heard on two continents indicate that some disturbing changes are occurring where the State Department is concerned.

First, the department has suffered as a result of budgetary strictures imposed by this administration. In the November Department of State Newsletter, William O. Hall, director general of the Foreign Service, noted that budget problems "have sharply reduced political positions. As a result, promotions of political officers have been curtailed. The political positions we

lose are quickly taken over by CIA," complained one senior Foreign Service officer. "They take over under default because they get the money to hire the people and we don't."

One danger is that the more we operate like the Russians and the KGB, the more vulnerable the United States becomes to emotional charges like the one made recently by Mrs. Indira Gandhi, the president of India, about alleged but unspecified undesirable CIA activities in her country.

Then there is the matter of reporting back to Washington the information and analyses on which the President decides whether or not to bomb, give military aid, lower a trade barrier, support one political group. He needs an input from both the diplomats and the intelligence services, but the whole nation will benefit in the long run if we keep the functions separate so that our leaders know who is recommending what, and from what background.

WASHINGTON POST
6 JANUARY 1973

Tom Braden

CIA Housecleaning: The Cold War Is Over

HISTORY has a way of punctuating itself without benefit of manifesto. Neither White House nor Kremlin has proclaimed that the cold war is over. Yet the departure of Richard Helms as director of the Central Intelligence Agency and the appointment of James R. Schlesinger to succeed him is a kind of period, ending an era as clearly as though Winston Churchill had come back to Fulton to revise his famous speech about the Iron Curtain.

Helms is the last of the bright young men whom Allen Dulles assembled from wartime OSS and from Wall Street law offices to help him turn the CIA into the citadel of the cold war.

Dulles is dead. So is Frank Wisner, his hard-driving and inventive assistant. So is the one-time number-three man, Tracy Barnes, tall, blond, handsome and having about him the aura of mystique as the man whom Dulles had personally chosen to parachute into Italy with surrender terms for Kesselring. So is that charming young man of feline intelligence, Desmond Fitzgerald, who once had the courage and foresight to tell Robert McNamara that the army would fail in Vietnam.

SO THE BRILLIANT and the best are gone. It is said that now the President wants someone to clean house over at "the firm," as the cold warriors from Wall St. once referred to their place of business. It is a worthwhile project. Like all bureaucracies, the one that Dulles built tended to go on, doing whatever he had given it permission to do long after the need was a memory.

The 1966 "scandal" about CIA's infiltration of student and cultural groups and its use of labor unions, for example, was only a "scandal" because the activities then being conducted seemed so out of date. It was a thought Americans had awakened in 1955 to the startling news that some World War II division left on say the Moselle River in inexplicable ignorance of time suddenly attacked eastward.

There were so many CIA projects at the height of the cold war that it was almost impossible for a man to keep them in balance. The dollars were numerous, too, and so were the people who could be hired.

People in government tend to stay on, and CIA had its fair share of stayers left over from some forgotten proj-

ect or deserted by a bureau chief who didn't get what he wanted and left his recruits to founder for other desks.

There were all those college boys, whom the agency hired during Korea, trained as paratroops and guerrillas and then shoved into tents because Gen. MacArthur wouldn't let them into his theater. The same morale problem existed for them as did later for the Cuban exiles awaiting the Bay of Pigs. Some of them departed in peace, but some are still around, like the Bay of Pigs men who so embarrassed Richard Nixon during the last campaign.

So I am not against a housecleaning. The times have changed, and in some ways they now more neatly approximate the time when CIA was born. The need then was for intelligence, only Josef Stalin's decision to attempt conquest of Western Europe by manipulation, the use of fronts and the purchasing of loyalty turned the agency into a house of dirty tricks. It was necessary. Absolutely necessary, in my view. But it lasted long after the necessity was gone.

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WASHINGTON POST
6 JANUARY 1973

President Realigns His Staff

By Lou Cannon

Washington Post Staff Writer

President Nixon moved yesterday to shake up and streamline the sprawling federal bureaucracy along functional lines by giving three Cabinet members broad authority as counselors for natural resources, human resources and community development.

Mr. Nixon also named five high-ranking members of his staff as assistants to the President with responsibilities "to integrate and unify policies and operations throughout the executive branch . . . and to oversee all of the activities for which the President is responsible."

"Americans are fed up with wasteful, musclebound government in Washington and anxious for change that works," the President said in a statement accompanying his reorganization order.

Under the reorganization, Secretary of Agriculture Earl L. Butz will assume the additional duties of counselor on natural resources. Caspar W. Weinberger, Secretary-designate of Health, Education and Welfare, will become human resources counselor and James T. Lynn, Secretary-designate of Housing and Urban Development, will become community development counselor.

Creation of this functional "super-Cabinet" closely follows the plan outlined by Mr. Nixon in the reorganization proposal he made to Congress in 1970. It has never been acted upon.

However, John D. Ehrlichman, domestic affairs adviser to the President, said the plan announced yesterday was "less than half a loaf" of what the President desired in the way of federal reorganization. He said that the administration would continue to seek congressional enactment of the full reorganizational plan.

Ehrlichmann is one of the five high-ranking staff members who will become a presidential assistant under the reorganization. President Nixon called these five men "the nucleus" of his second-term staff.

The five are H. R. Haldeman, administration of the White House Office; Henry A. Kissinger, foreign affairs; Ehrlichman, domestic affairs; George P. Shultz, economic affairs and Roy L. Ash, executive management.

Unlike the appointment of

the counselors, this "management change appears chiefly to be one of designation. Haldeman, Ehrlichman and Kissinger will continue to perform roles similar to the ones they occupied in the first term, and Shultz and Ash previously had been designated as assistants to the President.

Two other administrative appointees also were previously named assistants to the President for the second term. They are Peter M. Flanagan, who has responsibility for international economic affairs, and William E. Timmons, for legislative liaison.

Ehrlichman said that the reorganization will enable the President to make a 50 per cent cutback in personnel employed by the Executive Office of the President. The size of the office more than doubled in Mr. Nixon's first term, to a total staff of 4,216 persons.

As counselor on natural resources, Butz will have responsibility for issues involving natural resource use, land and minerals, the environment, outdoor recreation, water navigation and park and wildlife resources in addition to his continuing duties as Secretary of Agriculture.

Weinberger's responsibilities will extend to health, education, manpower, income security, social services, "Indians and native peoples," drug abuse and consumer protection.

Under Lynn's jurisdiction will be problems of commu-

nity planning, community institutions, housing, highways, public transportation, regional development, disaster relief and national capitol affairs.

Butz, Weinberger and Lynn each will chair a committee on the Domestic Council made up of department and agency heads. The President said these committees will operate similarly to the new Council on Economic Affairs, announced last month and chaired by Schultz, which will coordinate all departments and agencies dealing with economic policy.

The new reorganization appears to diminish the traditional role of the presidential Cabinet and of the individual Cabinet members except for the three counselors. Many of the functions which Butz, for example, will be coordinating have traditionally been under the exclusive jurisdiction of the Department of the Interior. A number of Lynn's responsibilities extend to programs administered by the Department of Transportation.

However, the President said in his statement that the functions of the 11 executive departments of the Independent agencies will remain unchanged. This is a sensitive point in the Congress, which is concerned about maintaining specific legislative jurisdiction over the various agencies.

President Nixon has never cared very much for full Cabinet sessions, which Ehrlich-

WASHINGTON STAR
16 January 1973

Adm. Souers Dies at 80; Helped Set Up the CIA

man referred to yesterday as "show-and-tell sessions." Instead, Mr. Nixon has from the outset of his first administration preferred small, compact groups with specifically defined responsibilities.

The announcements of intended cutbacks in the executive office made no mention of any reduction in the White House staff, which the President said earlier should set an economy example for other agencies.

Ehrlichman said an announcement on White House staff reductions would be forthcoming within a week to 10 days.

Rear Adm. Sidney W. Souers, a close friend of the late President Harry S. Truman who played a primary role in setting up what became the Central Intelligence Agency, died Sunday in St. Louis. He was 80.

Adm. Souers entered the hospital Saturday. He had been in ill health for some time.

He was a former board chairman of General American Life Insurance Co., in St. Louis.

ADM. SOUERS was born in Dayton, Ohio, in 1892. He attended Purdue University and was graduated from Miami University at Oxford, Ohio, in 1914. Before World War II, Adm. Souers was involved in banking, life insurance and a wide range of other business activities.

He was appointed a lieutenant

commander in the Naval Reserve in 1929. Called to active duty in 1940, Adm. Souers served as an intelligence officer in several Naval District commands and, while with the 10th Naval District in San Juan, Puerto Rico, also was intelligence officer of the Caribbean Sea Frontier during World War II.

In July 1944 he became assistant director of the Office of Naval Intelligence here and, in November 1945, was designated deputy chief of Naval Intelligence with the rank of rear admiral.

In January 1945, Adm. Souers was appointed director of central intelligence in the National Intelligence Authority, which later became the CIA. He left active duty in 1946.

HOWEVER, at the request of Truman, Adm. Souers be-

came executive secretary of the newly created National Security Council in 1947, and remained in that job until 1950.

Still functioning as a special consultant to Truman, Souers after leaving the NSC blasted the Subversives Control Act passed by Congress and warned that the wave of anti-communism "contains the seeds of danger."

He said that unrestrained and indiscriminate anti-Communist activity could be as dangerous to American liberties as anything the Communists could do. We have no place in our country for vigilante activities," Adm. Souers said, and called the Subversives Control Act "confused and unworkable."

AFTER RETURNING to business, he was chairman of the board of an Atlanta, Ga., linen service corporation, and a partner in extensive farming and mercantile operations, as well as being a director of General American Life.

For many years Adm. Souers maintained a suite at the old Wardman Park Hotel here. He was a member of the Army Navy, Metropolitan, and Chevy Chase Country Clubs.

He is survived by his wife, the former Sylvia Nettell, whom he married in 1948.

THE AIR FORCE MAGAZINE
January 1973

Airman's Bookshelf

The Intelligence Bureaucracies

CIA—The Myth and the Madness, by Patrick J. McGarvey. Saturday Review Press, New York, N. Y., 1972. 240 pages. \$6.95.

This may be the book that hundreds of former CIA employees will wish they had written. Patrick J. McGarvey, a veteran of fourteen years with the Agency, respects the craft of agent and analyst and regards CIA's mission as vital. But he knows and tells what goes wrong with intelligence operations, from the time information is gathered and matched with known facts to the presentation of a final report to the White House. In spite of its title, this book is about intelligence operations generally, not solely those of CIA.

CIA and nine other agencies—the Defense Intelligence Agency, the State Department, the National Security Agency, the Atomic Energy Commission, the Federal Bureau of Investigation, and the four military services—engage in intelligence activities costing the taxpayers about \$5 billion a year. They constitute a "conglomerate industry with diverse functions and a worldwide responsibility," says McGarvey, and conduct their business amid a profusion of "committees, study groups, and overlapping lines of authority and responsibility" that leaves most employees reeling on the ropes.

Technological progress has only

made matters worse. Computers, spy satellites, and other sophisticated tools stimulate indiscriminate collecting of data that may end up unused in files. Agencies expand their activities outside lines of authority and expertise with resulting duplication of effort. Hard-fought compromises between agencies can damage the usefulness of final intelligence reports on which vital policy decisions are based. McGarvey finds military intelligence incapable of quick response in a crisis and civilian agencies clogged by bureaucratic layering. When things go wrong, it is difficult to pinpoint responsibility or to safeguard against future error.

The book allegedly documents instances of intelligence failures from an "insider's" point of view, which this reviewer cannot analyze without closer knowledge of McGarvey's work and the likelihood of his personal access to all the facts. However fair or unfair his assessment of specific operations may be, he believes that stubborn disagreements, misunderstandings, agency bias, or simply communications fail-

ure have led to error, inefficiency, excess spending, and even needless wartime casualties.

Congressional monitoring of CIA is only a polite fiction, McGarvey states, and the CIA Director lacks the equality of rank with other agency heads that would enable him to administer all intelligence efforts.

A congressional investigation and public debate are overdue, he believes, and suggests overhauling intelligence activities along functional lines, thus abolishing much duplication of effort. The secrecy-shrouded intelligence budget should be opened to public scrutiny, he contends, adding, "I submit that the Soviet analysts . . . have our intelligence budget figured out a lot closer than the most informed American citizen." Minor changes in the National Security Act, he suggests, would permit full and impartial investigation of intelligence by a public body every five years.

—Reviewed by Marjorie Ulsamer, Deputy Director, Publications Division, HUD, and a former CIA employee.

SUNDAY STAR and DAILY NEWS
Washington, D. C., January 7, 1973

Watergate Trial to Open, U.S. Limits 'Plot' to Seven

By BARRY KALB
Star-News Staff Writer

"It is up to the jury to accept or reject the evidence that we propose to offer, but there will be evidence we will offer that will go — from which the jury may draw, we think, an appropriate inference as to perhaps a variety of interests."

That remark, made Dec. 4 by Asst. U.S. Atty. Earl J. Silbert, is about as far as the government has gone publicly in describing what it feels was behind the break-in and bugging of Democratic National Committee headquarters last spring.

Further clues as to the government's theory of "The Watergate Caper" have been gleaned by inference, from infrequent and evasive private comments by prosecutors, from court papers, and, unexpectedly, from comments in court Friday by an attorney involved only peripherally in the case.

But there hasn't been much.

Strategy a Secret

The strategy, or strategies, of the defense have been an even more closely kept secret. The best that has been offered is some educated speculation, and that covers only four of the seven defendants.

Some answers may come out at last, when the Watergate trial opens here tomorrow before Chief Judge John J. Sirica of U.S. District Court.

But at this juncture, one thing probably can be said with complete assurance: The government's case will be based on the contention that the alleged plot included no one other than the men indicted Sept. 15.

In order to reach this conclusion, the government has had to ignore some points:

- Reports in the news media linking the scheme to aides of President Nixon and alleging a deliberate campaign of political sabotage and espionage.

- The reported statement of its own key witness, Alfred C. Baldwin III, that on at least one day transcriptions of overheard conversations were delivered to the Committee for the Re-election of the President.

The eight-count indictment, charging conspiracy, illegal interception of oral and wire communications, second-degree burglary and possession of illegal intercepting devices, names the following:

- E. Howard Hunt Jr., 54, of 11120 River Road, Potomac; ex-CIA agent, planner of the

Bay of Pigs operation (six of the seven defendants reportedly played a part in the operation), former White House consultant, novelist. Charged with conspiracy, burglary and illegal interception.

- G. Gordon Liddy, 42, of 9130 Ivanhoe Rd., Oxon Hill; ex-FBI agent, former White House consultant and former CRP counsel. Charged with the same three offenses as Hunt.

- James W. McCord, 53, of 7 Winder Court, Rockville; ex-FBI, ex-CIA, owner of security firm, former chief of security for the Republican National Committee and the CRP. Charged with all four offenses.

- Bernard L. Barker, 55, of Miami; Cuban-born, real estate agent, recipient — through his real estate firm — of \$114,000 which passed through the CRP. Charged with all four offenses.

- Frank A. Sturgis, 37, of Miami; ex-Marine, soldier of fortune, fought with and against Cuban Premier Fidel Castro. Charged with all four offenses.

- Eugenio R. Martinez, 49, of Miami; Real estate agent in Barker's firm, former CIA agent involved in smuggling refugees out of Cuba. Charged with all four offenses.

- Virgilio R. Gonzalez, 45, of Miami; Cuban-born, locksmith. Charged with all four offenses. With McCord, Barker, Sturgis and Martinez, was arrested inside Democratic headquarters June 17, bringing the case into the public for the first time.

Only Hunt, Liddy and McCord are charged with actually having intercepted communications. The other four are charged with having attempted to intercept such communications.

Under the Omnibus Crime Control and Safe Streets Act of 1968, interception of communications and disclosure of intercepted information are separate offenses. In this case, no disclosure charge has been made.

Baldwin, who said in a Los Angeles Times interview in October that as an employee of the CRP he participated in the bugging, said that he transcribed what he overheard and gave the logs to McCord.

Guard Cited

However, on June 7, Baldwin said, McCord returned the day's logs to him and on McCord's orders, he delivered the logs to "an elderly guard" at the CRP. On the envelope, he said, was the name of a CRP official, a name he can't re-

member.

If that official's name were known, the government could possibly have charged the defendants — Baldwin has been granted immunity in return for his testimony — with disclosure as well. But it is not, and knowledgeable sources say the government does not feel it has enough evidence to make a disclosure case.

In court Friday, Silbert told Sirica that "all" logs of the tapped conversations prepared by Baldwin were given to McCord. This could be made consistent with both Baldwin's statement and with the government's case, and also with the statement made Friday by Charles Morgan Jr.

Morgan, representing a number of Democratic officials and employees in a peripheral legal matter, said he had information that the government will try to show that the motive behind the bugging was run-of-the-mill blackmail, not politics.

If the government is contending that the tapes stayed among the seven defendants, then a blackmail motive would be consistent. It seems evident that if blackmail were the motive, the phone tapped, that of R. Spencer Oliver, executive director of the Association of State Democratic Chairmen, would be a likely target.

According to Democratic sources, Oliver's telephone did not pass through the committee switchboard, and therefore — it was thought — was safe from snooping ears.

In his interview, Baldwin tends to confirm this. He talks of overhearing some "explicitly intimate" conversations by "several secretaries and others using the phone," and quotes one secretary as saying, "We can talk. I'm on Spencer Oliver's phone."

Morgan indicated that, if blackmail were the motive, it was not the only motive, and gave an example of how, he said, the tapes were used for political reasons. The government had no comment, but said nothing to dispel the notion that Morgan was right about the government case.

Silbert did repeat the gist of his Dec. 4 statement, that the jury will be able to infer a "variety" of motives, however.

In the final analysis, from a legal standpoint the government doesn't really have to worry about the motive. In its proposed jury instructions,

filed with Sirica last week, the prosecution says:

"The government is not required to prove that the defendants acted with a particular motive or motives, and the failure of the government to prove motive is not a defense to a crime."

Those proposed instructions reveal another point about the government's strategy. All seven men are charged with entering Democratic headquarters that June night but only five were arrested there.

Baldwin, in his Times interview, says he saw Hunt and Liddy emerging from the Watergate office building after the other five were arrested inside, but says nothing about their having been inside the 6th-floor headquarters themselves.

Theory Explained

The proposed instructions state: "The government does not contend that either or both the defendants Liddy and Hunt actually entered the offices and headquarters of the Democratic National Committee . . . Instead, it relies upon the theory of aiding and abetting to establish the guilt of both defendants of this count of the indictment."

Nobody has publicly come up with a strategy to fit the entire defense. One feasible theory has been circulated, however, about the strategy of the four Miamians, who are jointly represented by Henry B. Rothblatt of New York.

The four, this theory has it, will claim that they thought they were engaged in legal activities, aimed at protecting the national security and led by high government officials.

Nothing has been suggested about the strategies of the other three defendants, and attorneys for Liddy and Hunt have so far refused to even reveal whether they intend to present an alibi defense saying their clients were elsewhere or involved in other activity on the 17th.

The answers to all these questions will not be quick in coming.

Sirica has indicated that he may shorten the trial somewhat by sitting for abbreviated sessions on Saturday.

But the over-all length of the trial is still a matter of conjecture. Silbert has said he expects the government's case to take three weeks. Defense attorney William O. Bittman has suggested that if that is so, the entire trial might take two months.

LONDON OBSERVER
7 January 1973

What I saw from Room 723, by 'Watergate Caper' man

by CHARLES FOLEY

WHEN the trial starts in Washington tomorrow of two former White House aides, four Central Intelligence Agency operatives and a Cuban-born locksmith, alleged to have been involved in a pre-dawn raid on Democratic Party headquarters last summer, one of the principal witnesses will be a man who claims to have been their associate.

He is Alfred Baldwin, 36, a former Marine captain, lecturer of police science and ex-FBI agent, who is to be the prosecution's chief witness in the 'Watergate Caper' trial—the sequel to the scandal of last year's United States Presidential Election. Mr Baldwin's evidence will be vital.

Baldwin seems to have suspected attempts, official or otherwise, to silence him. He decided to speak out without delay, to Mr Jack Nelson, Pulitzer Prizewinner on the staff of the *Los Angeles Times*.

The five-hour-long taped interview that resulted led to a fresh clash with the US courts in the running battle between Administration and Press across the country. The judge in the Watergate case ordered the *Times* to surrender the recording, which includes 'off the record' passages with Baldwin's lawyers.

When the newspaper's Washington bureau chief, Mr John Lawrence, refused to comply, he was briefly jailed for contempt. Only when Baldwin released the *Times* from its confidentiality pledge, and the tapes were handed over a fortnight ago, did the dispute end. It spared Mr Lawrence a return to prison, but did nothing to resolve the confrontation over Press freedom in America. Baldwin's statement remains intact.

Five of the seven defendants were arrested at gunpoint one night last June, in the office of the Democratic National Committee in Washington's famous Watergate complex. Their names were James McCord, Bernard Barker, Frank Sturgis, Eugenio Martinez and Virgilio Gonzales.

McCord, 53, was the £500-a-month security co-ordinator for the Committee for the Re-election of the President, unhappily shortened to 'CREEP'. He was promptly disavowed by his Republican bosses and sacked.

It has been alleged that McCord was working under orders from two bigger shots in CREEP—Gordon Liddy, 42, its overall security chief, and Howard Hunt, 54, ex-CIA man and sometime novelist, who is said to have given the Watergate intruders aliases taken from characters in his thriller novels.

Liddy and Hunt were arrested in California. Now all seven stand accused, and they are said by Opposition spokesmen to be only the forward echelon of at least 50 undercover operatives who were engaged in a 'massive campaign of disruption' against the Democrats.

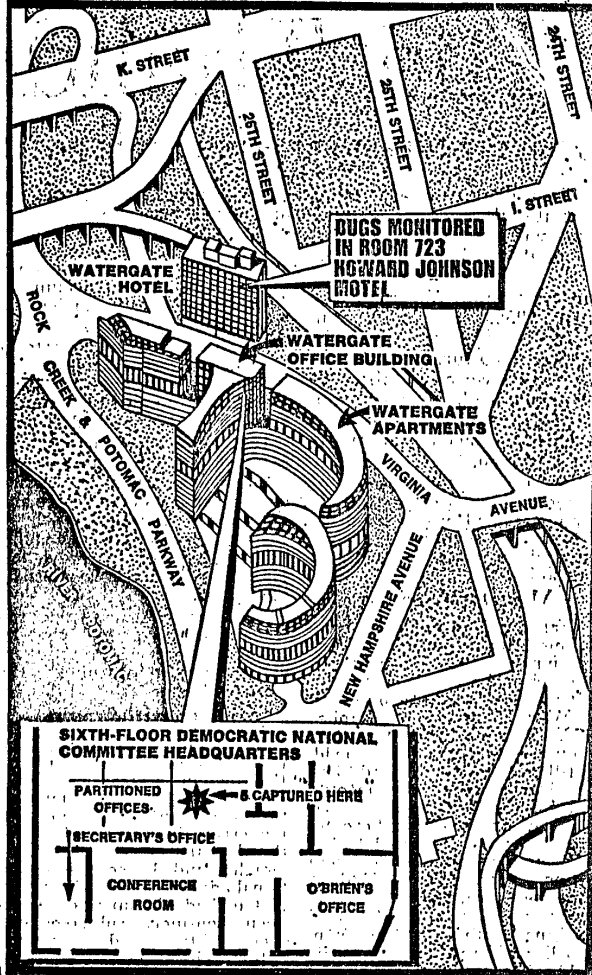
Was this a deliberate scheme hatched in the Nixon Administration to defame and overturn McGovern? The affair has involved several other White House figures beyond the two now facing trial, but how close did the affair come, McGovern demands, to the President himself? Directly or indirectly, all the accused are said to have been in the pay of CREEP.

Alfred C. Baldwin, a pudgy and jovial bachelor, was hired as a bodyguard to Mrs Martha Mitchell, whose penchant for telephoning the Press at odd hours with gossip and complaints was upsetting, among others, her husband, who was the US Attorney-General. When Mr John Mitchell resigned that post last March to take charge of CREEP, Baldwin's delicate duties included squiring Martha Mitchell on trips to Michigan and New York, where they were driven about in J. Edgar Hoover's personal bullet-proof limousine.

Mrs Mitchell eventually went off on her famous flight from politics, talking of 'all the dirty things going on', and Baldwin says that he was told that CREEP had a new mission for him. 'I had no reason to question my orders,' he says. Baldwin alleges that they came from security co-ordinator McCord, who in turn, he says, took his orders from Gordon Liddy, the still more highly placed head of a special CREEP committee raised to plug embarrassing information leaks in the Administration.

'The plumbers,' as they were known, met in a basement office of the executive office building next door to the White House. Baldwin claims that they tapped official telephones to snare disloyal aides and collected damaging information on Democrats. Liddy had worked briefly at the Treasury and was thus given an official post as financial counsellor to CREEP.

Baldwin says: 'McCord told me my new job could lead to a permanent position after the election. He took me on a tour of the campaign headquarters, a block from the White House. As various persons went by, McCord would say, "There's so and so, he's from the White House," or "That's another guy from the White House." We went to get approval for my employment at the office of Mr Frederick LaRue, special assistant to the campaign director. McCord said, "Mr LaRue is over from the White House too. He's Mr Mitchell's right-hand man."



Drawing showing the Democratic Party building and how, it is alleged, it was bugged.

Baldwin says that he was given a loaded .38 police gun and told 'Don't bother about authorisation. Any trouble, have them call me.' And Baldwin claims that in McCord's office at CREEP HQ he had his first view of a mass of bugging equipment—walkie-talkies, television surveillance units and electronic gadgetry 'in a fancy briefcase that lay open.' He says that he was advanced five new \$100 bills and moved, under the name of 'Bill Johnson,' into the local Howard Johnson Inn, one of a chain of motels, which directly faced the building that housed the rival Democratic National Committee offices.

These were on the sixth floor of an office block that forms part of the vast and elegant Watergate complex, with the luxurious Watergate Hotel on one side of the triangular block and the Watergate Apartments on the other. Here the Mitchells, among many of the leaders of the

political elite, lived.

Baldwin alleges that McCord moved a quantity of bugging equipment into his room in the motel. It included, Baldwin claims, a short-wave radio, an array of tape recorders and a sophisticated receiving set, valued at \$15,000, in a large blue suitcase. Baldwin recalls: 'He said: "I want to show you this stuff and how we're going to use it." Just like that; no preliminaries. He pointed across to the Watergate office building and said, "We're going to put some units over there tonight for you to monitor." From the balcony I watched McCord walk across Virginia Avenue. Later on I saw him at a window of the Democratic offices with one or two others. He returned and said, "O.K., we've got the units in."

Baldwin says that they had tapped two telephones that they had believed belonged to Lawrence O'Brien, the Democratic cam-

paign chief, and a high staff official.

Baldwin continues: "During the next three weeks I monitored about 200 conversations. Some dealt with political strategy, others with personal affairs, some highly intimate. I'd rather not say at this stage what I heard. The Democrats worked weird hours. Like on Sundays, or until three or four in the morning. I had to keep an eye on the little TV-type screen on the monitoring unit. A constant line ran across it when the tapped phones were not in use. When someone started talking across the way, the line would scatter and I'd snap on the earphones."

Baldwin says that he typed logs from his notes on the calls, making two copies, which, he claims, McCord collected twice a day. "On busy nights the logs might run to six pages. When something exciting caught McCord's eye he would sit down and type up a memo starting, "I learn from a confidential source. . . ." Once or twice when I heard something especially important I called him at committee HQ. He said, "Don't talk about it now—I'll come over."

At one stage, Baldwin says, McCord brought his bosses, Liddy and a newcomer, Howard Hunt, to the hotel room. Hunt was a fellow-member of "The Plumbers," enlisted after the Pentagon Papers furore.

Hunt, who played a planning rôle in the abortive Bay of Pigs invasion, had written 45 mystery novels in his spare time while working as a CIA sleuth in Europe, Asia and Latin America. The visitors, Baldwin claims, left after a discussion of the electronic equipment. Baldwin alleges that he saw Liddy produce a thick wad of \$100 bills and peel off 16 or 18 for McCord.

Baldwin's long vigil in room 723 was broken when, he alleges, he was sent across to the Democratic offices to discover the exact location of O'Brien's office telephone—McCord, he says, was not satisfied he had the right one. Baldwin claims that he did this by posing as a nephew of a former Democratic chairman. Party workers trustingly showed him over O'Brien's office and gave him his telephone number in Miami.

Baldwin states that McCord was "extremely pleased" when he made him a sketch map of O'Brien's office, and that evening, 16 June, says Baldwin, he brought a new listening device "which looked like door chimes" and more equipment and tools, wire, batteries, soldering irons. "The room looked like an electronics workshop," Baldwin alleges that McCord said that as well as placing new devices, they would remove or relocate the old ones.

Baldwin claims that before the attempt was made, he put his eavesdropping logs in an envelope on which, he claims, McCord wrote the name of a high official in the President's Re-election Committee. Baldwin says that he taped and stapled the package and delivered it personally to the CREEP offices seven blocks away.

Late in May, the Democratic National Committee headquarters were broken into and a quantity of private papers, including O'Brien letters, were photographed by intruders. On 10 June two men entered a Miami photographer's shop with 38 frames of 35mm film for development as a rush job. The pictures showed documents being held against a background of shag carpet by a pair of surgically gloved hands. Some papers carried the DNC letterhead, and

others O'Brien's signature. One appeared to be a dossier on a prominent woman Democrat.

The shop assistant subsequently claimed to identify two Watergate defendants as the men who brought in the films. They were Frank Sturgis, 37, an ex-Marine soldier of fortune who had fought in Cuba, and Bernard Barker, 55, a wealthy Miami realtor who acted as a key liaison man between the CIA and Cuban exiles for the Bay of Pigs preparations.

Miami, scene of both party conventions last year, is a major CIA centre where the Agency finds eager and reckless rank-and-file recruits among the thousands of Cuban exiles stranded there.

As CREEP's "man in Miami," Barker handled much of the group's funds as they were circuitously routed through Mexico. FBI records show at least 15 long-distance calls from Barker in Miami between 15 March and 16 June, some to Liddy, the CREEP cashier, more to Howard Hunt, who happens to have been Barker's boss in the Bay of Pigs planning and who had a job, a desk and safe in the executive office building with a special telephone under a camouflaged listing.

Barker was back in Washington on 17 June. In the pre-dawn hours, police say, McCord led him and his Miami gang on another raid of DNC headquarters. From their rooms in the plush Watergate Hotel it would have been a short walk to a jemmied door in the adjoining office building. After a lobster dinner in the terrace restaurant, say the police, McCord visited Baldwin and left room 723 with the door chimes device covered by the raincoat on his arm. Baldwin says that he sat looking down

on the street with orders to give warning of any suspicious activity. His radio code name was "Unit 1."

At 2 a.m. Baldwin says that he saw lights go on in the darkened seventh floor above the DNC offices. He gave the alarm, but the intruders were unruffled. "We know about that," he was told. "It's the 2 a.m. check."

Soon afterwards a car pulled up in the street below and three men hurried into the Watergate offices. Lights suddenly blazed in the DNC office floor. Figures appeared with flashlights and guns.

Baldwin says that he grabbed his walkie-talkie: "I heard a panic-stricken voice calling 'Are you reading this?' Then, 'They don't have the unit on, or it's not turned up.'"

The street below was now full of police cars, motor-cycles and paddy wagons. Men were running into the Watergate. Baldwin claims that he heard a last faint whisper from his walkie-talkie: "They've got us. Then silence."

Not long afterwards, Baldwin saw McCord and his four companions taken out in handcuffs by police summoned by an office security patrol.

Minutes later, Baldwin alleges that Hunt ran into the room and began telephoning lawyers. "They've had it," he said. "I've got \$5,000 in cash with me and we can use it to bail them out."

Baldwin says that Hunt told him to pack up the remaining equipment and take it to McCord's home, and that Hunt threw his walkie-talkie on the bed and rushed out of the door.

"Does that mean I'm out of a job?" Baldwin shouted after him. But, according to Baldwin, Hunt was gone.

WASHINGTON STAR
5 January 1973

Some Light on Watergate?

By BARRY KALB
Star-News Staff Writer

There is an outside chance that a motion filed yesterday in the Watergate break-in and bugging case, and due to be argued today, could shed more light on the controversial case itself.

The main purpose of the motion is to seek to keep confidential the contents of conversations — and the people involved in these conversations — overheard during the alleged bugging of Democratic National Committee headquarters last spring.

To this end, the five persons bringing the class-action motion, all members of national Democratic organizations, have asked Chief Judge John J. Sirica of U.S. District Court to prevent such disclosure by:

• Prohibiting the parties in the case from disclosing the information through testimony, questions, or any in-court or out-of-court statements or papers.

• Ordering all parties in possession of any tapes or other

records of these conversations to bring them to Sirica, under seal, at which point they would be immediately destroyed.

However, the motion, filed by the American Civil Liberties Union on behalf of all parties whose conversations might have been overheard during the alleged bugging, also asks Sirica to order 18 Nixon administration and Nixon re-election officials to come to court and tell Sirica, in closed session, anything they may know about records of the overheard conversations.

Specifically, these men would be ordered to tell under oath whether they have possession or control of any such records, and to reveal the names of any persons whom they knew to have possession or control at any time.

The motion asks only that these men be ordered to give this testimony to Sirica, not in open court. Therefore, their testimony would not normally be made public.

However, a Democratic source close to the situation agreed, if one of these men

were to admit having some knowledge of the bugging, there would be nothing to prevent Sirica from forwarding this information to the prosecution or grand jury for action. In this case, the men's testimony could eventually become public.

Many of the 18 men named in the motion have been named in unofficial news reports as having had some connection with the bugging and a larger, unconfirmed Republican campaign of political sabotage and espionage during the recent elections.

These men include White House aide Charles Colson; former Atty. Gen. John N. Mitchell, who resigned as head of President Nixon's re-election campaign not long after the Watergate case was made public; and Maurice H. Stans, Nixon's chief election fund-raiser.

Most of those men named as having had a part in the alleged scheme have denied such reports.

The Democratic source, who asked not to be identified, said those bringing the motion

were sincerely concerned that private conversations would be revealed, that Democratic strategy would — if it has not already — fall into Republican hands, and that their rights to privacy and political association would be infringed upon if the contents of the overheard conversations were disclosed.

But he agreed that "there are some who might think" that the motion could have a political side effect beneficial to the Democrats.

The movants, all members of the Young Democratic Clubs of America, the Democratic National Committee and the Association of State Democratic Chairmen (ASDC), include R. Spencer Oliver and Ida Maxwell Wells, both of whom, according to the motion, have been subpoenaed as government witnesses in the trial.

The only bugging device actually found in place in Democratic headquarters was on Oliver's phone, according to government sources. Oliver is executive director of the ASDC, and his phone was therefore used regularly for association calls.

WASHINGTON STAR
9 January 1973

Nixon Men on Watergate

By JOY ASCHENBACH
and BARRY KALB
Star-News Staff Writers

The lengthy process of selecting a jury for the Watergate break-in and bugging trial resumes today following the prosecution's disclosure that members of President Nixon's White House staff may be called to testify as government witnesses.

The names of Fred Fielding, associate counsel to the President, and Bruce Kehrli, an aide to White House chief of staff H. R. Haldeman, appeared on a list of 60 persons Asst. U.S. Atty. Earl J. Silbert said yesterday may be summoned during the government's case against the seven defendants.

Five former White House staff members, four of whom were officials in the President's re-election campaign last year, also are among the potential witnesses. Three of the re-election officials allegedly had control over a special campaign "slush" fund from which money flowed to at least one of the defendants.

Democrats charged during the presidential election that the June 17 break-in and alleged 6-week bugging of their national headquarters at the Watergate was part of a Republican campaign of espionage and sabotage.

Conspiracy Dismissed

Government prosecutors have privately dismissed reports that the Watergate incident was one phase of a larger conspiracy, contending that it was limited to the seven who were indicted Sept. 15.

Initial questioning of prospective jurors by Chief U.S. District Court Judge John J. Sirica yesterday eliminated more than 150. The selection process is expected to last several more days, with the questioning focusing on the political aspects of the case.

The list of potential prosecution witnesses did not include any of Nixon's top White House or campaign officials, such as John N. Mitchell, former attorney general and Nixon campaign manager; Maurice H. Stans, chief fund raiser for the Nixon campaign and Charles W. Colson, former special counsel to the President.

It was not known what information Fielding and Kehrli would provide as the government's case unfolds.

Fielding joined the White House staff in Oct. 1970 and is assigned to the staff of White House Counsel John W. Dean. Dean headed the White House's own investigation of the Watergate incident which

cleared all present White House staff members and officials of any involvement in the break-in or bugging.

Involvement Denied

Kehrli, who came to the White House in Nov. 1970, has been a staff secretary in Haldeman's office and is responsible for coordinating inter-office communications.

According to the New York Times, Fielding and Kehrli were involved in the search of a safe in the Old Executive Office Building that had been used by E. Howard Hunt Jr., one of the seven defendants and a former White House consultant. An unloaded pistol

and electronic equipment was removed from the safe.

Haldeman, Mitchell, Colson and Stans have been linked in the press to the alleged plot against the Democrats. The White House and Mitchell and Stans themselves, have denied that any of the four were involved.

The four former White House staff members who were on the re-election committee and may be summoned to testify are Robert Odle, Herbert L. Porter, Jeb Stuart Magruder and Hugh W. Sloan Jr., Silbert disclosed yesterday.

The only other potential prosecution witness known to have worked for the White House is Kathleen Chenow, a former secretary who now lives in Milwaukee. The Washington Post reported last month that Miss Chenow told them a special private telephone in the Executive Office Building was used almost exclusively for conversations between two of the defendants in the trial.

List Incomplete

The prosecution said privately that the 60 names read by Silbert did not comprise the complete list of prospective witnesses however, government sources suggested that the "several" names Silbert did not read are being kept in reserve as possible rebuttal witnesses, and that their addition would not significantly change the complexion of the government's case.

These sources also denied speculation that the persons whose names were withheld had anything to do with two sums of money that allegedly made their way through the Committee for the Re-election of the President to the bank account of Barker Associates, the Miami real estate firm of defendant Bernard L. Barker.

The first of these was \$25,000 which was reportedly sent

from a Minneapolis contributor to a Midwest Nixon fund raiser, to Stans, to defendant G. Gordon Liddy and on to Barker.

The second was \$89,000 that reportedly went from Texas donors to Mexico, where it was "laundered" to hid its source, then to the CRP and again to Barker.

The dull proceedings were lightened somewhat by the antics of Liddy, who as a prosecutor in upstate New York once fired off a gun in a courtroom, according to published news reports.

For example, as the day began with Silbert introducing each defendant, prosecuting and defense attorney in turn, Liddy stood and waved broadly to the prospective jurors as if he had just been introduced at a political rally.

The long, rectangular defense table set in the center of the 6th floor ceremonial courtroom resembled a meeting of a corporation board of directors, with the seven defendants, eight attorneys, one legal assistant and a translator for defendant Virgilio R. Gonzalez crowded around.

Gonzalez, like Barker and defendant Eugenio Martinez, was born in Cuba and all three, along with defendant Frank A. Sturgis, are said to be active in anti-Castro circles in Miami.

The final two defendants, Hunt and James W. McCord Jr., both former CIA agents are reliably reported to have worked with the four Miami-ans on the unsuccessful Bay of Pigs invasion in 1961.

Half Eliminated

Almost half of the prospective jurors were quickly eliminated by the judge's first query — whether being kept at the court house or in hotels throughout the trial would cause them or their families serious inconvenience. They individually gave the judge their reasons in private.

At least three more were excused by the judge when they admitted that they already had formed an opinion about the guilt or innocence of one or all of the defendants.

The jurors also were quizzed about whether they or relatives or friends worked for the CIA, the Secret Service, FBI or any other law enforcement agency. One man acknowledged that he was employed

by the CIA, but did not say in what capacity.

Many of the potential prosecution witnesses yesterday listed had already surfaced in the Watergate case, but three new names drew attention:

- Jack Stewart, of North St., Petersburg, Fla., who told a newsman: "I'm one of the out-of-the-woodwork types," but he refused to give his occupation.

- Morton B. Jackson, an attorney in Los Angeles' plush Century City area near Beverly Hills. Jackson said he could not discuss his role in the case because of Judge Sirica's order against pretrial comment.

Asked about a published report that Hunt had stayed with him when the former White House consultant vanished at defendants inside the Watergate headquarters, Jackson said: "I can't comment on it. Obviously if it involves Mr. Hunt, it involves the whole case."

Others named as prospective witnesses included:

- Esther Kirby, a former receptionist for Jackson's law office.

- Mary Denburg, a former receptionist for Jackson.

- Michael Richardson, a Miami photo shop employe, who has said Barker and Sturgis brought in film of Democratic records to be developed a week before the Watergate arrests.

- Hector Reynaldo, the Miami banker who handled Barker's deposit of \$89,000 in Mexican bank drafts and the \$25,000 check.

- Leonard Glasser, who has said Barker asked for blue-

prints of facilities to be used at the Democratic convention in Miami Beach.

- Thomas Murphy of Peabody, Mass., who said he worked for a communications firm but wouldn't say whether this meant electronics.

- Robert F. Bennett, who was Hunt's employer at a public relations firm across the street from the Nixon campaign headquarters. Bennett has testified in another court case that he set up the dummy Nixon committees used to collect \$332,500 in donations from dairy funds after the government's support was raised in 1971.

Witness List

THE WASHINGTON POST
Thursday, Jan. 11, 1973

E. Howard Hunt Pleads Guilty in Watergate Case

Decision Delayed on Acceptance

By Lawrence Meyer
Washington Post Staff Writer

Former White House aide E. Howard Hunt Jr., one of the seven defendants in the Watergate bugging trial, pleaded guilty yesterday to three counts of conspiracy, burglary and illegal wire-tapping.

Chief U.S. District Judge John J. Sirica withheld until today a decision on whether to accept the plea.

Hunt and six other persons are charged in an eight-count indictment with breaking into the Democratic National Committee's Watergate headquarters on June 17 to steal information and conduct illegal wire-tapping and eavesdropping.

The announcement of Hunt's plea, made out of the jury's presence, followed the opening statements of prosecutor Earl J. Silbert who outlined, in addition to the Watergate "break-in," a series of six surreptitious activities allegedly conducted or attempted by Hunt, his codefendant G. Gordon Liddy and others.

Silbert told the jury that Liddy, at the time employed by the Committee for the Re-election of the President, had received \$235,000 in cash from his superiors at the committee for various assignments. The prosecution can account for only \$50,000 of this sum, Silbert said.

The money, according to Silbert, was given to Liddy, then an official of the re-election committee, to carry out assignments from deputy campaign director Jeb Stuart Magruder and Herbert L. Porter, director of campaign scheduling in December, 1971. Silbert, who interrogated

both Magruder and Porter before the grand jury, said in his two-hour opening statement, "We don't have any records, the government doesn't have any records as to what happened to the rest of that money given to Mr. Liddy, but as you will listen to my opening statement you will listen also to the evidence received in court, the testimony of witnesses, we will be able to account to you for approximately \$50,000 of that money. We cannot account for the rest."

According to federal sources interviewed by Washington Post reporters during recent months, the Watergate bugging stemmed from a campaign of political undercover activities conceived in the White House as basic re-election strategy and was directed by presidential aides at the Committee for the Re-election of the President.

That campaign, according to the sources, was financed from the money mentioned by Silbert and other cash withdrawn from the same fund.

In his presentation to the jury, Silbert did not suggest at any time that any officials—aside from the defendants—of either the Nixon administration or the President's campaign committee, acted illegally.

Silbert said Liddy was to gather information about planned demonstrations directed at "surrogate candidates" who would be campaigning in 10 primary states for President Nixon.

Silbert said that Porter was concerned that the stand-in candidates "would not have the protection of the Secret Service that the President would have if he were making an appearance."

Concerned about demonstrations against the stand-ins by "extremist groups on either the left or the right," Porter and Magruder turned to Liddy, a former FBI agent and prosecutor, to gather intelligence, Silbert said.

"The idea at the time," Silbert said, "was that he (Liddy) might have to investigate, develop intelligence at . . . 10 different locations, using 10 different people for 10 months, January through the election, at \$1,000 a month, and that is how you get \$100,000 . . ."

A second assignment Magruder gave Liddy concerned "anticipated mass demonstrations" at the Republican convention then scheduled for San Diego, Silbert said. Liddy was to look into the size, the groups that might demonstrate and their plans for demonstrations in San Diego, Silbert said.

In addition, Silbert said, Liddy received "from time to time other intelligence assignments." Among these was an assignment to check out a person, supposedly a "big polluter," who was supporting an unnamed Democratic candidate who had taken a firm stand against pollution, according to Silbert.

For this, Silbert said, Liddy was to receive \$150,000. In all, Liddy actually received \$235,000 until last June, according to Silbert.

"What did Mr. Porter and Mr. Magruder receive in exchange or in return for that expenditure of funds?" Silbert asked. "Mr. Porter received some information about an anticipated demonstration in Manchester, N.H., from the left-wing group. He received a second piece of information about an anticipated demonstration in Miami, Fla. from a right-wing extremist group," Silbert said.

"Mr. Magruder," Silbert continued, "received some information from Mr. Liddy that instead of the 100,000 demonstrators they might expect at San Diego, they could expect about 250,000 . . . That is the information they received," Silbert said.

Silbert said the prosecution would call witnesses who would describe the alleged efforts of Hunt and Liddy to gather information surreptitiously about the Democratic Party generally and about specific candidates and leaders,

including Sen. George McGovern (D-S.D.), later the unsuccessful Democratic candidate for President, Sen. Edmund S. Muskie (D-Maine), the early front-runner for the Democratic nomination, and Lawrence F. O'Brien, then Democratic Party chairman.

Among these witnesses, according to Silbert, are:

- Jack Stewart, described as an ex-CIA agent with a background in electronics, whom Hunt knew. Silbert said Stewart met last February in Miami with Bernard Barker, also a defendant in the case, and was told by Barker that a "communications center" was planned to be located on a houseboat in Biscayne Bay during the Democratic convention.

Barker, according to Silbert, said he would "have access" to Democratic Party leaders, especially O'Brien, and that there would be "plenty of money."

Barker also showed Stewart records already obtained from the Democrats, Silbert said. Stewart, however, turned down the job, Silbert said.

- Thomas James Gregory, described by Silbert as a student at Brigham Young University, whom Hunt met through a business associate. Hunt recruited Gregory, at a salary of \$175 a week, to work as a volunteer first for Muskie, to find out Muskie's campaign schedule, the contents of speeches he would give, whether there was any dissension in the Muskie camp, and who was filling important policy positions. Gregory gave Hunt weekly written reports, checking with Hunt on a daily basis by telephone, Silbert said.

In mid-April, when Muskie's campaign faltered, Hunt told Gregory he "could be more useful elsewhere," Silbert said, and Gregory went to work for McGovern.

Silbert said that Gregory was introduced to the "boss of the operation"—Liddy—and met with Liddy, Hunt, Barker and the four other defendants—James W. McCord Jr., Frank Sturgis, Eugenio Martinez and Virgilio Gonzales—about May 22 or 23 to discuss breaking into McGovern's headquarters.

Gregory "decided he had had enough," Silbert said, and quit on June 15.

The third principal witness mentioned by Silbert is Alfred C. Baldwin III, an ex-FBI agent who has said publicly he was hired by McCord and ultimately ordered to monitor phone conversations in the Democratic Party's Watergate headquarters from the Howard Johnson Motor Hotel across the street.

In all, Silbert said, Baldwin monitored about 200 telephone conversations from the phone of R. Spencer Oliver, an aide

who was a liaison between the national Democratic Party and state chairmen. The calls concerned the "personal lives... the domestic lives... the political lives" of the persons talking, Silbert said.

"Some of those conversations, as you might expect, were of a sensitive nature," Silbert told the jury. "McCord made it perfectly clear to Mr. Baldwin that he was interested in conversation either personal or political that were of a sensitive nature."

Because one monitor was working improperly, Silbert said, McCord, who was security director for the Nixon reelection committee, sent Baldwin to the Democratic headquarters under a disguise to examine the layout. Baldwin, posing as the nephew of former Democratic Party Chairman John Bailey, got a "royal tour, red carpet treatment," Silbert said.

"Ironically enough," Silbert told the jury, the person conducting the tour was Oliver's secretary, Ida M. Wells, one of the persons whose calls Baldwin had monitored.

Silbert said Baldwin met Hunt and Liddy at least twice before the June 17 break-in at Democratic Party headquarters—once on May 28 while surveying McGovern headquarters and again on June 13 when they came to Baldwin's room in the Howard Johnson Motor Hotel, across the street from the Watergate.

At the June 13 meeting, Silbert said, Baldwin saw Liddy count out 16 \$100 bills for McCord. Throughout Silbert's presentation, references were made to \$100 bills. Gregory and Baldwin were paid with \$100 bills, Silbert said. Barker, Sturgis, Martinez and Gonzales were arrested inside the Watergate each with from \$200 to \$1,300 in \$100 bills, airline tickets were paid for with \$100 bills and McCord made three \$10,000 deposits in his bank accounts, each in \$100 bills, 10 to a packet, Silbert said.

At the same time, Silbert said, Liddy was given expense money for his assignments by Hugh W. Sloan Jr., then the campaign treasurer, in \$100 bills, 10 to a packet.

On the evening of June 16, Silbert said, McCord visited Baldwin at the Howard Johnson's, gave him a walkie-talkie and told him to watch the Democratic offices in the Watergate.

Silbert recounted that Baldwin radioed an alert when he saw three men in casual clothes—metropolitan police officers—on the Watergate balcony outside the Democratic offices. The police had been called by Frank Wills, a suspicious security guard, Silbert said.

Baldwin later saw five defendants—McCord, Barker, Sturgis, Martinez and

Gonzales—being taken by police from the Watergate Office Building, Silbert said. Baldwin also saw Hunt and Liddy, carrying suitcases, leaving the adjoining Watergate Hotel, he said. Liddy was wearing "a conservative suit, as he always does, as he is today," he added.

Moments later, Hunt appeared, agitated, in Baldwin's hotel room, used the bathroom and then said, according to Silbert, "I've got to call a lawyer. I've got to call a lawyer." Hunt placed a call, spoke, and then told Baldwin to return the bugging equipment to McCord's home and "get out of town," Silbert said.

Silbert said Liddy went to the re-election committee headquarters the morning of June 17 and began shredding papers. Silbert said Sloan saw Liddy and Liddy said, "The boys got caught last night. We made a mistake. I'll probably lose my job." Silbert said Sloan "didn't know what he (Liddy) was talking about."

Hunt, in the meantime, had gone to the Washington home of M. Douglas Caddy, also expected to be a witness, and called Barker's home in Miami about 3:30 a.m., Silbert said. Caddy started calling lawyers, finally getting Joseph A. Rafferty. Silbert said Hunt gave Caddy \$8,500, including one \$500 bill and the balance in \$100 bills.

At the second district police headquarters, where the five arrested defendants had been taken, they were advised of their rights and offered, but declined, the customary phone call. "Yet, lo and behold," Silbert said, "at 10:30 Saturday morning in walked two lawyers—Michael Douglas Caddy and Joseph Rafferty. How fit the world did they get there?"

Although Liddy originally worked for the reelection committee, Silbert pointed out that "at the time of the conspiracy," Liddy was working for the Finance Committee to Re-elect the President. "Why? What had happened?" Silbert asked, then explaining, "The fact of the matter, ladies and gentlemen, as you will hear from testimony of Mr. Magruder, (is) that Mr. Magruder and Mr. Liddy did not get along."

"Mr. Magruder was younger, and in charge and Mr. Liddy did not like taking orders from him. Mr. Magruder never knew where Mr. Liddy was, didn't like the kind of reports he made either. They had a blow-up," Silbert said, and Liddy moved to the Finance Committee.

Only two defense attorneys, Gerald Alch and Henry Rothblatt, made opening statements. Alch, representing McCord, conceded that McCord was inside the Watergate June 17.

"The question is why was he there?" Alch said. McCord's

"intent" is important, Alch said, asserting that McCord had "no criminal intent... He had no evil-meaning mind. He had no evil-doing hands."

Rothblatt, representing Barker, Sturgis, Martinez and Gonzales, asserted that the "character" of his clients would preclude their breaking the law. Judge Sirica, acting as the prosecution moved to object, interrupted Rothblatt several times to direct the lawyer to restrict his statement to evidence and not make an argument to the jury. "Keep an even keel," Sirica told the emotional Rothblatt, "and don't let your blood pressure get up."

Sirica prodded Rothblatt to explain why his clients were inside the Watergate, a fact conceded by Rothblatt. "Who paid them?" Sirica asked, as he has before. "Did they get any money to go in there? Was it purely for political espionage?"

Rothblatt said that the WASHINGTON POST 10 JANUARY 1973

Senate Look At Watergate Is Assured

By Spencer Rich
Washington Post Staff Writer

The Senate Democratic Policy Committee agreed unanimously yesterday that there should be a Senate probe of the Watergate affair and that Sen. Sam J. Ervin Jr. (D-N.C.) should head it.

The vote, taken on a show of hands, makes it virtually certain that there will be a major Senate investigation of allegations of Republican political espionage against Democrats during the 1972 election campaign, including alleged bugging of Democratic headquarters at the Watergate Hotel.

Senate Majority Leader Mike Mansfield (D-Mont.) last weekend released a letter to Ervin urging him, as chairman of the Senate Government Operations Committee and of the Senate Judiciary Subcommittee on Constitutional Rights, to head up the probe. He promised Ervin full legal powers and backing.

So far, Ervin, snowbound in North Carolina yesterday, hasn't announced whether he will agree to head the study, and if so, whether he will do it through Government Operations or Constitutional Rights. Yesterday's vote means that there will be a probe regardless of who heads it, and that Ervin is the party's unanimous choice to do so.

According to senators present, Majority Whip Robert C. Byrd (D-W.Va.) raised the probe, and Mansfield outlined

"evidence will show that" his clients, who knew each other since the abortive anti-Castro Bay of Pigs operation in 1961 "were following instructions that they had been trained to follow, with no evil motive."

Addressing himself to the motivation for the alleged conspiracy, Silbert said, "We can only look at the facts and you draw the inference you choose to draw."

One motive "obviously" was political, Silbert said. "The interests of the persons, the defendants in this case may vary," Silbert said. "The motivation of defendant Hunt and defendant Liddy may have been different from the motivations of the four defendants from Miami (Barker, Sturgis, Martinez and Gonzales), and they in turn may have had a different motivation than defendant McCord."

The facts, according to Silbert, are that McCord, Barker, Martinez and Gonzales all needed money.

His determination to go ahead and his desire to have Ervin head it. The 14-member committee, policy-making arm of the 57 Senate Democrats, then voted unanimously.

Democratic anger over the acts allegedly committed by Republicans during the campaign is widespread. Byrd, for example, who has often had friendly relations with the administration, said several days ago, "I don't think any party in power should be allowed to commit acts of political sabotage, slander and libel in an attempt to destroy another political party and its leader, as alleged here." Mansfield has called the purported acts of political sabotage a threat to the entire constitutional system.

The White House has denied most of the incidents and has said it is convinced, from its own investigation, that no one currently on Mr. Nixon's staff had anything to do with the incidents.

The idea of a Senate Watergate probe first came up Oct. 12, when Edward M. Kennedy (D-Mass.), as chairman of the Senate Judiciary Committee Administrative Practice and Procedure Subcommittee, informed other subcommittee members by letter that he was instructing the staff to undertake a preliminary inquiry and issue subpoenas. This came just after the House Banking Committee refused to authorize Chairman Wright Patman (D-Tex.) to go ahead with a probe with full legal powers.

Kennedy, however, has always been reluctant to lead the full-scale Senate probe. Mansfield said last weekend that a probe headed by Ervin would be less vulnerable to attack on political grounds, and Kennedy agreed with him.

Watergate Case Called Broad Plot

By Martin Schram
Newsday

The Watergate burglary and espionage mission at Democratic Party headquarters was part of a widespread project in which documents were photographed in the Embassy of Chile and several liberal Democratic senators were kept under electronic surveillance, according to a source close to the defendants.

The operation at the Embassy of Chile, 1736 Massachusetts Ave. NW, involved three men, the source said. One pulled documents from the files, one photographed the documents, and one placed them back in the files. Embassy officials have said that last May their chancery was burglarized and the files of their ambassador and political chief were searched.

The source, a person well acquainted with the activities of the Watergate defendants, made the information available on the condition that his name not be used.

Among the senators whose activities were in some way allegedly monitored were Senate Majority Leader Mike Mansfield (D-Mont.), Senate Foreign Relations Committee Chairman J. William Fulbright (D-Ark.), and Sen. Frank Church (D-Idaho). This source, also said that Sol Linowitz, former U.S. ambassador to the Organization of American States, was kept under similar surveillance.

While Newsday was able to confirm some of the source's statements through officials close to the investigation, allegations concerning the surveillance of senators neither could be confirmed nor denied.

The seven defendants in the Watergate case go on trial Monday in the U.S. District Court here.

It also has been learned that:
• Federal authorities have tracked down and questioned two men who had been involved in Washington with the Watergate group but who had not been caught at the Democratic headquarters scene June 17. The two men, who have not been indicted, are Felipe de Diego, a Cuban exile and Bay of Pigs veteran now living in Miami, and Rinaldo Pico, who fled to Venezuela after the Watergate break-in and is believed still there. Pico was questioned by U.S. officials in Venezuela.
• Federal investigators have obtained a daily diary that was

being written by one of the Watergate defendants. Eugenio Martinez,

Existence of the diary, written without the knowledge of his codefendants, indicates that the Central Intelligence Agency—or at least a CIA case officer—may have been monitoring the activities of the Watergate team. Martinez has continued to do work for the CIA in the years following his part in the Bay of Pigs affair, according to a well-informed defense source in the case. The source says that Martinez confessed to his fellow defendants that he had been keeping the diary, at the urging of his current CIA supervisor, after it was seized by federal officials.

Investigation sources acknowledge that FBI agents found the diary in the trunk of Martinez' car, which was parked at Miami International Airport.

Assistant U.S. Attorney Earl J. Silbert declined to say whether Martinez' diary would be introduced as evidence in the Watergate trial, which opens Monday.

De Diego, 43, is a real estate salesman who was employed in Miami real estate office of Bernard L. Barker, one of the Watergate defendants.

De Diego, who was granted immunity by the grand jury investigating the case, said he told the grand jury and the FBI that he had come to Washington last May with Pico and the four Watergate defendants from the Miami area (Barker, Martinez, Frank Sturgis and Virgilio R. Gonzales). He said that he believed he and his friends were waiting to see someone from the government—he did not know whom—and that when no one showed up, they flew back home to Miami.

While in Washington, de Diego maintained, he never met James W. McCord Jr., E. Howard Hunt Jr. or G. Gordon Liddy, the other three Watergate defendants. McCord, the former security consultant for the President's re-election committee, was arrested inside the Watergate on June 17 with the four defendants from Miami.

While de Diego said he had no knowledge of any sub rosa activities by the group while he was in Washington last May, other defense sources said the group was quite busy during that period.

During the weekend of May 13-14, the chancery of the Embassy of Chile was burglarized. Pablo Valdes, first secretary of the embassy, said yesterday that the embassy has had "no reaction from police" since the burglary and that his government has not been told who committed the act.

Hunt Declares No Higher-Ups in Plot

By Carl Bernstein and Bob Woodward
Washington Post Staff Writers

Former White House consultant E. Howard Hunt Jr. said yesterday that to his "personal knowledge" there were no "higher-ups" in the Nixon administration involved in the plot to bug Democratic headquarters.

Hunt also said he has no knowledge of any wider campaign of political espionage than the case now being tried in the Watergate bugging case.

Meeting with reporters for the first time since the June 17 break-in at the Watergate, Hunt's comments came after he pleaded guilty to all six counts in the indictment against him, ranging from burglary to wiretapping.

"Anything I may have done I did for what I believed to be in the best interest of my country," the former CIA agent and author of more than 40 spy and sex novels told reporters. "And as a believer in the law, I understood then and understand now, the consequences of breaking it."

Hunt faces up to 35 years' imprisonment after pleading guilty to conspiracy to obtain information from the Democrats by bugging their offices, wiretapping their telephones, stealing their records, photographing their documents and planting spies in their campaign headquarters.

Shortly after the prosecution outlined its case against the seven Watergate defendants Wednesday, Hunt entered a guilty plea to three of the six counts against him.

Hunt's lawyer, William O. Bittman, had said his client was—in effect—"pleading to the entire indictment" and admitting his total role in a conspiracy. But U.S. District Court Chief Judge John J. Sirica refused yesterday to accept a plea to only those three counts—conspiracy, breaking-and-entering, and interception of wire communications.

Sirica, citing "the apparent strength of the government's case" against Hunt, told him that "the proper representation of the public interest in justice" could not permit acceptance of a plea to only some of the charges.

Bittman then rose to enter a guilty plea on all six counts in the indictment, adding the following charges to the original plea: another breaking-and-enter-

ing count, attempted interception of oral communications, and attempted interception of wire communications.

Rejecting Bittman's argument that Hunt remain free on his current \$10,000 bond pending sentencing, the judge set additional bond of \$100,000 and ordered Hunt jailed until posting the money.

Hunt stood almost at attention, his hands at his side, as he faced the judge and answered Sirica's questions about whether he understood the consequences of pleading guilty with the phrase, "Yes, your honor, I do."

Hunt was held in the U.S. courthouse lockup for about three hours, then released upon posting \$100,000 that had been obtained from a surety company. The money had been guaranteed against the premiums from life insurance policies bought by Hunt's wife before an airline flight on which she was killed last month.

Ashen-faced but calm, Hunt met briefly with reporters upon his release and under ground rules established by his attorney: that Hunt would make a brief statement and then answer three previously submitted questions.

"Gentlemen, I'd like to say this," he began in a clear, modulated voice, and asserted that he had done "what I believed to be in the best interest of my country . . ."

His plea of guilty, he said in answer to the first question, "was a result of a great many factors . . . With the unexpected and tragic death of my wife just a month ago, I felt that I could not sustain the experience of a long trial. I felt that I should be with my children. I felt further that by pleading guilty, my plea of guilty might be taken into consideration at the time of sentencing later on and result in a, perhaps the time of sentencing later hopefully, lesser sentence."

After characterizing the prosecution's opening statement of his role in the bugging case as "substantially correct," Hunt was asked, "If you testify before a grand jury (as he agreed to do upon pleading guilty) will your testimony implicate higher-ups or indicate that there was a wider conspiracy than the one now be-

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6 in Watergate Case Implicated by Witness

Lawrence Meyer
Washington Post Staff Writer

Thomas James Gregory, a 25-year-old college senior who said he was recruited by E. Howard Hunt Jr. to spy on two Democratic Presidential candidates, yesterday implicated at least six of the seven persons charged in the Watergate bugging trial during testimony in U.S. District Court.

Gregory, who will resume his testimony today, briefly described a meeting he said he attended at a Washington hotel in which at least six of the defendants were present. The prosecution contends the purpose of the meeting was to plan a break-in at Sen. George S. McGovern's campaign headquarters. Gregory was unable to say positively whether defendant Eugenio R. Martinez was at the meeting.

Hunt and six other persons were charged in an eight-count indictment with breaking into the Democratic National Committee's

Federal investigators and associates at the public relations firm where Hunt worked have told Post reporters that he continued to work at the White House until shortly before the break-in. The prosecution, in its opening arguments Wednesday, said Hunt was at the White House until April.

The White House, after months of silence on the question, recently confirmed that Hunt worked in the basement of the Executive Office Building with other presidential aides who were attempting to determine the source of government leaks to the news media — who were known in the White House as "the plumbers."

In addition, Hunt is also known to have been doing research on Sen. Edward M. Kennedy during the period when the White House regarded the Massachusetts Democrat as a likely 1972 Presidential rival of President Nixon.

During his days at the White House, a special telephone was installed in Hunt's office and billed to the private home of a White House secretary — the same telephone on which the prosecution in the Watergate case said Monday that Hunt, according to some legal sources, would pose difficult legal problems.

Watergate headquarters on June 17 to steal information and to conduct illegal wiretapping and eavesdropping.

Prior to Gregory's testimony yesterday, Hunt, a former White House consultant, pleaded guilty to all six counts of conspiracy, burglary and illegal wiretapping and eavesdropping with which he personally was charged.

Hunt's admission of guilt to all the charges against him followed Chief U.S. District Judge John J. Sirica's refusal to accept a guilty plea to only three counts of conspiracy, burglary and illegal wiretapping.

Sirica accepted Hunt's guilty plea to all six counts and ordered him to post a \$100,000 surety bond, in addition to a \$10,000 bond he posted earlier, before he could be released pending sentence. Hunt was placed in the court lockup and released when he posted the bond.

The jury, which has been sequestered from the beginning of the trial, did not hear Hunt's plea. Sirica informed the jurors, "You are no longer to be concerned with the case of the United States against E. Howard Hunt Jr."

Although Hunt no longer is a party to the trial of the other six defendants — G. Gordon Liddy, James W. McCord Jr., Bernard L. Barker, Frank Sturgis, Virgilio Gonzales and Martinez — testimony yesterday continued to focus on Hunt's role in the alleged conspiracy.

From the opening statements of principal Assistant U.S. Attorney Earl J. Silbert Wednesday, it appears that an explanation of Hunt's role is central in proving that a conspiracy existed. In calling Gregory, whose main ties were to Hunt, as a witness, the prosecution seemed to be following the same course expected had Hunt not pleaded guilty.

Silbert refused comment yesterday on whether Hunt might be called as a prosecution witness. Silbert has said Hunt will be called to testify before the grand jury that investigated the Watergate incident and returned the indictment. Hunt's grand jury appearance is not expected until after the trial is concluded. Calling Hunt to testify in the trial, according to some legal

sources, would pose difficult legal problems.

However, William O. Bluman, Hunt's attorney, said Hunt could legally be called to testify against the six remaining defendants, but that the prosecutor has not indicated an intention or a need to call Hunt.

Gregory, the fifth witness called by the prosecution, was the first witness to say he saw as many as six of the defendants together in one place at one time. The meeting described by Gregory took place on May 22 or 23 in the Manger Hamilton Hotel at 14th and K Streets, N.W., according to his testimony.

Gregory's testimony about the meeting, taken out of the jury's presence to see if it was admissible, did not go into the purpose of the meeting or what was actually discussed.

While the jury was in court, Gregory testified that he had been contacted by Robert Bennett Fletcher, an old friend from New Jersey.

Fletcher had testified earlier that Hunt had asked him if he had any friends in the Washington area "who were strong Republicans but who might be interested in joining the Democrats for the purpose of getting information and turning it over."

Fletcher is the nephew of Hunt's employer at the time, Robert F. Bennett. Fletcher said he told Hunt he could think of no friends in the area but that if he thought of any others, he would let Hunt know.

Fletcher said he later thought of Gregory, contacted him and Gregory was agreeable after thinking the matter over for a day or so.

Gregory, a rosy-checked, slight student of history at Brigham Young University, with neatly trimmed hair, testified that after Fletcher's call he received two letters — one signed "Earl Warren" and the other "Ed Warren," aliases used by Hunt. One letter contained a round-trip ticket for Gregory to fly to Washington, which he said he did on about Feb. 20, 1972.

Gregory said he met with "Warren" the same night. Gregory identified "Warren" as Hunt from a picture shown him by Silbert.

Hunt, Gregory said, whether I had any

"ing tried?"

"I would testify to the following, gentlemen," said Hunt. "To my personal knowledge there was not."

He refused to elaborate, adding only, "I am very anxious to be reunited with my family and I leave you with that."

According to the prosecution's opening statement in the trial, Hunt attempted to recruit several persons to participate in undercover activities against the Democrats, including a 25-year-old college student who worked as a spy in the presidential campaigns of Sen. Edmund S. Muskie and Sen. George McGovern.

During the FBI's Watergate investigation, federal sources told Washington Post reporters that Hunt was a key figure in undercover political activities — conceived by high White House aides — which have not been mentioned by the prosecution in the bugging trial.

Among them, according to those sources, was an attempt by Hunt to persuade a California lawyer, Donald H. Segretti, to organize an "attack" on GOP convention headquarters — in the name of supporters of the Democratic presidential nominee.

Segretti has said that both Hunt and presidential appointments secretary Dwight L. Chapin were among his "contacts" for political spying and disruption. Segretti's name was on the prosecution's original list of witnesses for the Watergate trial, but it was not read in court as the trial opened Monday.

In his career, Hunt had been an operative for the CIA around the globe, a consultant to the White House, and a public relations man.

Born 54 years ago, he graduated from Brown University in 1940, served with distinction in World War II, worked at the U.S. Embassy in Paris as an attache in 1948 and for the CIA from 1949 to 1970. He also had a key role in the Bay of Pigs invasion during which he met some of the men who would later be recruited for the bugging of Democratic headquarters.

In the summer of 1971, Hunt joined the White House as a consultant upon the recommendation of Charles W. Colson, President Nixon's special counsel. In the Executive Mansion, according to the White House, Hunt worked primarily on a project involving declassification of the Pentagon Papers, and completed his duties on March 20.

U.S. Says Finance Law Violated

Nixon Committee Charged

By Morton Mintz

Washington Post Staff Writer

The Justice Department yesterday accused the Finance Committee to Re-elect the President of eight criminal violations of the election-financing law.

The department also filed criminal complaints against three congressional candidates who did not heed repeated warnings by the Clerk of the House and then the department to submit reports on campaign contributions and expenditures.

Known technically as criminal informations, the complaints filed in U.S. District Court here are the first under the Federal Elections Campaign Act, which took effect April 7.

The complaints against the congressional candidates are the first of their kind ever. Nonfiling of financial reports first became an offense under the Corrupt Practices Act of 1925.

The complaint against the finance committee, which was headed by Maurice H. Stans, former Secretary of Commerce, contains eight separate counts. Each carries a maximum penalty of \$1,000 fine and one year in prison. No person was named a defendant, however, so no one could go to jail.

The complaint cited financial transactions last summer in which the committee allegedly passed cash sums—\$12,000, \$12,000 and \$5,300—through its then treasurer, Hugh P. Sloan Jr., to its then legal advisor, G. Gordon Liddy.

The committee obtained

no receipts from Liddy and maintained no records, as required by the new law, on the purpose for which each expenditure had been made, the complaint said.

The committee also violated the law by failing to report the cash transactions to the General Accounting Office, and by failing to obtain a receipt for and report to the GAO an additional \$2,000 spent by Liddy, the complaint said.

The \$5,300 was reportedly routed through Herbert L. Porter, the committee's scheduling director, for delivery to Liddy.

Two of the congressional candidates named in criminal complaints were Democrats who lost in their respective primaries last spring. They were Charles W. Johnson of Ohio's 17th District, which encompasses several counties in the east-central part of the state, and William C. Haden, of the Pennsylvania's 14th District, encompassing Pittsburgh and Allegheny County.

The third candidate, Fritjof P. Thygeson, won the nomination of the Peace and Freedom Party from California's 40th District, which includes west-central San Diego County and two-thirds of the city of San Diego, but was defeated in November.

All told, the Clerk of the House referred roughly 3,000 House candidates and committees to the department. Most complied after the department sent them warning letters. More criminal complaints are expected to be filed, however.

A finance committee spokesman said the complaint against it, "allegedly

refers to technical and unintentional failures to comply with certain sections of a complex new election law. It is the policy of this committee to fully comply with all election laws. We have always sought to do so."

Common Cause, a citizens' lobby that is suing the committee to compel disclosure of all contributors who gave an estimated \$15 million to \$20 million before the new law took effect, welcomed the Justice Department action but termed it "rather belated."

The time to act was before the November election, "when it mattered," said staff counsel Kenneth J. Guido. The law assured "expeditious treatment" of suits the department might bring, Guido pointed out.

Liddy and Porter figured in the prosecution's opening statement at the Watergate bugging trial Wednesday.

Assistant U.S. Attorney Earl J. Silbert told the jury that Liddy's committee superiors had given him \$235,000 in cash for various assignments, but that the prosecution could account for only \$50,000 of this. Some of the assignments came from Porter, Silbert said.

The complaint against the finance committee was related to several "apparent and possible" violations by President Nixon's re-election organization that the GAO referred to the department on Aug. 28.

The GAO listed the possible offenses as outgrowths of the bugging of Democratic National Committee offices in the Watergate.

qualms about what he had asked me to do and what he had asked me to do was to work for Muskie (Sen. Edmund S. Muskie) campaign headquarters and supply him (Hunt) with information. I said no. Then we talked about my going down there the following day to Muskie headquarters and trying to get on as a student intern."

Gregory said he went to work for Muskie about March 1, endeavoring to get for Hunt the information he requested. Gregory said Hunt wanted "to know as far as possible what the contents of speeches were. He also wanted me to inform him of any major advisers he (Muskie) had. He (Hunt) wanted to know if there was any dissension in the headquarters and if so, between what parties." Hunt also wanted him to find out about Muskie contributors, Gregory said.

Hunt, Gregory said, told him the information would be given to "Bob Fletcher and the gentleman 'Mr. Warren' (Hunt) referred to as the man who would give him the money to pay me."

Gregory said Hunt "indicated that there was a friend or friends in town to whom the information would be of great value." Gregory gave no indication in his testimony that he knew if the information he was giving Hunt was being turned over to the Committee for the Re-election of the President.

Silbert had indicated in his opening statement that the alleged conspiracy involved at least six surreptitious intelligence operations aimed at the Democrats.

Once a day, Gregory said, he called Hunt on an unlisted phone. They met once a week, sometimes more often, at a drugstore at 17th and K Streets NW. "We'd come in at different times and meet in the back of the drugstore and I'd give Mr. Warren a white envelope... with typed information heley (R-N.Y.). There are no had requested, such as the scheduling of Sen. Muskie," Gregory said.

In mid-April, Gregory said, when Muskie's campaign faltered, Hunt told him to sign on as a volunteer with McGovern and try to get the same type of information he had sought from Muskie. The weekly meetings were switched to the lobby of the Roger Smith Hotel, at 18th Street and Pennsylvania Avenue NW, Gregory said.

In mid-May, Gregory testified out of the jury's presence, Hunt introduced him to another man, whom Gregory identified in court as McCord, then the security

coordinator for the re-election committee.

McCord, according to Silbert's opening statement, later visited McGovern headquarters and tried unsuccessfully to plant a bug in Mankiewicz's office while Gregory distracted others.

Aslo in mid-May, Gregory said, Hunt introduced him to another man, who sat wearing dark glasses in the rear of a car driven by Hunt. The three of them stopped at a McDonald's "for hamburgers and something to drink." Gregory said. "The gentleman took his dark glasses off."

NEW YORK TIMES, SUNDAY, JANUARY 14, 1973

Mystery, Comedy, etc. —And Dirty Tricks

WASHINGTON—Scandal, like a lot of other things, never quite made it as an issue in the 1972 Presidential campaign. Last week, with the election two months past and the Inauguration at hand, there were some footnotes and some entirely new chapters in the scandal dossier.

• The Justice Department, on Thursday, charged the Finance Committee to Re-elect the President with eight criminal violations of the Campaign Spending Law. The committee spent \$31,300 without reporting it as required, the Government said. The General Accounting Office had audited the committee's records last August and had reported a series of "apparent violations" involving about \$350,000. The Justice Department said its charges last week stemmed "in part" from the G.A.O. report.

• It was alleged in court papers that President Nixon's personal lawyer, Herbert W. Kalmbach, had been a major solicitor of the dairy industry contributions to the Republican Party that came after the Administration reversed itself and raised milk price supports. According to a deposition in a law suit, Mr. Kalmbach first asked "quite unequivocally" for money and then tried to stop at least some of the gifts when industry officials made it plain they would make the donations public as required by law.

• Criminal Case No. 1827-72, the United States of America v. George Gordon Liddy, et al., came to trial on Monday in the United States District Court for the District of Columbia. Thus the first formal exploration of the Watergate affair got underway.

It had been by far the most malodorous item in the scandal bag, stemming as it did from the arrest on June 17 of five men—some of whom had links to the White House—inside the offices of the Democratic National Committee, and from the indictment on Sept. 15 of the five and two others.

The first five days of trial, like the six months of inquiry, speculation, and debate that preceded them, produced vast amounts of significant information, confusion, comedy, mystery, and pathos. The most important developments were these:

E. Howard Hunt Jr., author of 46 novels, onetime spy for the Central Intelligence Agency, and more recently a consultant to the White House, entered a plea of guilty to all charges

of conspiracy, burglary, and eavesdropping that had been placed against him. Hunt showed up in court looking bad. He had lost weight since his indictment, his face was very pale, his expression somber. Hunt's wife was killed last month in a plane crash, leaving him with three children at home between the ages of nine and 21. He is free on \$100,000 bail, pending sentencing.

The publicity—as a C.I.A. agent he was anonymous for 20 years—seemed to bother Hunt more than it did any of his co-defendants, and he worked hard to avoid it. He was the most enigmatic of the defendants and perhaps because of that, the most interesting.

Bernard L. Barker of Miami, who served under Hunt in the planning of the Bay of Pigs fiasco, has said he would follow his old boss "to hell and back." By the end of the week there were reliable indications that he and three other defendants wanted to join Hunt in pleading guilty.

The legal situation was immensely complicated. The two other defendants, Liddy and James W. McCord Jr., both officials of the President's campaign organization at the time of the Watergate arrests, showed no signs of wanting to follow Hunt in changing their pleas. Since conspiracy is the major charge in the indictment and since Liddy and McCord are among the alleged-participants, it appeared that as long as both or either of them stand trial the Government's case would have to be presented in full, regardless of the other guilty pleas.

The case was outlined in an opening statement to the jury by the principal Assistant United States Attorney Earl J. Silbert. The prosecutor sought to implicate no one except those charged, but he was scarcely shy in discussing the President's Campaign Committee. He said he would prove that the committee had paid Liddy \$235,000 for an "intelligence operation" during last year's campaign. It was unclear, the prosecutor said, how most of this money—all of it was in cash—had been spent.

A previously unreported spy was also unvelled. A college student, Thomas James Gregory, testified that Hunt, who was alleged to have joined Liddy in recruiting for the intelligence effort, had hired him to get information from the campaign offices of Senators McGovern and Muskie.

—WALTER RUGABER

CHRISTIAN SCIENCE MONITOR
17 January 1973

Watergate fog

If the Watergate political espionage case were only a matter of the individual guilt of seven men, the guilty pleas of the defendants might seem to put an end to it.

But the spying incident involves more than the individual guilt of a few men. The entire psychological climate in which government operates is affected by the case. Such matters as why the defendants took on the assignment, how high up the Republican campaign staff and White House staff knowledge of the crime reached, are not yet cleared up. Until they are, the forces of cynicism about the American electoral process will be strengthened.

Thus while one must accord to the defendants the right to plead whatever they wish to protect their individual rights, one must regret that the so doing will cut short a full court investigation of the case.

Fortunately, if the trial in federal court sputters in a fog of guilty pleas, the public can still hope for a thorough explication of the events through another venue.

Sen. Sam Ervin of North Carolina will head a congressional investigation into the incident. Paradoxically, the motives behind the guilty pleas in federal court will become yet another topic of inquiry before Congress.

One could say, at one level, that the admission of guilt by most of the defendants settles the public record. Yet several questions nag. What happened to the nearly \$900,000 in Republican campaign funds that have not been accounted for?

Are the defendants, in pleading guilty, merely acting in the tradition of the espionage profession in taking the rap when caught out, and not implicating their hirers? And who are the guarantors?

The problem with the guilty pleas is that they seem part of a consistent effort to contain the ramifications of the case. Whereas the only real way to settle the matter is to let the investigation run a full course so that all suspicions are confirmed or disproved. If the federal court does not perform this service, tied as it is in protecting the rights of the defendants, then hopefully Congress will.

WASHINGTON STAR
14 January 1973

Guilty Pleas May Dim Full Watergate Spotlight

By BARRY KALB and
JOY ASCHENBACH
Star-News Staff Writers

One guilty plea and the possibility of several others have brought the Watergate break-in and bugging trial to a temporary halt, and are reducing the chances that the complete story — at least the government's version of it — will be fully told.

The possible pleas of the four defendants from Miami, coming at this point in the trial, have raised speculation that the move is being orchestrated from behind the scenes by some unknown person or persons in order to prevent disclosure of information in the trial.

Except for E. Howard Hunt Jr.'s guilty plea Thursday, nothing is definite yet. But even if other decisions to plead guilty are made by individual defendants independently of any agreement among the others, any reduction in the number of trial would diminish the amount of information that will come out.

Four more guilty pleas could result in a mistrial being declared on behalf of the two remaining defendants, putting off the trial for as long as several months.

Mistrial Plea

It seems certain that the sequestered jurors would think it strange that every time they were brought into the courtroom, another of the defendants had disappeared with no explanation from the judge. Chief U.S. District Judge John J. Sirica.

Attorneys for G. Gordon Liddy and James W. McCord Jr. have indicated that if the four Miami men — Bernard L. Barker, Frank A. Sturgis, Virgilio R. Gonzalez and Eugenio R. Martinez — do plead guilty, they will ask for a mistrial.

Whether Judge Sirica would grant a mistrial remains to be seen. He has made it obvious that he is aware of the public interest in the case and all the preparation that has gone into it. One attorney remarked: "Sirica is so determined to have a trial that he'd try this case without any defendants."

Mistrial or not, the turn of events this past week has raised a number of questions:

• Was Hunt's plea motivated solely by his very real family problems and his expressed hope that Sirica will take the plea into consideration at sentencing, or was he, as has been suggested without proof acting at the request of high Republican officials? His attorneys state unequivocally that there was nothing in their client's decision that has not

been said publicly.

• If the four Miami men do decide to plead guilty, and their decision was not influenced by the Nixon administration—to which the Watergate caper has been unofficially linked, have they been influenced by anybody else?

• In the event that the four plead guilty, will McCord and Liddy follow suit? So far, McCord's attorney, Gerald Alch, has said he will continue with the trial. Liddy's attorney, Peter Maroulis, has consistently refused to comment, but it has been generally assumed that if anybody fights it out to the end, it will be Liddy.

Speculation Cited

Any suggestion that the White House has any part in the pleading is sheer speculation at the moment, and there are arguments against this suspicion.

The government has contended that its investigation of the case was thorough, and that it has no evidence to suggest that the case involved anything more than the limited burglary, bugging and political spying outlined in the indictment and in Asst. U.S. Atty. Earl J. Silbert's opening argument on Wednesday. There have been allegations of a broad, administration-led plot of political espionage and sabotage, but these have not been confirmed.

In private, both prosecution and Justice Department sources have said they were anxious to have a public trial in order to back up their contention.

Silbert made this clear on Wednesday when he told Sirica that he had agreed to Hunt's plea to only three of the six counts, with which Hunt was charged — Sirica ultimately forced Hunt to plead to all six — as long as the plea was withheld long enough to give Silbert a chance to lay out his entire case in the opening statement.

Hunt's background has raised suspicion about the administration's role. He was a White House consultant until at least late March, and was reportedly hired on the recommendation of his personal friend, Charles W. Colson, special counsel to the President.

But Hunt's attorneys, William O. Bittman and Austin S. Mittler, are both firm in saying that there was nothing se-

cret behind Hunt's plea.

Without going into detail about their conversations with Hunt, his lawyers say he concluded that the government's case was overwhelming, that he has family problems that require his attention, and that they went to the prosecution with the offer of a plea — not the other way around.

Hunt's wife, Dorothy, was killed Dec. 8 in a Chicago plane crash. His oldest child, Lisa, 21, was seriously injured in an automobile accident last year, according to court papers, and the youngest child, David, is only nine years old, according to Bittman's statements in court.

One suggestion that there may be more behind the actions of the Miami defendants, is the fact that they would apparently have nothing to gain — within the judicial process — in changing their pleas to guilty.

"With a judge like Sirica," says their attorney, Henry B. Rothblatt, "there are no benefits." Disagreeing with Hunt's expectation, Rothblatt says he has no reason to expect that guilty pleas might result in shorter prison terms.

He also pointed out that Sirica's actions so far indicate that he will accept nothing less than pleas to the full seven counts with which the four are charged. Sirica refused to accept Hunt's plea to three counts, forcing Hunt to plead to all six.

On the other hand, Rothblatt reasons, if the four continue with the trial, there is a chance that the jury would acquit them on at least some charges, and if they are convicted they might eventually win an appeal. One obvious claim in an appeal, he said, would be the massive pre-trial publicity in the case.

By pleading guilty now, they would be cancelling out all these options.

Further evidence that the pleas would not be completely independent comes from an article Friday in Newsday, a Long Island, N.Y., newspaper. The article, quoting sources close to the defense, said that the four are being urged to plead by unidentified "friends in Miami," who have promised to provide for the men's families at the rate of \$1,000 per month for every month the men are in prison.

There has been no immediate explanation for the timing of the pleas.

In Hunt's case, his attorneys approached the government during the week before the trial and agreed to plead guilty. The plea was held up only by the agreement to allow Silbert to make his opening statement first, according to Silbert and Bittman.

But Rothblatt has conceded that there were no surprises for the defense in either Silbert's statement or the so-far-incomplete testimony of Thomas J. Gregory which might have convinced the defendants that the case against them was stronger than they had originally suspected.

Gregory, a student at Brigham Young University who admitted spying on two Democratic presidential candidates at Hunt's request last year, testified outside the presence of the jury that he could identify some, and perhaps all, of the seven defendants as having been involved in a common plot.

Conversations with a number of persons familiar with the case have tended to clear up a few other points.

One point is the statement on Friday by an American Civil Liberties Union attorney that on Dec. 22, Silbert told him Hunt was attempting, in participating in the bugging of Democratic headquarters, to blackmail a Democratic official.

Sources close to the prosecution contend that the attorney, Charles Morgan Jr., misunderstood Silbert's exact statement. They state the matter in this way:

The prosecution has obtained no evidence which says blackmail was a motive in the bugging. The government does have evidence, however, that the eavesdroppers were as interested in intercepting personal conversations as they were in overhearing political discussions.

The government plans to present this fact to the jury, and allow the jurors to infer that the alleged conspirators might have been planning to extort political intelligence — not money — from those whose conversations were overheard, as well as obtaining this intelligence directly over the wiretap.

This would be consistent with Silbert's statement in court that the jury will be able to infer "a variety of motives" from the prosecution's evidence.

WASHINGTON POST
15 JANUARY 1973

Hunt Urges 4 to Admit Guilt

By Carl Bernstein
and Bob Woodward
Washington Post Staff Writers

Four defendants in the Watergate bugging trial have been urged by former White House aide E. Howard Hunt Jr. to follow his lead and plead guilty, according to a source close to the defendants.

Hunt, according to the source, has led the four defendants to believe that — if they plead guilty — their families "will be taken care of" and they can expect relatively early release from prison.

The four, all from Miami — Bernard Barker, Frank Sturgis, Eugenio Martinez and Virgilio Gonzalez — are now seeking to plead guilty as a direct result of Hunt's urging and their loyalty to him, the source said.

The four and two other men, G. Gordon Liddy and James W. McCord Jr., are on trial before chief U.S. District Court Judge John J. Sirica, charged with conspiracy, wire tapping and burglary in the break-in and bugging at the Watergate Democratic National Committee headquarters June 17. The trial will enter its second week today.

Some of the Miami men have been associated with Hunt since he was a CIA agent assigned to the 1961 Bay of Pigs invasion. All of them served as subordinates to Hunt in the Watergate bugging, according to federal investigators.

Hunt's attorney, William O. Bittman, said Saturday that he knows of no suggestion made by his client that any of his alleged coconspirators should change their pleas to guilty and drop from the case — as Hunt himself did on Thursday.

"I would think that the suggestion is absurd. . . I can't conceive of it," said Bittman.

The report that the four defendants from Miami have been urged by Hunt to plead guilty follows news stories — by The New York Times, Newsday and syndicated columnist Jack Anderson — that the men are still being paid. While the Times and Newsday reports have described the source of the money as mystery men, Anderson reported in a column today that "most of the money for the defendants has been funneled through Hunt (who) delivered part of the cash to Bernard Barker."

Time Magazine also reported today that the same four defendants will receive cash settlements as high as \$1,000 each for every month each spends in jail as the result of a guilty plea. The magazine quotes Hunt as telling a

reporter: "I'm almost certain the Cuban community in Miami will take care of those four."

Hunt reportedly began urging the four defendants to plead guilty more than a week ago, almost immediately after the prosecution had been informed that he wished to enter a guilty plea in the case.

There was no indication that the remaining two defendants in the case — Liddy, a former White House aide and Nixon campaign official, and McCord, the former security coordinator of President Nixon's re-election committee — intend to change their pleas to guilty and drop from the case.

On Friday, testimony in the Watergate trial was abruptly halted as Judge Sirica held a full day of secret conferences with the six defendants and their attorneys — amid indications that the four Miami men were seeking to change their pleas to guilty.

It was reported that the four were in a clash with their attorney, Henry B. Rothblatt of New York City, who was believed to be resisting any change in their pleas. Rothblatt confirmed to reporters Friday night that he would refuse to enter a guilty plea.

Rothblatt was said to be aware before the trial both that Hunt intended to plead guilty and had urged the four to do the same.

The attorney reportedly told his clients to "stay away from that son-of-a-bitch Hunt," but the former White House aide continued to advise the Miami men to seek guilty pleas through the first half of the last week.

Finally, after Hunt had pleaded guilty to all the charges against him on Thursday and Rothblatt would not follow suit for his clients, the situation reached an impasse. As the trial was reconvened Friday morning, Barker — the leader of the Miami group — passed a note to the chief prosecutor in the case, Assistant U.S. Attorney Earl J. Silbert.

The note, apparently notifying the government that the four defendants wished to plead guilty but were being thwarted by their attorney, led to the day's secret conferences. It is believed that Rothblatt told the judge that his professional judgment would not permit him to enter guilty pleas.

In his opening statement to the jury last week, Rothblatt argued that his four clients' involvement in the Watergate case was that of "following orders" in "a military fashion" and not that of "evil intent."

Rothblatt apparently feels

guing a lack of criminal intent — the jury will not convict his clients of all seven charges against them.

The New York attorney also reportedly made it clear he would not withdraw from the case voluntarily and enable his clients to seek new counsel who would enter guilty pleas on their behalf. A change of counsel in the midst of a case being tried can only be made with the approval of the presiding judge.

When court resumes at 11 a.m. today, Sirica can accept Rothblatt's judgment and continue the trial without any pleas being entered, he can relieve Rothblatt from the case or convince him to withdraw, or he can continue to negotiate the disagreement.

If the Miami men enter guilty pleas that are accepted by the judge, its effect on the trial — with only two remaining defendants — is unclear. There have been indications that attorneys for at least one of the two men, Liddy or McCord, would move for a mistrial.

Such a move, it is understood, might be based on the surprising effect on the jury of returning to the courtroom and finding only two defendants remaining. After Hunt pleaded guilty and was dropped from the trial — out of the presence of the jury — the jurors were instructed without elaboration by the judge to disregard his case.

If the trial continues with only two defendants, it is possible that its scope might be diminished through the elimination of some witnesses relevant only to the cases against the Miami men.

One incident in court — the dropping of Donald H. Segretti from the prosecution's proposed list of witnesses in the case — raises the possibility that the scope of the trial may have already been diminished.

Federal sources have said that Segretti was hired to conduct political sabotage and espionage against the Demo-

crats by Dwight L. Chapin, President Nixon's appointments secretary, and that Segretti reported on his activities to both Chapin and Hunt.

Segretti's name was eliminated from the prosecution's witness list at about the same time that the prosecutors learned that Hunt would seek to plead guilty and thus would probably be dropped from the trial.

According to federal sources, Segretti was not involved in the Watergate bugging, and his only known relationship to any of the seven men indicted in the case is with Hunt — a central figure in the alleged conspiracy to bug the Democrats' headquarters.

To prove a conspiracy, the prosecution must demonstrate in court that the defendants joined together in a purposeful plot.

Based on the prosecutor's opening argument to the jury, the prosecution will attempt in part to prove the conspiracy by establishing that the defendants purposefully joined together in an espionage operation that extended beyond the Watergate bugging itself.

To support its contention, the prosecution will submit evidence to the jury about Hunt, although the former White House aide is no longer a defendant in the case. Many of his activities must still be discussed in the trial because of his central role in the alleged conspiracy; but some testimony dealing only with Hunt may no longer be necessary to prove the conspiracy charge against the other defendants.

The elimination of Segretti as a witness means there will be one less person who could conceivably testify about aspects of the alleged conspiracy that do not deal with the bugging, and who could possibly answer some of the questions Judge Sirica has said he wants answered at the trial:

"What did these men go into that headquarters for? Was their sole purpose political espionage? Were they paid? Who hired them? Who started this?"

NEW YORK TIMES
15 January 1973

Pressures to Plead Guilty Alleged in Watergate Case

By SEYMOUR M. HERSH
Special to The New York Times

WASHINGTON, Jan. 14—A source close to the Watergate case said today that four of the five defendants were under what he termed "great pressure" to plead guilty to charges of eavesdropping on the Democratic National Committee headquarters in Washington last June.

The source, who has provided other reliable information about the case in the past, refused to name those who were said to be putting pressure on the defendants—all of whom are from the Miami area—but he did say that a substantial promise of money had been made to the men.

In essence, the source was confirming a Time magazine report that the Watergate defendants had been promised a cash settlement as high as \$1,000 a month if they pleaded guilty and took a jail sentence. Additional funds would be paid to the men upon their release, Time said. The article did not cite the source of the information.

The New York Times source, however, said, "It's not really a question of money—just pressure."

"It is not a bribe," he added. "Just a lot of promises."

The four men—Frank A. Sturgis, Virgilio R. Gonzales, Bernard L. Barker and Eugenio Rolando Martinez—were represented by Henry R. Rothblatt, a New York lawyer.

Mr. Rothblatt refused to discuss the reports of "pressure" during a brief telephone interview today, but did acknowledge that he would withdraw from the case if the four men decided to plead guilty.

"I have repeatedly said that I will not be a party to any plea of guilty," he said.

The Watergate trial, held in United States District Court here, was recessed Friday by Chief Judge John J. Sirica until tomorrow amid rumors that Mr. Rothblatt and his clients were at odds over a sudden decision by the defendants to plead guilty.

Earlier last week, E. Howard Hunt, another defendant who once worked as a White House consultant, pleaded guilty.

The New York Times reported in today's issue that the four Miami defendants were continuing to be paid by sources as yet unidentified, although their funds have been

sharply reduced in the last few months.

One reliable source indicated that the same group or person now paying the defendants—whom he refused to identify—may be behind the new offers of a cash payment to the men in return for a guilty plea.

The plea change itself would make little legal sense informed sources said, because it could lead to only a relatively slight difference in the possible prison sentences facing the men. Complicating the risk behind the change in plea, the source said, is Judge Sirica's reputation as a stern judge.

Mr. Rothblatt is known to be angry over the reported outside pressure on his clients and has told associates, "I don't want to be a party to anybody being pressured."

If the men decide to "cop a plea," as a source said, Judge Sirica could order Mr. Rothblatt removed from the case and provide another attorney for the men. Mr. Rothblatt is known to be prepared for that eventuality.

Another source said that the persons behind the Watergate money offers were "simply offering a lot of promises at this point."

Mr. Rothblatt is also known to have become upset at Mr. Hunt's decision to plead guilty earlier last week. Mr. Hunt's attorney later told newsmen that his client had done so because of the great stress a trial would place on his family. His wife, Dorothy, was killed in an airplane crash last month.

One source had a different view of Mr. Hunt's guilty plea, however. In discussing the current pressures on the defendants, the source said, "it all started with Hunt. He pleaded guilty—and that's the story."

There has been newspaper speculation that Mr. Hunt's plea had been made at the behest of unidentified White House or Republican party officials anxious to have little, or none, of the Watergate details aired during a court battle.

The other two defendants in the case—James W. McCord Jr., a former agent for both the Federal Bureau of Investigation and the Central Intelligence Agency who was arrested with the four Miami men inside the Watergate complex on June 17, and G. Gordon Liddy, a former White House and Republican re-election committee aide who is said by the prosecution to have led the intelligence operation—are apparently resisting pressures—if any have been applied to plead guilty.

It was unclear what would happen in the Watergate trial if Judge Sirica accepted the guilty pleas of the four Miami

WASHINGTON POST
14 JANUARY 1973

4 in Bug Trial Still Paid, Paper Says

Sources close to the Watergate case have said that "at least four of the five men arrested last June in the Watergate raid are still being paid," The New York Times reported in its early editions today.

The Times, in a front-page article, also quoted sources "familiar" with the case as saying that one of the men caught in the break-in at Democratic headquarters, Eugenio Rolando Martinez, "was an active employee of the Central Intelligence Agency at the time of the break-in" and was stricken from the CIA's payroll within a day of his arrest.

Martinez and five other men enter the second week of their trial here Monday on charges of conspiracy, burglary and wiretapping before Chief U.S. District Court Judge John J. Sirica. There have been persistent reports since Friday that four of the defendants—the ones the Times reports are still being paid—want to follow the lead of former White House aide E. Howard Hunt Jr., and switch their pleas to guilty.

The Times said these points were made by more than one person in a series of interviews with "federal investigators, political figures and defense lawyers":

- High officials of the Committee for the Re-Election of the President have acknowledged privately that they are unable to account for \$900,000 in campaign contributions.

- A Nixon supporter working in Democratic headquarters, taped open doorlocks leading to the basement, allowing the five men eventually caught to enter the Watergate.

The Times' article, written by Seymour M. Hersh, says that one of the defendants, Frank Sturgis, acknowledged

men after assigning a new lawyer to them. The attorneys for Mr. McCord and Mr. Liddy have indicated to newsmen that they would immediately move for a mistrial in that case, possibly delaying for many months the public testimony about the background and scope of the Republican operation.

If the trial does go on, with only two of the seven defendants remaining, observers indicated that it would undoubtedly not diminish the amount of information that would be developed. It was also not clear whether Earl J. Silbert, the chief assistant United States Attorney prosecuting the case, could still call the same witnesses who had been previously announced.

In a meeting in Miami two weeks ago that he has continued to receive payments but that "his funds had been sharply reduced in the last few months. Another closely involved source said that payments to the four men now range from \$400 a month up."

The money is coming from unnamed sources, the Times said, with Sturgis suspecting that part of it originated with the committee for the Re-Election of the President.

The article states that a freelance writer, Andrew St. George, has been circulating a proposed book outline to New York publishers that recounts Sturgis' undercover work. In the outline is an assertion that former Attorney General John N. Mitchell was kept informed of the activities of the Watergate defendants.

DeVan L. Shumway, a spokesman for the re-election committee, was quoted in the article as saying that the Times' story was "outrageously false and preposterous," and that Mitchell joined in that criticism.

The article said that St. George signed a contract with Harpers' Magazine Press for the book, and that a publishing firm spokesman had confirmed that such a contract had been signed for "under \$5,000."

In addition, an NBC official was quoted as saying that the television network had paid something under \$8,000 for a contract with Sturgis, with Sturgis to be interviewed on the "First Tuesday" monthly-news program.

The Times states that "both Mr. St. George and Mr. Sturgis are controversial figures in their own circles, where they have mixed reputations. While some praise Mr. St. George's intelligence and devotion, others say he "sometimes confuses fact and fantasy."

The article states that "there are many in the Miami area who have denounced Mr. Sturgis as a fabricator" but "there are obviously those who thought him reliable enough to join the intelligence team."

NEW YORK TIMES
16 January 1973

4 MORE ADMIT GUILT AS SPIES IN WATERGATE 2 STILL ON TRIAL

Judge Dubious About Defendants' Replies to His Questions

By WALTER RUGABER
Special to The New York Times

WASHINGTON, Jan. 15—Four of the six remaining defendants in the Watergate trial pleaded guilty today in Federal Court to spying on the Democrats during last year's campaign.

They pleaded guilty to all seven counts of an indictment charging them with conspiracy, second-degree burglary and wiretapping. The action subjects them to a maximum of 55 years in prison.

The four are Bernard L. Barker, a Miami real estate agent, and three of his associates—Frank A. Sturgis, Eugenio Rolando Martinez and Virgilio R. Gonzalez.

Last Thursday, E. Howard Hunt Jr., a former White House consultant, pleaded guilty to all six charges against him in the case.

2 Insist on Innocence

Chief Judge John J. Sirica of the United States District Court here questioned the four defendants, who changed their pleas about their motives for spying and about the possible involvement of others, and then sent them to jail in lieu of \$100,000 surety bonds each, to await sentencing.

Testimony in the case resumed immediately with the remaining defendants, both officials of President Nixon's political organization when the spying charges arose, maintaining their innocence.

When the defendants who pleaded guilty answered Judge Sirica's questions, the replies were not directly illuminating. The four men appeared confident and even bland in their exchanges with the judge, and they confined their answers as much as possible to the allegations against them.

Judge Sirica was openly dubious about a number of their responses. At one point, after all the men said they were

certain about the source of their money that had been supplied to them, he said, "Well, I'm sorry, but I don't believe you."

The judge did not pursue some lines of questioning in the face of limited replies, but it was later pointed out by legal observers that he was not strictly entitled to force answers on some points.

The four men were arrested inside the offices of the Democratic National Committee on June 17. They admitted today that they had gone there to install wiretaps and bugging equipment and to rifle the party's files.

Arrested with them was one of the remaining defendants, James W. McCord Jr. At the time of the arrests, Mr. McCord was security coordinator for the Committee for the Re-election of the President.

The second other defendant, G. Gordon Liddy, was counsel to the Finance Committee to Re-elect the President. He was not arrested at the Watergate office complex, but the Government has charged that he had been inside and was close by at the time.

Judge Sirica questioned the four men closely on whether "higher-ups" had put pressure on them and on whether they had been offered money to change their pleas.

They replied with noes and with vigorous head shaking. They also denied, in response to a specific question, that Hunt had urged them to follow his example by pleading guilty.

Barker, who has acted more or less as spokesman for the other three men, indicated that he was prepared to implicate no one in the conspiracy beyond Hunt, a former agent of the Central Intelligence Agency more than 20 years.

Hunt, who had operational charge of the Bay of Pigs fiasco in Cuba in 1961, was Mr. Barker's immediate superior during the invasion attempt. Judge Sirica asked each of the four whether they had ever worked for the C.I.A.

"Not that I know of, your honor," replied at least two of the men—Barker and Gonzalez—in chorus, suggesting the possibility they had prepared the answer in advance.

Judge Sirica began the day with a statement on developments last Friday, all of which took place either in a closed-door session or in a series of conferences out of earshot of the spectators.

Asked to Change Pleas

He read into the record a

statement to their attorney, Henry B. Rathblatt of New York. They said they had been asking to change their pleas since Jan. 7, the day before the trial began.

"You have not complied with our request," the four men said. They added that defending themselves any longer was "not acceptable to us" and that Mr. Rathblatt "will no longer represent us."

Mr. Rathblatt, who received the "sincere gratitude" of the four for his performance up to that point, had made it clear from the outset that he would not represent them unless the case went to trial.

During the session in private, Judge Sirica secretly summoned an old friend to represent the four as a court-appointed lawyer. He was Alvin L. Newmyer, a Washington lawyer who celebrated his 89th birthday last week.

Apparently to avoid any possible delay should the four men change their minds over the weekend and reassert their innocence, Judge Sirica appointed Mr. Newmyer only to handle guilty pleas.

First Stratagem

Speaking softly and slowly, the elderly lawyer said his four suddenly acquired clients had at first wanted to plead guilty to only some of the counts against them, a stratagem that had been tried unsuccessfully by Hunt.

"But having been advised the court would accept pleas [only] on all [counts]," Mr. Newmyer went on, "they have agreed to change their plea to guilty on all counts of the indictment."

Barker, Sturgis, Martinez and Gonzalez were then called before the judge and warned that they would forfeit a number of constitutional rights by pleading guilty. They accepted this prospect with almost eager nods.

Judge Sirica then began to read and to explain at length the indictment, remarking that he intended to be "very careful" and wanted "to find out if you know what you're doing." At one point he said:

"If I'm not convinced after I finish the questions that you are doing this knowingly, voluntarily and without any coercion I don't have to accept a plea."

Beginning his questioning, he said: "I don't care who it hurts or helps. Don't pull any punches. You give me straight answers."

He added that if anyone else was involved, "I want to know it and the grand jury wants to know it."

Asks Direct Question

Turning to Martinez, Judge Sirica said he wanted him "to start at the beginning, and I want you to tell me how you got into this." Martinez told the judge he would have to pose "a direct question." The judge complied.

The 50-year-old native of Cuba denied he had been paid to participate in the spying conspiracy, acknowledging only that Barker had given him \$500

to cover his "expenses."

Martinez said that he had owned a hospital, a hotel and a furniture factory in Cuba and that these had been taken over by the government after the Castro revolution. "Money don't mean a thing to us," he asserted.

Gonzalez, a 46-year-old Miami locksmith who is also a Cuban refugee, indicated that Barker and Hunt had said that the spy operation would advance the liberation of his native land.

"I think of my country, of the way people are suffering there," he said.

"What does Cuba have to do with the Democratic party?" the judge asked.

"They told me this had something to do with solving the Cuba situation," he replied.

Sturgis, 48, a former marine who fought with Castro during the Cuban revolution but who broke with him shortly after its success, took much the same line. He said he would do "anything" when Cuba and the "Communist conspiracy" in this country were involved.

Barker, 55, expounded on theme publicly for the first time during an interview with The New York Times last fall. He displayed a passionate hatred of Castro and asserted that many Cuban refugees believed that the election of Senator George McGovern, the Democratic nominee, "would be the beginning of a trend that would lead to socialism or communism, or whatever you want to call it."

It was also at this interview that Mr. Rathblatt began to advance the suggestion that his clients were soldiers taking orders from others. The others were unidentified, and Barker made it clear he would not implicate anyone else.

"This is the way these things are," he said. "You know it before you get there. You work, you help because you're needed. And when you're not needed, then you forget about it."

An example of the lack of elaboration today came when Judge Sirica asked Martinez why he had come to Washington in June. He had come to enter the Watergate, Martinez said, and to —

There was a pause and the defendant finished, "Whatever the charges are."

Barker was questioned extensively on \$114,000 in checks that passed through an account he controlled in the Republic National Bank of Miami. The money had been given to President Nixon's campaign organization and, the Government has charged, passed on to Barker by Mr. Liddy.

"For a definite fact," Barker said, "I cannot state who sent that money." He asserted that all of the \$114,000 had been sent to him by mail and that he had been asked to convert it to cash.

He denied that he had used any of the money to finance spying activities or for anything else. The judge recalled that a sizeable sum of currency had been found in his possession on

June 17.

"This money came to me in a closed envelope by mail," Barker said. "I can't make a definite statement as to who sent it to me. I have an idea it was sent by those persons involved in the operation and that it was sent for the purpose of the operation."

After Judge Sirica accepted their guilty pleas, the four men were taken into custody and escorted by United States deputy marshals to a cellblock in the basement of the courthouse.

Both Mr. Rothblatt and Barker's wife, Clara, indicated that the men would not attempt to post the \$100,000 bonds set. They remained in the courthouse until closing, when they were sent to the District of Columbia jail.

Judge Sirica denied a motion by the remaining defendants for a mistrial. The jury was called in for the first time today at mid-afternoon and it resumed hearing testimony for the first time since Thursday.

There was no indication that the Government's case, as outlined in an opening statement to the jury before any of the five guilty pleas, would be altered by the actions of the last week.

The conspiracy count of the indictment would require the prosecution to establish, even to convict only one defendant, that the scheme took place as alleged in the original indictment.

WASHINGTON POST 16 JANUARY 1973 Judge Pushes For Answers

By Carl Bernstein
and Bob Woodward
Washington Post Staff Writers

Judge John J. Sirica was asking Bernard L. Barker, a defendant in the Watergate bugging case, about "these \$100 bills that were floating around like coupons," and Barker was saying that he didn't really know where they came from.

"I assume it was in connection . . . to the operation of the Watergate," said Barker, adding that he could not say much else because "I got that money in the mail in a blank envelope."

"Well, I'm sorry, I don't believe you," replied Judge Sirica, who for almost an hour had been fruitlessly seeking to elicit some information about what led Barker and three of his comrades to break into the Watergate on June 17.

The four "men from Miami" as they have repeatedly been referred to in the Watergate trial—Barker, Frank Sturgis, Eugenio R. Martinez and Virgilio R. Gonzalez—were not under oath as the judge questioned them.

They had been called to

the bench by Sirica, who asked assurance that their desire to plead guilty to all the charges against them and march off to prison for up to 55 years was entirely their own.

Their heads bobbed up and down in unison as they told the judge that their decisions were uncoerced, then nodded vigorously back and forth amid a chorus of "No, your honor" as Sirica asked if anyone had made suggestions about "executive clemency . . . or commutation of sentence."

On this, the sixth day of the Watergate trial, morning newspapers had quoted sources "close to the defendants" and "close to the case" as variously saying that the Miami men were under "great pressure" to plead guilty and had "been urged by former White House aide E. Howard Hunt Jr. to follow his lead and plead guilty." Over the weekend, there were other newspaper and magazine reports that the four still were being paid.

As they stood in front of the judge—with Barker, the apparent leader among the four at parade rest and his three codefendants at attention—they told the judge they did not know anything about such matters.

Sirica—noted for his nonsense courtroom demeanor and strict prison sentences—then began asking the kind of questions he has told the prosecution he wants answered in the trial.

"What purpose did you four men go into the Democratic headquarters for?" he asked. "Who, if anyone, hired you to go in there? . . . Are other people—that is, higher-ups in the Republican Party or the Democratic Party or any party—involved in this case? . . . What was the motive? . . . Who was the money man? Who did the paying off?"

The interrogation began with Martinez, who works as a real estate salesman for Barker in Miami. When a clerk handed Martinez the microphone in the big ceremonial courtroom, the parade rest that had been maintained by his boss disintegrated and Barker began wringing his hands behind his back and bouncing up and down on his toes.

"I want you to start from the beginning and tell me how you got into the conspiracy," Judge Sirica demanded of Martinez. " . . . I don't care who (the answers) might help or hurt. . . . Don't pull any punches."

"I believe the facts that you have read in the charges are true," was Martinez's response.

"That's a blanket statement," noted the judge and

asked Martinez pointedly how he was recruited for the Watergate operation. "Maybe I offered myself," the defendant suggested.

When the judge attempted to find out if Martinez had ever done work for the CIA, as news reports have said about all of the Miami men, Martinez answered, "Not that I know of." Among those who laughed at the answer was a codefendant, G. Gordon Liddy, a former White House aide, and Nixon campaign official who ended a brief nap at the defense table when Sirica started asking about the origins of the conspiracy.

"I want to forget all the things, I don't want to remember any more," Martinez said when the judges asked the defendants what they were talking about in their room at the Hamilton Hotel before the Watergate break-in. Even though a key prosecution witness said on Wednesday that he could not remember whether Martinez was in the hotel room, Martinez volunteered to the judge that "even that he didn't recognize me, I admit I was there."

Was he paid? the judge asked Martinez. "I did not get paid your honor, for my services," except for expense money from Barker, he answered. "Money doesn't mean a thing to us, your honor," added Martinez. "I own a hospital in Cuba, one of the best hospitals. I own a factory of furniture in Cuba. I was the owner of a hotel in Cuba. I left everything in the hands of the Communist there . . . I lose everything and really money is not a great deal in my decisions."

Frank Sturgis, the Norfolk-born soldier of fortune who wants to write a book about the activities of the Miami men, was equally emphatic in dismissing money as a motive. "When it comes to Cuba and the Communist conspiracy involving the United States," he told Sirica, "I will do anything to protect this country."

The only connection between the Watergate bugging and Cuba that the

Judge was able to elicit was a statement from Gonzalez that Barker and Howard Hunt had told him that "we're solving the Cuban

situation" by breaking into the Democrats headquarters.

"Sir, I have had the privilege and honor of knowing Mr. Hunt for some time," Barker said by way of answering why he was making phone calls to Hunt in the White House long before April 17—when the government says the conspiracy began.

"Were you working under direction of Mr. Hunt or other people in this job that was pulled off?" Barker was asked. "I was working with Mr. Hunt . . . I was completely identified with Mr. Hunt . . . I had the greatest honor . . . I worked with him as my superior . . . I have known what my responsibilities are and I will face to all my responsibilities," he responded.

As the judge continued his questioning, assistant U.S. Attorney Earl J. Silbert and Seymour Glazer sat at either end of the prosecution's table, Silbert shaking his head, frowning and staring down at his yellow legal pad; Glazer leaning back in his chair and rubbing one side of his face. Months ago, the prosecutors repeatedly had told reporters they could not discuss the case but that at the trial the facts would finally become known and the whole story of the Watergate bugging would unfold.

"For a definite fact I can't say who sent that money," Barker was saying of the \$14,000 in his bank account that Silbert's opening statement said had come from G. Gordon Liddy at the Committee for the Re-election of the President.

Didn't it seem "rather strange" that he would receive \$14,000 and not know where it came from? asked Judge Sirica.

"I don't think it is strange, your honor," said Barker. "I have previously before this been involved in other operations which took the strangeness out of that as far as I was concerned."

WASHINGTON POST
17 JANUARY 1973

Watergate Defendant Claims 'Bugs' Legal

By Lawrence Meyer
Washington Post Staff Writer

James W. McCord Jr., one of the two remaining defendants in the Watergate trial, will try to argue that he had a legal reason to bug Democratic Party headquarters because he was trying to protect Republican officials from possible danger, McCord's lawyer said yesterday.

Explaining the "relatively unused theory" of the "law of duress," attorney Gerald Alch said, "If one is under reasonable apprehension, regardless of whether he is in fact correct, he is justified in breaking a law to avoid the greater harm — in this case violence directed at Republican officials up to and including the President."

In court papers filed before the trial began, the prosecution dealt with such an argument, asserting that "an allegedly 'good' motive" is never by itself a defense for a crime. Alch's statement to reporters was one of series of developments on the seventh day of the trial before chief U.S. District Judge John J. Sirica:

• Sirica said he had listened to tapes of a newspaper interview with Alfred C. Baldwin III, a key prosecution witness, and had heard "one or two names mentioned." Sirica said he was referring the matter to the prosecution "for whatever action they may think appropriate."

• The prosecution said that Baldwin, who has said he monitored telephone conversations in the Democratic headquarters from a hotel across the street, will be called to testify today.

• A metropolitan policeman gave the first public account of how he and two other officers searched the Democratic National Committee's offices in the Watergate on June 17 and arrested five men, including McCord, inside, with one of them saying, "Keep your cool, you got us."

McCord and G. Gordon Liddy, both former officials of the Committee for the Re-election of the President, are being tried on charges of conspiracy, burglary and illegal wiretapping and eavesdropping stemming from the June 17 break-in at the Democratic headquarters. Five others — former White House aide E. Howard Hunt Jr. and four men from Miami who said they reported to Hunt — already have pleaded guilty to the charges against them.

Shortly before the afternoon session began yesterday, Sirica called the lawyers to the bench

to discuss distributing a transcript he had made of tapes of an interview The Los Angeles Times conducted with Baldwin. The defense sought the tapes on the grounds that Baldwin's statements could be useful in impeaching his testimony.

"There are one or two names mentioned and I'm going to call them to the attention of government counsel for whatever action they think appropriate," Sirica said.

As a key government witness, Baldwin has been interrogated at length by the prosecutors. The judge did not elaborate on the names.

In The Times article based on the interviews with Baldwin, it was reported that he could not recall the names of re-election committee officials who received copies of the logs he made of the phone conversations Baldwin said he monitored.

Baldwin is reported to have told others that he could remember the names of three White House or Nixon campaign aides who received memos describing the telephone conversations: White House congressional liaison aide William E. Timmons, and campaign aides Robert Odle and Glenn Sedam.

Sources close to the Watergate investigation have said that Baldwin, a former FBI agent, named Odle and Timmons from memory and picked out Sedam's name from a list when interviewed by the FBI. All have denied receiving the memos.

Odle's name is on the prosecution's witness list. No mention has been made of the other two men at the trial.

The fullest account given of how five men were arrested inside the Democratic offices was given by the prosecution's seventh witness, Officer John B. Barrett of the metropolitan police. Barrett followed Frank Wills, a Watergate security guard who testified he had become suspicious and called police after twice finding the same doors taped so that they would not lock.

Barrett said he and two other police officers responded to a radio call and arrived at the Watergate at about 1:45 a.m. After a quick briefing from Wills, Barrett said, the officers — dressed in casual clothes — began surveying the building. They found a door taped on the eighth floor, where the Federal Reserve has offices, but found no other doors unlocked.

Barrett said he was called to the sixth floor, the location of the Democratic Party of-

stairs to office corridors was taped open and "scratch marks were apparent" on the lock.

After finding one office "in disarrayed fashion . . . messed up," Barrett said he drew his service revolver "because I felt this might be something good, that there might be someone in there."

The search was continued, Barrett said, and they found the platform preparation room, where the 1972 party platform was being prepared, "in even more disarrayed fashion." The two officers with him, Sgt. Paul Leper and Carl M. Shoffler, went briefly out on the adjoining terrace, but found nothing, Barrett said.

Barrett said he and the others continued looking, with Barrett moving toward the office of party chairman Lawrence F. O'Brien. Finally, Barrett said, he came to a spot in the office where a cubicle for a secretary had been created with a partition, steel on the bottom and frosted glass on top. Barrett, a tall, thin man with reddish-brown hair and a beard told the jury, "I was hesitant to go around that corner. I just had a feeling."

While he hesitated, Barrett said, "an arm appeared . . . just inches from my face" on the other side of the glass. "Needless to say, I was alarmed. I jumped back . . . back pedaled here very quickly . . . I yelled out, 'Hold it, police.' 'I'm sorry,' he corrected himself, 'I didn't say, 'Police.'"

"I saw numerous hands. As they went up, I saw gloves, similar to a surgeon's gloves—blue, and white. . . . I said, 'Come out.' The gentlemen came out," Barrett said.

At that point, Barrett recalled, "I believe it was Sturgis said, 'Keep cool, you got us.'" Frank Sturgis was one of the five men arrested inside the Watergate along with McCord, Bernard L. Barker, Eugenio R. Martinez and Virgilio R. Gonzales.

Among the items taken from the men, Barrett said, were about \$1,300 in \$100 bills, burglar tools, bugging devices, two cameras, photographic lights, about 60 rolls of assorted film and several pieces of false identification on Sturgis. In addition, Barrett said, McCord had applications for college media press credentials for the Democratic convention in his suit jacket pocket.

Alch, McCord's lawyer, told reporters his defense strategy after finishing his cross-examination of the fifth prosecution witness, Thomas J. Gregory. Gregory had testified that he was recruited by Hunt to spy on Democratic presidential candidates.

Gregory also identified Mc-

Cord as having come to the campaign headquarters of Sen. George S. McGovern in an unsuccessful attempt to plant a bug in the offices of Frank Mankiewicz or Gary Hart, the two top campaign aides to McGovern. McCord at the time, in mid-May, was security coordinator of the re-election committee.

Alch, in cross-examining Gregory, asked if he had seen any contributions to the McGovern campaign made by the Vietnam Veterans Against the War, the National Peace Action Coalition or the People's Coalition for Peace and Justice. Gregory said he was "not sure" about contributions from the National Peace Action Coalition because of the coding system the McGovern campaign used for contributions and he knew of no contributions from the other two groups.

[NPAC, VVAW and PCPJ have conducted numerous demonstrations in recent years but have consistently advocated orderly, lawful and nonviolent expressions of antiwar sentiment. They have enforced discipline at their activities with trained marshals and their events have generally been peaceful.]

[However, one faction of PCPJ was responsible for the 1971 Mayday disruptions in Washington. Leaders of the faction took pains to emphasize in advance that its actions were directed against the idea of government conducting business as usual while the war continued and not against any individuals or organizations.]

Sirica interrupted Alch to tell him, "I think you're going pretty far afield. When it comes time, you can put your defense on." Alch said he wanted to call Gregory as a defense witness later in the trial.

McCord's defense, Alch said, will be based on the "theory of law that if a man has reasonable grounds to anticipate violence to himself and others, he can technically violate the law to avoid greater harm."

In his opening statement to the jury, Silbert said that Baldwin would testify that McCord instructed him, "made it perfectly clear to Mr. Baldwin that he was interested in conversations whether personal or political, of a sensitive nature."

The prosecution has taken the position in its proposed instructions to the jury at the conclusion of the case that the government does not have to prove a particular motive "nor is an allegedly 'good' motive ever by itself a defense where the act done or omitted is a crime."

WASHINGTON STAR
17 January 1973

Baldwin Expected to Describe Role of Liddy and McCord

By JOY ASCHENBACK
and BARRY KALB
Star-News Staff Writers

Alfred C. Baldwin, the former FBI agent who secretly monitored telephone conversations of officials of the Democratic National Committee, is expected to take the witness stand at the Watergate trial today in the midst of a legal dispute over how much he can reveal of what he heard.

A key government witness granted immunity in exchange for his testimony, Baldwin will — according to the prosecution — directly link the two remaining defendants, G. Gordon Liddy and James W. McCord Jr., to the break-in and bugging of the Democratic headquarters at the Watergate. The five other defendants already have pleaded guilty.

McCord, who was chief security officer for both the Republican National Committee and the Committee for the Re-election of the President, received the logs of the approximately 200 conversations Baldwin overheard during a three-week period in May and June, the government contends.

On one occasion, Baldwin told The Los Angeles Times, he personally delivered the logs to the re-election committee. He said he could not remember the name of the committee official to whom he addressed the envelope.

The Washington Post has said that Baldwin "is known to have told the FBI" that the envelope was, in fact, addressed to Glenn J. Sedam Jr., counsel to the re-election committee.

In addition, The Post said, Baldwin told the FBI that "among others" the bugging information had been sent to William E. Timmons, assistant to the President for congressional relations, and Robert C. Odle Jr., former White House aide who was director of administration for the re-election committee.

Spokesmen for the White House and the committee have denied that Timmons, Sedam or Odle received information based on Baldwin's eavesdropping.

\$250,000 for Intelligence

Baldwin, according to the government, worked directly for McCord, but met Liddy, who was then counsel to the Finance Committee to Re-elect the President, several times at his listening post

across from the Watergate. At one time, the prosecution said, Baldwin saw Liddy give McCord 16 \$100 bills.

Liddy, the government said at the opening of the trial, had \$250,000 in re-election committee funds at his disposal for political and security intelligence operations. Virtually all of it was given to him in \$100 bills.

Baldwin's testimony will be held up somewhat by a U.S. Court of Appeals ruling that before the government can elicit testimony as to the contents of any conversation Baldwin overheard, that testimony will have to be given in closed session before Chief U.S. District Court Judge John J. Sirica, who is presiding at the trial.

The ruling, which the appellate court refused yesterday to overturn, followed the filing of a motion by some of those persons whose conversations were overheard. The motion contended that revealing any part of these conversations would be violating the speakers' rights of privacy, and that such a revelation was not necessary to the government's case anyway.

The appellate court agreed that the issue needed a close look, but in order to keep the trial going ordered the "in camera" testimony, with the attorney who filed the motion, Charles Morgan Jr. of the American Civil Liberties Union, to be present.

If anyone objects to the admission of any proposed testimony, the appellate court said, the Sirica overrules the objection, then Sirica must allow those who objected to appeal to the appellate court.

This procedure is expected to affect the testimony of only three people — Baldwin; R. Spencer Oliver, executive director of the Association of State Democratic Chairmen; and Ida M. Wells, an association secretary. Oliver and Miss Wells were among those filing the motion.

Some of the calls overheard, Baldwin told the Los Angeles Times, involved "explicitly intimate" details of personal lives.

Morgan said that technically he could object to testimony revealing who was speaking, what they said, what their meaning was, or even that a conversation was overheard. But he said he will listen to each proposed statement before making any objection.

Asst. U. S. Atty. Earl J. Silbert has said that he will not

SAVE WATERGATE EVIDENCE, DEMOCRATS IN SENATE ASK

Senate Democratic Leader Mike Mansfield has asked everyone involved in the Watergate bugging incident, including the Committee for the Re-election of the President, not to destroy any documents that would be needed in a scheduled Senate investigation of the matter.

In letters to key figures in the case, Mansfield noted that the Senate will be conducting a thorough investigation of its own into the Watergate incident as soon as the federal court trial is over. The Senate probe will be headed, by Sen. Sam J. Ervin, D-N.C.

Mansfield said he was acting at the request of Ervin. Without mentioning any specific problems of the past, it was clear that he wanted to avoid what happened in the Senate's investigation of the International Telephone & Telegraph Corp. where key documents apparently were destroyed in a paper shredder.

ask Baldwin to give details of the conversations, but only to characterize them as political, personal or business, with a general statement of what they were about.

Silbert said that the nature of the conversations is not essential in proving the government's case, but is aimed at establishing motives for the electronic surveillance. McCord, he said, was interested in sensitive personal conversations as well as political.

Defense attorneys yesterday were given transcripts of Baldwin's interview with The Los Angeles Times, but with "third-party" names deleted, according to Peter Maroulis, Liddy's lawyer. The Times had agreed to turn over the tapes of the Baldwin interview following an earlier court ruling.

The trial so far has been like a bubble that grew and grew and grew — and suddenly burst, leaving only a remnant behind.

Where there were exciting matters piling one on top of the other — the names on the witness list, the opening statements, the first guilty plea, the rumors and then the reality of four more pleas — there is now the dull but necessary business of taking testimony and identifying exhibits.

Where there was originally an unruly mob scene of defendants and defense attorneys and a law clerk and an interpreter seated around the five-yard-long defense table, there is now only a lonely knot of four people clustered at one end: Liddy and his lawyer, Maroulis; McCord and his attorney, Gerald Alch.

The drop in the number of defense attorneys means more manageable conferences at

the bench with Sirica, fewer questions on cross-examination, fewer testimony — if any — to be introduced when the defense gets the chance to present its case.

Baldwin, according to the government, is expected to testify that he was first hired by the re-election committee last May 1 to protect Martha Mitchell, wife of former Atty. Gen. John N. Mitchell, who was then chairman of the re-election committee.

About 10 days later, Baldwin was given a new assignment — to find out about anticipated or planned demonstrations in Washington, Silbert said.

Yesterday Alch revealed that he will try to show that McCord, in participating in the bugging, was trying to obtain information on left-wing groups as part of his job to provide security for the Republican National Committee and the re-election committee.

Alch said he will try to show that McCord thought there was a real threat of danger to Republican candidates and other politicians, and that his actions were therefore justified — and legal. He said he would present evidence that McCord was acting under a form of "duress."

Alch said his client participated in the bugging of Democratic National Committee headquarters and the attempted bugging of McGovern campaign headquarters because "these would be violent groups" were Democratic supporters and "it's possible that he could have ascertained some of their plans" by listening in on conversations at these two offices.

However, Alch told a reporter that McCord "didn't do it with the knowledge of anyone

WASHINGTON STAR
17 January 1973

The Watergate Message

As the trial of the Watergate Seven moves on, the whole picture of bumbling political intrigue grows sillier and sordid. Along with the fervor and naivete of the Cuban trio, who do seem to have undertaken their part in the bugging of Democratic headquarters in a spirit of revulsion against hard times in Castro's Cuba, there is mounting evidence of the kind of skulduggery and coverup that has, down through history, given politics a bad name.

The willingness — eagerness is a better word — of the defendants to plead guilty suggests that there's a lot to hide and that somebody is making it worthwhile for these people to keep it hidden. How far up the Republican hierarchy does involvement and responsibility go?

It may take a Senate investigation to bring out all the facts. If that's what it takes, we should have one. While everybody knows dirty fighting goes on in politics, everybody knows with even more certainty that it shouldn't. When it's discovered, the full range of public sanctions and censures is in order.

Perhaps even with a Senate investigation, the whole story would not come out. Many things are done with the implied consent of the powerful that would never come to pass if anybody had to

give direct orders for them or even to know for sure what was happening.

Was Hamlet's mother in on the murder that gave her a new husband? It's that sort of problem.

But perhaps the most dangerous aspect of the case is the moral confusion stirred up around it by the administration's enemies. It's well to remember what the Watergate malfeasances, no matter how bad they turn out to be, are not.

There are disingenuously scandalized Nixon-haters who act as though using Big Brother techniques to spy out Democratic campaign strategies was a combination of high treason, grand larceny, and genocide. It's not.

It's dirty pool, to be deplored, punished, and avoided by one and all in the future. But it's important to distinguish it from the other undesirable things politicians have been known to do, such as grinding the faces of the poor to enrich themselves, building personal power through terrorism and widespread curtailment of citizen liberties, and disrupting the social order to push an ideology.

The message of the Watergate affair is the old one that eternal vigilance is the price of practically everything. Especially clean politics.

above him, as far as I know." He said his client had been approached by E. Howard Hunt Jr., who has pleaded guilty in the case, and joined in the plot on his own.

Baldwin's assignment was again switched about May 26, the prosecution stated, when he was ordered to monitor conversations on Oliver's telephone from a room across the street from the Watergate at the Howard Johnson Motel.

McCord, the prosecution has said, also tried to bug the telephone of then Democratic National Committee Chairman Lawrence F. O'Brien, but the reception was inadequate. He tried twice, another government witness testified Monday, to bug the Washington headquarters of Democratic presidential candidate Sen. George S. McGovern, but was unsuccessful.

Baldwin told The Times that he at first prepared the logs in longhand, but subsequently began typing them, making two copies, both of which he gave to McCord. McCord, he said, usually came by twice a day to pick them up.

At one time, when McCord was in Miami and Baldwin overheard some important information, McCord told him to personally deliver the logs to the re-election committee. Baldwin told The Times he could not remember to whom the logs were addressed.

When McCord and four of the defendants who have pleaded guilty were arrested inside Democratic headquarters at the Watergate June 17, Baldwin was across the street at the Howard Johnson's listening in, the government said.

Yesterday, John Barrett, a Metropolitan police officer, described the arrest for the jury. Police had been alerted by a Watergate security guard of a possible break-in at the Democratic headquarters.

Barrett said that at one point while searching the offices he found himself next to a glass partition and was afraid to turn the corner because he had a feeling someone was on the other side. Suddenly, the arm of a man appeared through the glass, and he said, "I shouted 'Hold it, Police.' No, I just shouted 'Hold it.'"

Barrett said he expected to see one person emerge from behind the partition. "Needless to say, I was surprised when I saw numerous hands go up . . . all with blue or white surgical gloves on," he told the jury.

Barrett said he held a gun on what turned out to be five men — McCord, Bernard L. Barker, Frank A. Sturgis, Eugenio R. Martinez and Virgilio R. Gonzalez. Sturgis spoke first, Barrett said, telling the policeman to "keep cool. You got us."

BALTIMORE SUN
17 January 1973

Under the Watergate Rug

One earlier view of the Watergate affair was that even if it couldn't be clarified before the presidential election, the facts would eventually all come out in court. The view is fast turning out to have been too innocent as the probability increases that the story, by its smell one of the dirtiest in the history of national-level politics, will never be fully known, or the names of its principal movers ever quite pinned down.

With five of seven defendants in the current case already having pleaded guilty to conspiracy, burglary and illegal wiretapping and eavesdropping, and the course of

the case henceforward in doubt, the likelihood that its essentials will be revealed decreases steadily. Judge John J. Sirica has posed those essential questions. Speaking to four of the defendants he asked: "For what purpose did you four men go into the Watergate? Who hired you? If there are other people—that is, higher-ups in the Republican party, the Democratic party or any other party—I want to know it. What was the motive? Where did this money come from? Who was the money man?" To one of them particularly he said: "I want you to start from the beginning and tell me how you got into the conspiracy."

The defendants did not answer, except for a couple of the now-familiar vague statements of devotion to the cause of freeing Cuba from communism—whatever that may be by any stretch of the imagination have to do with it. They did not have to answer. They had already pleaded guilty as charged, and the charges did not encompass these larger matters; and they were not under oath. If the whole thing comes down to no more than this sort of business, the persons actually responsible will have been slipped past; but the smell will linger, and it will linger most strongly in the vicinity of the White House.

Thursday, Jan. 18, 1973

THE WASHINGTON POST

Key U.S. Witness Tells Of Bugging Democrats

By Lawrence Meyer

Washington Post Staff Writer

A key government witness in the Watergate bugging trial, Alfred C. Baldwin III, testified yesterday that he monitored 200 telephone conversations in the Democratic National Committee's Watergate headquarters from a motel across the street.

Baldwin, taking the witness stand for the first time, repeated under oath details of how he eavesdropped in this fashion for about three weeks, following closely an account of his activities written for The Los Angeles Times in October.

He described how he came to his motel room one day and found James W. McCord, one of the two remaining men on trial, arranging some electronic equipment.

"He handed me some earphones and said, 'Listen to this,'" Baldwin said, referring to McCord. Baldwin said he listened. "Mr. McCord said, 'Take notes. That's what we want,'" Baldwin said.

Baldwin, a former FBI agent who has been granted immunity from prosecution for testifying, said he was introduced to two men, called "Ed" and "George" by McCord, later that evening. Baldwin identified "Ed" as E. Howard Hunt Jr. and "George" as G. Gordon Liddy.

McCord, former security director of the Committee for the Re-election of the President, and Liddy, former finance counsel of the re-election committee, are being tried on charges of conspiracy, burglary and illegal wiretapping and eavesdropping stemming from the June 17 break-in at the Democratic Party's Watergate offices.

Five other men, including former White House consultant Hunt, were indicted with McCord and Liddy but have pleaded guilty.

Baldwin's testimony for the prosecution was interrupted before it was completed when Charles Morgan Jr., a lawyer representing the persons whose conversations Baldwin monitored, objected to a prosecution question asking Baldwin to reveal the names of the persons he heard talking.

Under a U.S. Court of Appeals ruling issued Friday, Chief U.S. District Judge John J. Sirica had to hold a secret hearing on the contents of the conversations to be revealed in open court before allowing the actual testimony. Sirica adjourned the public proceedings to hold the required hearing.

Following the 90-minute hearing, Sirica indicated that he would overrule Morgan's objection, according to participants in the hearing. But no formal action was taken yesterday.

Sirica reportedly asked chief prosecutor Earl J. Silbert to draft an appropriate order. Morgan indicated that if Sirica rules against him, he would go immediately to the Court of Appeals.

Baldwin, the prosecution's 18th witness, testified with a matter-of-fact tone about his recruitment by McCord to serve first as Martha Mitchell's bodyguard, then as an "observer" of student groups who might direct violence against President Nixon, the Mitchells or the re-election committee and finally as a silent listener monitoring telephone conversations in the Democratic Party headquarters.

McCord called Baldwin at his Hamden, Conn. home on May 1, Baldwin said, and asked him to come to Washington immediately for an interview. Baldwin said he flew down the same night, met with McCord the following morning and was hired after a brief meeting with Frederick C. LaRue, chief deputy to John Mitchell, the President's campaign manager.

His first assignment, the 36-year-old Baldwin said, was to guard Mrs. Mitchell on a trip. McCord gave him eight \$100 bills for expenses, Baldwin said, and he left with her May 2, returning May 8. His pay was \$70 a day while with Mrs. Mitchell, Baldwin said.

When he returned, Baldwin said, he went home to Connecticut and returned to Washington May 9 or 10. McCord said LaRue would be accompanying Mrs. Mitchell on her next trip, Baldwin said, but McCord "asked me to stay in Washington to conduct other activities . . . Mr. McCord told me this was the way to go up the ladder. If the President was re-elected, this was the way to join the team and come up the ladder." The new job involved a cut in pay, Baldwin said, to \$225-a-week.

Baldwin said he attended different demonstrations at McCord's direction to see if any threats were made against the President, the Mitchells or the re-election committee headquarters. At the same time, Baldwin said, McCord asked him to move to the Howard Johnson's Motor Lodge on Virginia Avenue, across the street from the

Watergate.

About May 23, Baldwin said, he went to Connecticut, returning May 26 to his hotel room. "Mr. McCord was there and there were different pieces of electronic equipment in the room," Baldwin said.

"Mr. McCord said, 'I want to explain some of the equipment. This is what you'll be doing' . . . He said, 'You'll be monitoring here . . . You'll be working here in the room,'" Baldwin recalled.

In the room, Baldwin said, were two receiving units, a headset and two tape recorders. Baldwin said the tape recorders were "never used" because McCord was unable to hook them up to the receivers. In addition, Baldwin said, only one of the two receivers ever picked up any phone conversations.

After having Baldwin listen to a conversation and make notes of it, McCord told him he would be back in the evening with two men, Baldwin said. "Mr. McCord told me he would be introducing me under an alias . . . and he told me he would be introducing the other individuals under aliases because we're all in security work."

McCord later brought Hunt and Liddy to the room and showed them the equipment. "Mr. McCord stated they had received a conversation and handed Mr. Liddy the memo he had put in his wallet."

The three left and McCord returned about 11:30 p.m. and told Baldwin to come with him, Baldwin testified. Baldwin said he and McCord drove to near the Capitol and on a side street McCord told Baldwin, "This is what we're interested in. This is where we'll be working." It was Sen. George McGovern's campaign headquarters, Baldwin said. "We may move you up to this location and have you do the same thing here," Baldwin quoted McCord as saying.

Then they stopped by a parked car, where Baldwin said he saw Hunt on the front seat and Liddy got in the car with McCord and Baldwin. After driving past McGovern headquarters, Baldwin said,

"Mr. Liddy advised Mr. McCord it was a no-go. We'd have to try it again some other time." McCord, Baldwin said, addressed Liddy as "sir."

Baldwin said he continued monitoring conversations from the phone of Democratic Party official Spencer Oliver, making logs of the calls and turning the logs over to McCord, who came by at least once a day.

"Do you know what Mr. McCord did with the logs?" prosecutor Seymour Glanzer asked Baldwin.

"No, I do not," Baldwin said. "Do you know to whom the memos were addressed (that McCord prepared)," Glanzer asked.

"No, I do not," Baldwin replied.

Baldwin is reported to have told others that he could remember the names of three White House or Nixon campaign aides who received memos describing the telephone conversations: White House congressional liaison William E. Timmons, and campaign aides Robert Odle and Glenn Sedam.

Sources close to the Watergate investigation have said that Baldwin named Odle and Timmons from memory and picked out Sedam's name from a list when interviewed by the FBI. All have denied receiving the memos. Odle's name is on the prosecution's witness list. No mention has been made of the other two men at the trial.

Earlier, metropolitan police Det. Robert G. Denell testified that he had found an address book belonging to Bernard L. Barker, one of the five men who has pleaded guilty, in his Watergate Hotel room after the June 17 break-in.

In the book were eight names, all apparent aliases, including the aliases of six of the original seven defendants. The two other names—Jose Felip Piedra and Joseph Reynaldo Granda—were not immediately identified. Felipe DeDiego and Ronaldo Pico were described in a recent Newsday story as two men who were interviewed by the FBI concerning the Watergate incident.

Carlo Neal, front desk manager of the Watergate Hotel, testified yesterday that eight men, with the same names as those in Barker's book, checked into the hotel on May 26 with reservations through May 29. The \$1,208 bill was paid with cash, Neal said.

WASHINGTON STAR
18 January 1973

Hunt Recruited Ex-Agent

By PATRICK COLLINS
and JAMES R. POLK
Star-News Staff Writers

E. Howard Hunt used White House stationery to solicit an ex-CIA agent to join the campaign espionage effort which led to the bugging of Democratic National Headquarters.

The stationery was only a portion of White House facilities employed by Hunt over the course of the effort.

Other evidence indicates that Hunt used a special phone in the White House Executive Office Building to make 11 calls to Bernard Barker. Both Barker and Hunt have entered guilty pleas in the Watergate bugging case.

Hunt, an ex-CIA agent and former White House aide, used a note with the White House letterhead to contact Jack Bauman, a retired CIA agent now working as a security specialist in Winter Haven, Fla.

The letter, dated Dec. 20, 1971, read:

Jack:
I'm going to be down in Fla. a few days after Xmas, and plan to call you. I have some things going in which I think you might be interested if your time and health permit.

Best,
Howard Hunt.

In his opening statement at the Watergate trial, prosecutor Earl Silbert said this letter "inquired as to whether or not Mr. Bauman himself was available for some work, a kind of vague assignment in the letter — Mr. Bauman having retired from the CIA."

Silbert said that around Dec. 28, 1971, Bauman met with Hunt and another man at the Playboy Plaza Hotel in Miami, where they had a discussion about Bauman's possible employment.

Although Silbert told the jury that Bauman could not remember the man who accompanied Hunt, Bauman's date book lists a 4:30 p.m. appointment at the hotel on Dec. 28 with "HH" and "George Leonard," an alias used by G. Gordon Liddy, one of the two Watergate defend-

ants still on trial.

Beneath the notation of the meeting, Bauman's note pad listed the District telephone number 347-0355.

That number was a special White House line used by Hunt on several occasions to call Barker. The phone was in a basement room in the old Executive Office Building.

The secret number was billed to a secretary's home in Alexandria.

White House Press Secretary Ronald L. Ziegler has said the phone was installed for use by those tracing news leaks in the administration.

After the meeting in Miami, Bauman discussed the job offer again with Hunt at a hotel here.

"Things were pretty vague," Silbert told the jury last week. "Bauman understood the job to involve development of security capability for the Republican party and it was also explained to him at that time this was a legitimate enterprise."

Bauman later returned to Florida and wrote Hunt a letter turning down the job offer. For his trip to Washington Bauman received four \$100 bills.

Expresses Regret

In another letter dated Jan. 14, 1972, to Bauman — this time on his own stationery — Hunt expressed his regret over Bauman's decision.

"George and I appreciate the trouble you went to on our account," Hunt wrote, "and for my part it was rewarding to see an old valued friend. I assume your verbal offer to cooperate peripherally still holds. . ."

Hunt ended the letter with an apparent reference to the old CIA days: "So as the sun dips low over the far shore of Lake Dot, your old comrade in arms takes leave of his somewhat younger buddy and once again attains the low visibility in a land where high profile is what usually counts."

The prosecution has not in-

cluded Bauman on its witness list. Silbert did not say in his opening statement why Bauman was not scheduled to testify.

The Hunt-Bauman correspondence involving the White House letterhead and the date-book entry with its secret phone number were obtained exclusively by the Star-News and have not yet figured in the trial.

Placed in evidence yesterday were address books of Barker and Eugenio Martinez which included handwritten entries listing the undercover White House phone number, 347-0355.

Three Numbers for "HH"

It was the first of three numbers for "HH" (assumed to be Hunt) in the Barker book. The next was an official White House number, 456-2282.

Martinez' book used Hunt's name, office and regular White House number, followed by "George . . . 347-0355," apparently indicating Liddy could be reached at the covert number also.

A former White House secretary, Kathleen Chenow of Milwaukee, who worked with Hunt and Liddy in the Executive Office Building a year ago, told The Washington Post last month that the secret phone had been billed to her home address, then in Alexandria.

Team of 'Plumbers'

"They apparently wanted it in my name because they didn't want any ties with the White House," she said. Miss Chenow told the Post she had given the bills to an aide in the office of presidential assistant John Ehrlichman for payment.

Ziegler said the covert telephone was installed for use in trying to track the sources of information leaks to newsmen in late 1971, and Hunt and Liddy were on a team of White House "plumbers" tracing that.

Ziegler has claimed it "would be folly" for the press to link the secret telephone

with the Watergate case because the phone was in use only from August 1971 to March 15, 1972. The Watergate bugging was discovered 8 months later.

In addition to the appearance of the same White House number in the Bauman, Barker and Martinez books, a prosecution summary also shows it was one of four telephones used by Hunt to make 102 long-distance calls to Barker.

Liddy Number Noted

Eleven came from the secret number. Eighty others were made from two phones at Robert R. Mullen & Co. where Hunt was employed. The rest were placed from Hunt's home in Potomac, Md.

Two numbers used by Liddy at the Nixon campaign headquarters at 1701 Pennsylvania Ave. NW also were in the Barker and Martinez books.

Other telephone numbers from the Washington area found in Barker's address book when it was introduced in evidence apparently were friends from the past:

● Maj. Gen. Leigh Wade, now retired from the Air Force, knew Barker slightly as a young officer when Wade was in command of U.S. troops in Cuba at the end of World War II. The general was attending a funeral and could not be reached, but his wife said he had had no contact with Barker for a quarter-century. "He didn't even remember him. We think it's crazy," Mrs. Wade said.

● Mrs. Virginia Topping of Baltimore said Barker stopped by her home with two friends to visit late last May. She had known Barker when he and her ex-husband shared an apartment while working at a steel mill 37 years ago. Her sister-in-law, Mrs. Ora Poplin of Baltimore, who knew him then, also was in the book. Mrs. Topping said Barker and his friends had a couple of soft drinks, stayed half an hour, and left. She doesn't remember who his friends were.

WASHINGTON POST
19 JANUARY 1973

Senate Offered Bugging Data

By David S. Broder
Washington Post Staff Writer

Attorney General Richard G. Kleindienst offered yesterday to give Senate investigators of the Watergate case a private look at everything the FBI has found out about the case, but cautioned that there may be limitations on what they can make public.

He said Justice Department policy does not permit release of material involved in a possible appeal by any defendants, or of any unverified allegations affecting "innocent people." Two men are now on trial for allegedly bugging and breaking into Democratic Party headquarters last summer. Five others have pleaded guilty. A Senate aide said Kleindienst's statements raised the possibility that "we may not be able to get the stuff we need," but the Attorney General said he was confident he will not have any problems working out an agreement with Sen. Sam J. Ervin Jr. (D-N.C.), the man Senate Democrats have picked to head their probe.

Kleindienst made the comments in the course of a breakfast session with newsmen in which he also put public pressure on President Nixon to make acting FBI director L. Patrick Grey III the permanent director.

He said Grey has done "a great job" since succeeding J. Edgar Hoover in the post last year, but will remain an "easy target" for both critics and rivals for the job as long as his status is "acting director."

Kleindienst said he had recommended that Gray be named director and "I don't know why" the President is delaying.

Pressed as to any possible reason for Mr. Nixon's inaction, Kleindienst told reporters, "I don't know. You know where he (Mr. Nixon) is. Go ask him."

At the White House, deputy press secretary Gerald L. Warren said he would have no comment on Kleindienst's remarks. "When the President has an appointment to make, we will announce it," Warren said.

The Attorney General said he welcomed the Senate decision to investigate the Watergate case, including the Justice Department's handling of the matter.

"It doesn't bother me a bit. It's a good thing," he said. "A jury trial is not the best place to explore the ramifications of this kind of thing for the political system."

Reminding reporters he was under a court injunction not to discuss the extent of the investigation or the identity of any persons who may have been involved in the alleged eavesdropping at the Democratic National Committee, Kleindienst nonetheless asserted there had been no White House interference and no limitations on the investi-

gation of the case.

"I have a duty to uphold the Constitution and enforce the law," he told the reporters, "and it's a sad fact that some of you at this table don't think that means anything to me."

But, he added, even if he had wanted to curb the investigation, "it would be impossible to do" because the investigators and prosecutors involved would not permit it to happen.

"You take this fellow Silbert," he said, referring to Earl Silbert, the prosecutor in the current trial of the seven men involved in the Democratic headquarters bugging case. "I don't know his political affiliation, but I'd guess he's a Democrat, considering his age (36) and the fact he's Jewish . . . Glanzer and Campbell (Seymour Glanzer and Donald Campbell, who are working with Silbert on the case) are both liberal Democrats . . . If I told them to go easy on someone, they'd tell me to shove it."

As for making the FBI investigation material available to the Senate, Kleindienst said the "only thing we'd hold back" would be materials involved in litigation and "irresponsible" or unsubstantiated allegations included in the files.

He acknowledged to reporters that the first limitation would continue as long as any appeals were pending from the case now being tried. A Senate aide said that might

mean the FBI material would be embargoed "for eight or ten years."

But Kleindienst said he hoped Ervin "would look at what we have in camera (privately) before we decide what we make public. I have great respect for Senator Ervin. I don't think we will have any problems. He's concerned about protecting the rights of innocent people, just as I am."

Kleindienst told reporters he welcomed the press publicity on the Watergate case, because as one who had spent 20 years in politics, he thought the "illegal wiretapping" alleged to have taken place at the Democratic headquarters "is one of the most far-reaching and significant crimes against a free society."

He said, however, that he thought The Washington Post had exaggerated or distorted on occasions in its coverage of the case.

"You read some of those headlines in The Post and they had very little to do with what was in the story," the Attorney General said.

He said he had told Katharine Graham, publisher of The Post, that "the administration is being no more unfair to The Post, in barring its reporters from some White House social events, than The Post was to the administration" in some of its reporting on the Watergate case.

"I told her, 'Don't get so upset. You've got a great paper. Go ahead and run the . . . thing the way you want. But don't be surprised if the President gets a little upset and does something a little s---y to you in return.'"

WASHINGTON POST
13 JANUARY 1973

Evidence Is Curbed In Watergate Case

The U.S. Court of Appeals ruled yesterday that no evidence concerning the contents of "allegedly illegally intercepted communications" shall be admitted in the Watergate bugging trial except under conditions outlined in the court's brief order.

Five officials and employees of the Democratic National Committee, saying that some their conversations may have been overheard by a witness scheduled to testify in the trial, had asked the Court of Appeals to bar testimony about the contents of the conversations from the trial. Chief U.S. District Judge John J. Sirica denied the motion last week.

The appellate court ordered that Sirica hold a hearing in

secret with lawyers for the prosecution, defense and the five Democrats present to hear a description of the testimony before it is given in open court.

If any objection is raised but overruled, the court said, an opportunity shall be given for the matter to be brought back to the Court of Appeals before the evidence is admitted.

The court's order was issued by Chief Circuit Judge David L. Bazelon and Circuit Judge J. Skelly Wright. Circuit Judge George M. MacKinnon dissented, saying that the decision about whether the evidence should be admitted is one for the trial judge to decide "without any interim right of appeal" by persons in the case.

NEW YORK TIMES
18 January 1973

Veil Over Watergate

Chief Federal Judge John J. Sirica spoke for a host of incredulous observers at the Watergate trial when he told defendant Bernard Barker that he simply did not believe his story that \$114,000 had arrived in unmarked envelopes from sources unknown. Since then the defense has moved from the incredible to the outrageous. It has presented the court with the extraordinary doctrine that anyone who, correctly or incorrectly, imagines himself or his friends to be in some sort of danger is thereby justified in breaking the law.

In enunciating this legal version of the protective-reaction strike, defense counsel Gerald Alch tried to cloak his clients' acts of political espionage in a mantle of patriotism. The violence which the defendants wanted to intercept, he said, would have been directed against "Republican officials, including but not limited to, the President."

Far from protecting high officials against violence, the validation of his thesis would constitute an open hunting license for every fanatic to take the law into his own hands. Guided only by hallucinations akin to the anti-Castro fanaticism that motivated the hirelings in the Watergate plot, any individuals or groups could feel free to take up arms or utilize any other repressive measures their paranoid suppositions dictated. Such a political law of the jungle might readily lead from protective espionage to defensive assassination.

The need becomes increasingly plain for extending the investigation beyond the case of the hirelings now on trial. The significant question in the unraveling of the Watergate scandal is less who carried out the orders than who issued them.

The courtroom scenario that has frustrated Judge Sirica's efforts to extract illuminating or even believable answers is all too transparent. The five defendants, who pleaded guilty to everything in order not to have to tell anything, acted in the tradition of an international espionage apparatus that considers caught agents expendable.

NEW YORK TIMES
13 January 1973

Behind Watergate

An air of unreality surrounds the Watergate political espionage trial. The prosecution, in presenting its case, went out of its way to portray the defendants' alleged offenses as something of a Republican protective-reaction strike against villainy anticipated from President Nixon's Democratic opposition. Earl J. Silbert, the Assistant United States Attorney, said in his opening statement that the assignments given to the defendants resulted from concern that "extremists" might disrupt campaign appearances by Cabinet officers and others serving as surrogates for Mr. Nixon.

Such points, one would think, might more appropriately have been made by the defense. Coming from the prosecution, they underscore the awkward nature of a trial in which the Administration's Department of Justice conducts the prosecution of criminal acts committed in the cause of re-electing that same Administration.

Final judgment concerning the proceedings must, of course, be deferred until the trial of all seven defendants has been concluded. But it is disconcerting that E. Howard Hunt Jr., former White House consultant, who played a major role in the break-in and eavesdropping conspiracy, appears to have been permanently removed from questioning in open court by pleading guilty to

That analogy is made stronger by indications that the invisible masters of the plot intend to compensate their exposed mercenaries for any temporary sacrifice of their freedom.

The guilty pleas entered by the five self-confessed political spies do not of themselves raise any legal barriers to their recall as witnesses in the trial of the two remaining defendants. It is doubtful, however, that their enforced testimony would serve any purpose in getting at those crucial questions that go beyond their personal law-breaking. The prosecution, after all, represents the Justice Department of the same Administration whose re-election the defendants sought to advance through their illegal activities.

A trial, in any event, is an inadequate instrument for probing all the ramifications of a political scandal in which no charges have been leveled against the string-pullers responsible for planning and financing the whole operation. Questions beyond the guilt of the defendants—assuming that the prosecution had much stomach to ask them—might indeed be difficult to sustain over objections by defense counsel. That transfers to the Senate the task of getting to the bottom of this ominous affair after the present trial ends. The aim of its inquiry should be to bypass the cloak-and-dagger hallucinations of the hired spies and to identify the chain of command that issued the orders and provided the funds. The prior guilty pleas of the defendants in Judge Sirica's court would make it possible for the Senators to question them without the protective cover of self-incrimination.

Senator Sam J. Ervin has already asked the Justice Department and other agencies to safeguard "all pertinent public and nonpublic documents" bearing on the Watergate case. As one who long ago expressed serious concern over the erosion of civil liberties through growing resort to political espionage, Mr. Ervin can find in the Watergate scandal an opportunity for exposing to full public scrutiny a subversion of the political process that must not be allowed to happen again.

all the charges against him. Even though the Government has said that it would seek to summon him later before a grand jury for questioning about his knowledge of the Watergate affair, it appears that the jury and the public have been denied access—perhaps permanently—to a major source of information.

The question that cries out for answer is not who were the hired agents but who hired them. The cast of characters on trial had connections that reached at least to the President's outer office. The funds used—and substantial amounts are still unaccounted for—appear to have come from safes and checkbooks under the control of former Cabinet officers.

Because these entanglements come so close to the White House, the appointment of a special and independent prosecutor would have done much to bolster confidence that the court proceedings would be conducted with vigor and detachment. Now, only the most intensive questioning of witnesses can assure the public that, in the aftermath of this disgraceful and bungled affair, the hirelings will not be sacrificed for the protection of higher authority. What is involved in this case is not merely an irregularity in an election campaign that is past and gone; the issue is the integrity and credibility of an Administration that must continue to be accountable to the American people for the next four years.

WASHINGTON POST
18 JANUARY 1973

Nixon Unit's Miami Apartment Listed in Barker Address Book

By Bob Woodward
and Carl Bernstein
Washington Post Staff Writers

An apartment rented by President Nixon's re-election committee in Miami is listed in the address book of Bernard L. Barker, one of the men who pleaded guilty in the Watergate bugging trial Monday.

The address book, introduced as evidence in the trial yesterday, lists a two-bedroom apartment and phone number in the Octagon Tower apartments, 1881 Washington Ave., Miami Beach.

Three of the men indicted with Barker worked for either the White House or the Committee for the Re-election of the President—both of which have denied any role in the bugging. The entry in the address book is the first indication that Barker may have had direct contact with other officials working in the President's re-election campaign.

The apartment manager said last night that the apartment was rented as a clerical office to Steven D. Nostrand, 27, of the Republican Convention staff.

Nostrand was in charge of arrangements for young supporters of the president attending the party's national convention last summer. He is listed on the official payroll of the Committee for Re-election of the President as a member of the convention staff.

Spokesmen for three Miami area colleges have said that two of the other Watergate defendants — Eugenio R. Martinez and Frank A. Sturgis — sought convention housing for nearly 3,500 Young Republicans last spring.

Nostrand could not be reached for comment last night, but last June he said he knew nothing of attempts by the two men to find convention housing for young supporters of the President or Young Republicans.

Powell Moore, formerly a spokesman for the Committee for the Re-election of the President and now a member of the Inaugural Committee staff, said last night he did not "have the slightest idea" why the address and phone number of Nostrand's office would be in Barker's address book.

Barker's address book also contained the following entry: "Lawrence O'Brien, Sonesta Hotel, Gulf Stream Suite, Key Biscayne Pt., Feb. 21-22-23, Warren, Airport Inn, #303."

The chief prosecutor in the Watergate case said last week that Lawrence F. O'Brien, the former chairman of the National Democratic Committee, was a primary target of the spying operation allegedly conducted by the seven men indicted in the case.

An official at the Miami Sonesta Hotel said last night that O'Brien was not at the hotel from Feb. 21 to 23, but that other Democratic Party officials stayed in the hotel's Gulf Stream suite on those dates.

Warren is the alias used by former White House aide E. Howard Hunt Jr., who pleaded guilty in the Watergate case last week, court records show. The Miami Airport Inn is about 30 minutes drive from the Sonesta Hotel.

The night manager at the Airport Inn said last night that he could not obtain the

records to see if there was a person named Warren registered there during those dates.

It is known that Hunt, using the alias Edward J. Warren, stayed at the Dupont Plaza Hotel in Miami 10 days earlier from Feb. 11 to 13.

A pop-up address book belonging to Eugenio R. Martinez, another Watergate defendant, has the name and address of the man in charge of electrical and telephone arrangements at the Miami hotel used by the Democrats during their National Convention in July.

Martinez' address book was introduced into evidence at the trial yesterday. The entry is: "Fernando Madrigal, 1202

NW 21st Ave, Fountainbleau Hotel, 649-1007."

Madrigal, 32, was reached at his home last night by telephone and said that he is the assistant chief engineer for the Fountainbleau Hotel. He said that he does not know Martinez and does not have any knowledge of the Watergate case.

Madrigal said that he is in charge of everything "from electricity to plumbing," and specifically worked with the electrical contractors handling the conventions for both political parties. The Fountainbleau Hotel was the headquarters for both Democrats and Republicans at their Miami conventions last summer.

Though Madrigal's name is clearly listed in the address book, which has been in the hands of the FBI for six months, Madrigal said last night that he has never been questioned by the FBI or any law enforcement officials about the matter.

Friday, Jan. 19, 1973

THE WASHINGTON POST

Debate on Taped Talks Stalls Watergate Trial

By Lawrence Meyer
Washington Post Staff Writer

The Watergate bugging trial was stalled yesterday as the U.S. Court of Appeals took up the question of whether a key government witness should be allowed to testify about the contents of conversations he said he monitored.

The hearing was sought by Charles Morgan Jr., a lawyer for five officials and employees of the Democratic Party who said their telephone conversations were monitored by Alfred E. Baldwin III, a key government witness in the Watergate trial.

Baldwin testified Wednesday that he was hired last May by James W. McCord Jr., then the security coordinator for the Committee for the Re-election of the President, and directed to monitor telephone conversations in the Democratic Party's Watergate headquarters from a hotel across the street.

McCord is on trial with G. Gordon Liddy, another former election committee official, on charges of conspiracy, burglary and illegal wiretapping and eavesdropping in connection with the June 17 break-in at the Democratic Party headquarters. Five other men, including former White House

aide E. Howard Hunt, have pleaded guilty to the charges.

The Court of Appeals ruled last week that testimony about the contents of the conversations that Baldwin overheard could be admitted in the trial only after the trial judge, Chief U.S. District Judge John J. Sirica, held a closed hearing to determine what would be revealed.

If anyone objected to the disclosures and if Sirica overruled the objections, the Appellate Court ruled, the matter would be brought back to it for immediate review. That happened Wednesday, and the court heard arguments yesterday without reaching a decision.

Morgan, a lawyer for the American Civil Liberties Union, argued that if the prosecution were allowed to go into the contents of the conversations at all, defense lawyers would have a right to open the subject up for full discussion on cross-examination.

Morgan repeated his contention that the government does not need to go into the contents of the conversation to prove its case.

Prosecutor Earl J. Silbert said that if the defense were barred from cross-examining witnesses on the contents of

the "conversations, a "compelling argument" could be made by the defense on appeal that a defendant had been denied his constitutional rights.

Complaining about the "unprecedented interruption with orderly conduct of the trial" that the Appellate Court had caused, Silbert also repeated his contention that the Court of Appeals was in "too abstract" a position to decide what should or should not be admitted in evidence.

Lawyers for McCord and Liddy split on whether the contents of the conversations should be discussed. McCord's lawyer, Gerald Alch, sided with Morgan, arguing that it would not help his client to have the contents of the overheard conversations disclosed.

Liddy's lawyer, Peter Maroulis, said he wanted the contents introduced and asserted his right to cross-examine witnesses on the contents of conversations.

Since the sequestered jury began hearing arguments and testimony in the case on Jan. 10, it has sat for only three full days, hearing testimony for only a portion of two other days and no testimony on two days. The jurors are not given an explanation as to why they are not in court.

WASHINGTON POST
13 JANUARY 1973

2d Jury Selected for Ellsberg Trial

From News Dispatches

LOS ANGELES, Jan. 12 — A jury of 10 women and two men, including a Vietnam war veteran, was chosen today to try Daniel Ellsberg and Anthony Russo in the Pentagon Papers case.

It was the second jury to be selected. The first panel, sworn last summer, was dismissed after a four-month trial recess while appeals were made to higher courts.

Defendants waived their right to protection against double jeopardy in order to get a new jury.

Ellsberg, 41, and Russo, 35, both former researchers on government projects, are charged with espionage, con-

spiracy and theft of government property in connection with the leak to news media in 1971 of secret documents detailing the origins of U.S. involvement in the Indochina war.

Both have acknowledged their role in releasing the papers but say they broke no law.

Six alternate jurors remained to be chosen. The trial was expected to get into opening statements and the first federal government witnesses sometime next week.

It required eight days to pick the 12 regular jurors. They and those who were dismissed were questioned at length about their attitudes toward the Vietnam war and whether they had formed any opinions in the case.

Six of them said that either the United States should get out of Vietnam or the war

should somehow end. Three others said they did not like war in general or that they do not like people being killed. The remaining three had no opinion or said they did not know enough about the war to have one.

The jurors approved by both government and defense attorneys were:

Cora Neal, a widow and draftswoman for a telephone company; Jean E. Boutelier, a housewife; Donna R. Kelps, a former nurse's aide; Joan B. Duggings, a housewife; Dulcy Embree, a former professional jazz pianist; Anna Saunders, a postal employee; Margaret Kaschbue, a part time cosmetics saleswoman; Lupe Vasquez, a seamstress; Phyllis Ortman, a secretary, and Darlene Arneaud, an electronics assembler.

Others were Monellis Pitt-

man, an automobile assembly man, and Wilfred Baltodano, a partially disabled Vietnam veteran.

Three of the jurors are blacks.

Baltodano, at 25, appeared to be the youngest member of the panel.

Ellsberg and Russo left court at noon.

"I'm in love with this jury," exclaimed Russo. "I think it's a great jury."

Ellsberg said, "We're ready to go into trial now. Our fates is in their hands and I think to a large extent the liberties of all of us are in their hands. I think they're in very good hands."

He added that he was pleased at the preponderance of women on the jury, saying, "Women as a whole have clearer eyes about this war... they are more skeptical about this war."

BALTIMORE SUN
7 January 1973

Pentagon Papers: Constitutional Issues

From the moment the Pentagon Papers were revealed to the public in June, 1971, grave issues concerning freedom of the press have been inseparably linked with debate over the conduct of the Vietnam war. In a way, this has been an apt concurrence because the press, as an institution, has been foremost in challenging attempts by the government to justify our involvement in Southeast Asia. If the government is to be held accountable for its miscalculations and deceptions, then the press must be prepared to defend the provocative role it has played in this tragic history. Yet this process has had its dangers, too, especially as the issues have been removed from the arena of public debate to the courts of law. It is a murky business at any time to try to determine where the public's right to know conflicts with the government's claimed need to protect national security interests. It is even more troublesome during a period of war, when government is most

tempted to take a restrictive view of First Amendment rights of speech and press.

The Nixon administration, which has an illiberal record in regard to the First Amendment, imposed prior restraint on a newspaper by enjoining the New York Times from publishing excerpts of the Pentagon's secret recounting of the Vietnam war. This was prior censorship, of a type we have been taught to deplore in authoritarian regimes, and even though the Supreme Court threw out the government's case the administration did succeed in delaying publication for a few days.

In the New York Times case, the Supreme Court found that the government had failed to prove that national security interests were threatened sufficiently to justify prior restraint of expression. It did not, however, preclude the government from pressing charges of conspiracy, theft and violation of the Espionage Act against the public.

newspapers involved and the scholars, Daniel Ellsberg and Anthony J. Russo, Jr., who were instrumental in making the "Pentagon Papers" available to the media.

According to a New York Times report, the government is seeking the conviction of Ellsberg and Russo on very narrow questions involving what it describes as illegal use of government property. Defense attorneys, however, are reported to be interested in broad questions relating to the rights not only of newspapers but of persons who co-operate with newspapers for the public interest, as they see it.

The Ellsberg-Russo defense is justified in using whatever legal arguments and devices are available to it. But it should be kept in mind that if the government wins this case, the Nixon administration and the federal courts may become ever bolder in trying to break past constitutional protections and shield laws designed to protect newsmen, their sources and the public.

NEW YORK TIMES
18 January 1973

U.S. Sees Ellsberg Issue As Simple Case of Theft

Special to The New York Times

LOS ANGELES, Calif., Jan. 17—The Pentagon papers trial, considered by many to be a landmark constitutional case, opened today with the Government attempting to make it a simple case of theft.

The chief prosecutor, in a courtroom crowded with 150 spectators, including about 20 uniformed Vietnam veterans who are opposed to the war, said in his opening statement to the jury:

"We will present no witnesses in evidence to litigate the war; we will not present any evidence on the information policies of the Government or evidence on whether the Government has withheld information about the war— withheld too much, too little."

Nor will the Government present evidence on "the defendants' reasons; motives do not excuse doing something wrong," said the chief prosecutor, United States Attorney David R. Nissen.

Rather, the Government will present a simple case charging that Dr. Daniel Ellsberg and his codefendant, Anthony J. Russo Jr., stole and received "guarded" classified information, information that was classified by duly constituted authorities.

18 Volume History

The documents involved are 18 volumes of the Pentagon papers, a Defense Department history of United States involvement in Southeast Asia; a 1968 memorandum by Gen. Earl C. Wheeler, then chairman of the Joint Chiefs of Staff, and a 1954 memorandum on the Geneva accord. Dr. Ellsberg and Mr. Russo are charged with 15 counts of espionage, theft and conspiracy in the case.

Mr. Nissen made use of slides that were projected onto a wall in the courtroom.

There was a slide that listed the various persons and agencies that had contributed to the "guarded" papers: the President, the National Security Council, the Central Intelligence Agency, the Commander in Chief, Pacific; the Military Assistance Command in Vietnam, the Department of State, the Bureau of Intelligence and Research, and several Ambassadors. Each was listed separately.

And there was another slide, listing the 15 counts in the indictment, using labels such as "Ellsberg Steals," "Ellsberg Retains," "Ellsberg Conveys," "Russo Retains," "Russo Relieves."

The documents are related

to the national defense in 1969," Mr. Nissen said, explaining that the term "national defense is a broad one that covers not only military matters, but covers things as broad as the interstate highway system."

But, he said, in this case, the "government is talking about documents that were guarded, not lawfully available to everyone."

The defense, in its opening, broadened the issues considerably to tell the jury that it is relevant to determine whether or not the documents involved should, in fact, have been classified; to determine whether or not all the information contained in the documents had not already been long in the public domain, even if the physical papers themselves were being guarded. The constitutional issue, as the defense and many authorities see it is the right of the public to information.

Leonard B. Boudin, one of Dr. Ellsberg's attorneys, gave the opening speech for the defense. He told the jury that when Dr. Ellsberg's case was finally presented "you will come to conclude that the revelation of the information [in the Pentagon papers] to your Senators and Congressmen was helpful to the United States."

The motivation behind Dr. Ellsberg's action, he said, was to make the information contained in the papers available to the Senate Foreign Relations Committee, which did not have it, and then to the public at large.

He also said the defense would prove that more than 100,000 persons have the right to classify information, and that this is "an absurdity."

Opening statements are not arguments. They are, rather, presentations to the jury on how each side perceives the issues, and at one point United States District Court Judge William Matthew Byrne Jr. admonished Mr. Nissen to state his case, not to argue it.

When the courtroom was opened today, spectators were startled to see that a 12-foot-by-10-foot screen had been put up facing the judge's bench, but blocking out the spectators' view of the proceedings.

Mr. Nissen said that he needed the screen to give his opening, but after the defense objected, Judge Byrne ordered it removed and made the prosecution use one that rolled down on the courtroom wall directly opposite the jury box.

THE VIRGINIA GAZETTE
12 JAN 1973

Downing Offered Look At Peary

FIRST DISTRICT Congressman Thomas N. Downing revealed Monday that he has been offered "an inch by inch examination of Camp Peary" by top Central Intelligence Agency officials. He said he intends to "take them up on the first opportunity."

DOWNING SAID the offer came during a meeting he initiated with CIA officials last week in Washington after reading the story in the Dec. 22 issue of *The Virginia Gazette* exposing the 10,000-acre base as a training facility for the covert Special Operations Division. Downing had declined comment on the story until he met with the officials.

ASKED IF THE CIA had repeated its denial of allegations that the base was used for training of assassination cadres and the testing of "mini-nuclear bombs," Downing replied that one of the agency's top officials had made "a blanket denial."

"THEY ASSURED me there was no assassination training or 'mini-nuclear bombs' at Camp Peary," Downing said. "I feel sure that that's probably true," he added, referring to the denial. He said he has been on the base before, "in 1967 or 1968."

ON FURTHER questioning, Downing admitted there is no explicit monitoring of the CIA's operational or policy-making functions by Congress, although appropriations are monitored by "a special subcommittee of the appropriations committees." He added it is likely some effort will be made in the 93rd Congress to oversee CIA operations.

MEANWHILE, CIA officials continue to heatedly deny the allegations made by author Joe Maggio concerning assassination cadre training and "mini-nuclear bombs." A spokesman in the Office of the Director of the Central Intelligence said Monday, "Mr. Maggio's allegations that the CIA trains for or participates in assassination operations is entirely untrue. The same applies to any allegation concerning the agency's contact with or association with any so-called 'mini-nuclear bombs.'"

MAGGIO HIMSELF told the *Richmond Times-Dispatch* that his contentions of assassination training and nuclear weapons were based on second-hand information, but he also said he stands by his sources.

CONTACTED MONDAY, Maggio suggested that "if they (the CIA) are so adamant in their denials, they should let a newsman go in there and see."

Friday, Jan. 19, 1973

THE WASHINGTON POST

Witness Says Ellsberg Data Could Aid Reds

By Sanford J. Ungar
Washington Post Staff Writer

LOS ANGELES, Jan. 18—An Army staff officer testified today that a top-secret document allegedly disclosed by Daniel Ellsberg and Anthony J. Russo Jr. could have helped the Vietnamese Communists plan their 1972 offensive in South Vietnam.

Lt. Gen. William G. DePuy, assistant to the Army vice chief of staff, said that the North Vietnamese command in Hanoi would have found it "interesting and useful" to have access to a 1968 report by Gen. Earle G. Wheeler, then chairman of the Joint Chiefs of Staff.

"This might well be the best piece of intelligence they (the North Vietnamese) ever had," DePuy said.

Eight pages of the report, based on a trip to Vietnam by Wheeler, DePuy and seven other officials to evaluate the effects of the Communists' 1968 Tet offensive, were among the documents that the government says Ellsberg and Russo duplicated in 1969 and distributed to the press in 1971.

Along with the Pentagon Papers and a Rand Corp. study of the 1954 Geneva accords, the Wheeler report figures in the indictment against Ellsberg and Russo on charges of conspiracy, espionage and theft of government property.

The Vietnamese Communists would find the Wheeler report useful, DePuy testified, "particularly if they intend to do it (mount an offensive in the south) again . . . and they did it in 1972."

Staring at the jury of ten women and two men, DePuy said, "my belief is, looking at this document, that it would be of assistance to them in planning a new attack."

There is not expected to be any evidence in the case that the Vietnamese Communists at any point actually gained access to the Wheeler report or the other documents before their publication.

But DePuy's testimony is part of the prosecution's effort to demonstrate that the docu-

ments disclosed by Ellsberg and Russo related to the "national defense" and thus could not legally be made public.

On cross-examination, Leonard I. Weinglass, Russo's chief defense attorney, forced a concession from the Army general that "the passage of time" means that, with respect to some of the material in the Wheeler report, there is "less potential for harm to the national defense."

DePuy acknowledged, for example, that after a few months there would have been "no value" to the North Vietnamese in seeing that part of the Wheeler report which discussed the 1968 request of Gen. William C. Westmoreland, then commander of U.S. troops in Vietnam, for an extra 206,000 men.

"It never happened," DePuy pointed out, referring to President Johnson's decision not to grant the Westmoreland request for an increase in the troop ceiling to 731,000.

But DePuy said his opinion about the most sensitive aspects of the Wheeler report, as a military expert who himself once had a planning and operational role in Vietnam, would not be altered by the fact that its contents might already have been "available to the general public."

The defense plans to show during the trial that the Wheeler report was extensively discussed in newspaper reports in 1968, long before Ellsberg's and Russo's alleged conspiracy.

Weinglass also alluded to the fact that the Wheeler report was included in a book subsequently published by Walt W. Rostow, who was President Johnson's chief national security adviser.

But the Rostow book was published only in 1972, and the jury is expected to reach its verdict on the basis of the facts as they existed at the time of Ellsberg's actions. DePuy said he was not familiar with the Rostow book.

Weinglass sought to show that many passages of the Wheeler report cited by DePuy discussed only "elemental" military strategy well-known by the North Vietnamese and everyone else.

the fact that if the Communists attacked South Vietnamese cities, Saigon's forces would have to defend themselves there and leave the countryside vulnerable.

"Didn't they (the North Vietnamese) know that already?" Weinglass asked.

"They might have thought it," DePuy answered, "but they would be delighted to have it confirmed by the chairman of the Joint Chiefs of Staff."

DePuy, who will continue testifying Friday, was the government's second witness against Ellsberg and Russo.

The first was Frank A. Bartimo, assistant general counsel of the Defense Department, who revealed that only after the Pentagon Papers were published in the press 19 months ago did his department "analyze and evaluate" them to determine whether they actually related to the national defense.

Bartimo said that the analy-

sis was completed "towards the latter part of 1971."

In June of 1971, however, the Justice Department was in federal court in New York, Washington and Boston, arguing that newspapers should be prevented from publishing the top-secret history of the U.S. role in Southeast Asia because of the clear relationship to national defense interests.

Chief prosecutor David R. Nissen said he had already privately submitted the Defense Department analysis—known as a "damage report"—to U.S. District Court Judge W. Matt Byrne Jr.

When Bartimo inspected the report submitted to Byrne, however, he said it was not the correct one, and he was ordered to produce the actual "damage report" in court by Monday.

The defense seeks access to the report as part of its effort to show that the Pentagon Papers did not relate to the national defense and should not have been classified in the first place.

WASHINGTON POST
18 JANUARY 1973

The Helms' File

By Maxine Cheshire

CIA director Richard Helms, who presumably already has the top security clearance in government, is nevertheless undergoing an investigation by the FBI before he can be named the new U.S. Ambassador to Iran.

And, if anyone in the FBI believes what its agents have been told about Helms, he may never be confirmed for the diplomatic post.

According to Helms' wife, Cynthia, many of their friends thought it was a joke when they began getting queries from FBI agents who were asking all kinds of probing, personal questions.

So, believing it to be a hoax, many of those quizzed made up outrageous, fanciful answers.

Some gleefully called Helms later to relay to him the dreadful "suspicions" and "damaging innuendos" they said they had voiced about him. Others wrote him letters from afar to inform him they had gone along with what they believed to be a good gag and, accordingly, divulged the worst fiction their minds could conjure.

"Imagine," says Mrs. Helms ruefully, "what our file is going to look like!"

If Helms has any way of getting a peek at his own dossier, he hasn't mentioned it at home.

Watergate Defendants Might Talk

By Jack Anderson

Some of the defendants in the Watergate trial are sending quiet signals to the Nixon administration that they may start talking before they'll go to prison.

Sources close to former White House advisers G. Gordon Liddy and E. Howard Hunt say both men have dropped hints, intended for White House ears, that they have some embarrassing revelations they could tell. (Hunt pleaded guilty yesterday to three charges in the Watergate matter.) They want to get across the message that they don't intend to take the rap for the higher-ups who directed the Republican espionage-sabotage operations.

Bernard Barker, who recruited the wiretap crew that broke into Democratic headquarters, has also let it be known that he is preparing to write a book about his experiences. Sources in touch with him have passed the word that the book could be highly embarrassing if he is left "rotting in jail" for carrying out orders.

One of Barker's boys, Frank Sturgis, has also sounded out

publishers through an agent about doing a book after the trial.

Defense sources say that Henry Rothblatt, the high-powered attorney for four of the men caught at gunpoint inside Democratic headquarters, is also unhappy. He is quoted as complaining that the higher-ups haven't delivered all the money they promised for the defense.

One problem, say these sources, is that congressional investigators are subpoenaing the bank records of everyone involved in the Watergate caper. This makes it necessary for the secret benefactors to deal strictly in cash.

The \$10,000 in greenbacks, found on the body of Hunt's wife after she died in a Chicago airliner crash, was part of the secret defense fund, the sources acknowledge.

None of the defendants would make a statement for the record. Rothblatt has refused to discuss where the money for the defense is coming from.

San Clemente Styles

While ordinary narcotics agents risk their lives in

shootouts with smugglers around the world, President Nixon's favorite drug fighters are having fun in the sun at San Clemente, Calif.

The lucky few are the bosses of the Drug Abuse Law Enforcement office, which the President set up personally to fight narcotics on the street level.

They flew down to San Clemente at considerable expense to the taxpayers to discuss the narcotics problem. But much of their time has been spent frolicking in yachts, fishing boats, bars and heated swimming pools.

A private note to the conferees and their wives not only describes the fun to be had but tells them how to dress for it. The dress code, which reads more like Emily Post than a decree to tough narcotics agents, advises delicately:

"For dinner with Attorney General Kleindienst, gentlemen will wish to wear their best business suits such as might be appropriate for an appearance in federal district court.

"For meetings on Western White House grounds, the ap-

propriate dress will be suits, or sports jackets with ties. You will find use for golfing, tennis, swimming, fishing, boating and-or touring attire . . .

"The ladies will be at liberty with their husbands on Tuesday and Wednesday afternoon. Swimming in the heated pool will be popular, rain or shine. It is expected that a short yacht voyage will be offered, in which event the skipper will appreciate the wearing of soft-soled shoes."

For evening affairs, according to the dress edict, "a silk or wool suit or a cocktail dress" would be appropriate for the wives. "At the concluding dinner on Wednesday evening, well-dressed ladies will appear in dresses or pantsuits appropriate to the first-class yacht club locale."

From San Clemente, a spokesman said the Balboa Bay Yacht Club dinner had been canceled because most of the 60 conferees had left for home. As for frolicking in the sun, he insisted that their primary mission was to work.

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Hunt Urged Guilty Pleas in Bugging

By Jack Anderson

We can now shed more light on the backstage efforts to persuade the Watergate defendants to plead guilty and save the White House the embarrassment of a public trial.

On Dec. 26, we reported that the Justice Department had discreetly sounded out some of the defendants about entering guilty pleas. The prosecutors were cautious in their conversations with defense lawyers. But more direct messages were relayed through E. Howard Hunt, the former White House aide and CIA veteran.

At first, the defendants held out for a softening of the charges. The five who were caught inside Democratic headquarters, for example, wanted the break-in charge reduced to illegal entry. This would have made their offense a simple misdemeanor.

Any cutting back of the charges, however, would have looked like a fix. So instead, the mystery men behind the scenes used pressure and persuasion. They also alternately stopped and resumed the cash

payments that had been promised to the defendants.

In return, the defendants hinted they might make some embarrassing revelations if they were abandoned. Some indicated they might write books about their experiences, telling all.

Hunt agreed to plead guilty, apparently with a tacit understanding that he wouldn't have to spend too long in jail. He privately urged the other defendants to follow his example.

CIA Visitors

Some of the defendants, who had been involved with Hunt in the Bay of Pigs operation, also received private visits from some of their former CIA comrades. The visitors brought expense money and also offered to make regular payments to the defendants' families. A \$1,000-a-month figure was mentioned.

Our sources could not, or would not, identify the men behind the scenes. We can report only that most of the money for the defendants was funneled through Hunt. He delivered part of the cash to Bernard Barker, who distributed

it to the men he had recruited for the Watergate misadventure. Hunt's wife was carrying \$10,000 in cash when she was killed in a Chicago airliner crash.

Footnote: At the outset of the trial, the prosecutors made a remarkable agreement not to introduce the most damning evidence the FBI had dug up. This was a detailed diary that one of the defendants, Eugenio Martinez, had kept. As a minor functionary for the CIA, he was required by the CIA to keep a record of his activities. Those who have had access to the diary, however, tell us Martinez, in true CIA fashion, used code names to identify all his contacts and associates. Nevertheless, the diary provides an excellent record of the espionage operation at the Watergate.

Pentagon Pipeline

Pentagon Censorship — The Pentagon has acknowledged that orders went out on Dec. 30 to all personnel, civilian and military alike, to keep their mouths shut about military activities and peace prospects in Southeast Asia. Not reported, however, was the

sweeping nature of the order. American pilots flying combat missions over North Vietnam, for example, were specifically prohibited from talking to newsmen. A special directive stipulates: "The no comment guidance specifically precludes interviews at all levels and with air crews in particular." Even the Coast Guard, though it doesn't come under Pentagon jurisdiction, submitted to the censorship order. Adm. Chester Bender, the Coast Guard commandant, ordered all his people to report press queries not to their superiors in the Transportation Department but to the Defense Department.

Zumwalt's Elephants — Adm. Elmo Zumwalt, the Navy chief, recently ordered two ceramic elephants delivered to him from South Vietnam. The tiny pachyderms were shipped free of charge by Pan Am. This happens to be patently illegal. When we asked the admiral's office about this, they told us he would pay the shipping charge. The cost of shipping, we have learned, is more than Zumwalt paid for elephant icons.

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The Washington Merry-Go-Round

THE WASHINGTON POST Monday, Jan. 8, 1973

Turks Warn on Poppy-Growing Ban

By Jack Anderson

If the United States wants to keep Turkish heroin off American streets, it had better hope that the present military dictatorship is not replaced by a new democratic government. Either way, the Turks want the U.S. to cough up a whopping \$400 million.

This is the secret warning of Turkish officials who have told the U.S., in effect, that drug trafficking may be the alternative to their military rule.

The \$400 million is sought to finance a substitute crop for opium and pay compensation for foreign currency losses. The U.S. has offered to pay a more realistic \$35 million. But a secret General Accounting Office report declares: "Apparently the \$35 million grant is viewed (by the Turks) only as an initial payment, and it can be expected that Turkey will continue to press for increased U.S. contributions."

The Turkish armed forces compelled the ruling Justice Party to give up power in 1971 and replaced it with a council of generals. Thereafter, the military junta quickly approved an agreement with the

U.S. to ban all opium cultivation in Turkey, which was growing at least 75 per cent of the heroin entering the U.S.

Now the Turks have warned American officials that the agreement may survive only as long as their military government. States the secret report:

"(American officials) were informed that the ban on poppy growing was issued by the current military-backed government, which was not dependent on popular support. Whether a freely elected future Government of Turkey would continue the ban is an open question..."

Police Corruption

Classified documents in our possession also raise the nagging problem of Turkish police corruption. One case involves Turkish narcotics chief Abdullah Pektas. Intelligence reports, stamped "Secret... No Foreign Dissemination," say Pektas met with a major narcotics trafficker within recent months.

After the meeting, Pektas directed lower-level Turkish narcotics agents to stop harassing the trafficker. The intelligence reports also suggest

the possibility that Pektas may have been paid a bribe, but other officials insist he is honest.

Despite the suspicion over Pektas, U.S. narcotics agents have high respect for the Turkish national police director, Orhan Erbug, whose genius for developing informants netted a recent cache of more than a ton of opium.

Good work by the Turks has also cut black market "leakage" from the 1972 opium crop to less than 20 per cent. On balance, the secret reports show the Turkish poppy-banning experiment seems to be working.

Footnote: State Department officials deny that the Turkish government has made any formal demand that the U.S. back the present military regime if it wants to prevent a return to full-scale opium production. Theoretically, the military council will step down after free elections are held in Turkey next October.

Washington Whirl

Military Hunt—The military brass and their civilian counterparts have made deer hunting easy. They hold their hunts on the top-secret Army

base near Woodbridge, Va., where the deer are penned up in the base's heavily guarded preserve. Indeed the deer have become as tame as the cattle which graze on nearby farms. If the deer are reluctant to participate in the hunt, GIs merely run them through the woods towards the hunters, who pick them off like carp in a barrel. The Virginia Game Commission's local agent, John Berry, tells us this military sport isn't properly called "hunting" but should be referred to as "a thinning operation."

Political Hacks—While President Nixon is promising to trim the bureaucracy, the Federal Railroad Administration is adding eight regional "safety directors" at a starting annual salary of \$25,583 apiece. They won't be required to take tests or show any railroad experience. Yet they will have authority over lifelong railroad men who had to pass stiff civil service exams. The FRA claims the new men are needed to enforce safety standards. But our sources say what the FRA needs is knowledgeable workers, not expensive political hacks.

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The Washington Merry-Go-Round

THE WASHINGTON POST Friday, Jan. 12, 1973

Terrorists Plot Tel Aviv Plane Dive

By Jack Anderson

The Black September terrorists, who planned the Munich massacre of Israeli athletes, are now plotting to hijack an airliner and crash it into the heart of bustling Tel Aviv.

The plot has been picked up by intelligence agencies which monitor the secret radio bands used by the Arab terrorists. The same intelligence sources intercepted similar ominous messages shortly before fanatics machine-gunned the Tel Aviv airport and, again, before terrorists staged the Munich tragedy.

In the earlier instances, the messages were vague about where the terrorists would strike and what exactly they planned to do. The latest messages about crash-diving an airliner into Tel Aviv have been more specific.

Among others, American security officials have tipped off Rep. John Murphy (D-N. Y.), who has written to President Nixon about the Arab plot against Tel Aviv. Murphy will cite the bizarre scheme as added evidence of the need for a stringent anti-hijacking bill.

Murphy has introduced a bill which would compel the U. S. to bar commercial planes from any nation that refused to prosecute a hijacker and re-

turn the pirated plane and ransom at once.

Offensive Urged

American military advisers have urged President Thieu to mount a new offensive across the South Vietnamese border into neighboring Laos.

They have asked him to follow up the saturation bombing of the north with a strike against the Boloven Plateau in southern Laos. This is known to be a major staging area for North Vietnamese attacks.

The American advisers promised, if Thieu would launch an offensive to support it with U.S. air power. But the

South Vietnamese Army was so badly battered during last year's Communist offensive that Thieu isn't prepared to send it back into action.

Although most losses have been replaced and the army is back to full strength, the discipline, training and morale of the troops are still lagging. Not only are the replacements green, but the ceasefire negotiations have made all troops cautious. They don't want to be the last to die before a cease-fire is declared.

Meanwhile, the Saigon government is drafting men at the rate of about 18,000 a month, but deserters are leaving the army in almost equal numbers.

I've got enough sense not to use that information. Battle information -- I may disapprove of an air raid, and I have seen documents of plans for air raids over North Vietnam: I may disapprove of that air raid; I'm not going to give out detailed -- the detailed plans, because if I did they'd be waiting for 'em, and I don't want even one plane to be shot down as the result of anything that I write.

ANGEL: Uh-huh.

ANDERSON: Weapons information -- certainly we're entitled to keep our weapons secret. I have on occasions learned about weapons. I don't publish things like that.

The Washington Merry-Go-Round

THE WASHINGTON POST Saturday, Jan. 6, 1973

U.S. 'Suppliers' Really Military Men

By Jack Anderson

We recently wrote about secret Pentagon plans to subvert the Vietnam cease-fire by substituting civilian experts for military advisers.

The preliminary agreement, which Henry Kissinger is now going back to Paris to repair, called for withdrawal of U.S. military advisers from Vietnam but permitted defense suppliers to remain in the country to replace equipment.

The Pentagon, therefore, began making arrangements to keep military advisers in South Vietnam in the guise of defense suppliers.

This is a ruse the Pentagon has used elsewhere, we've now learned, to conceal the true number of military advisers overseas. In Saudi Arabia, for instance, dozens of military experts in civilian clothes are advising the Saudis on everything from missile maintenance to jeep repairs.

The Bendix Field Engineering Corp. alone has recruited more than 100 military experts to serve in Saudi Arabia. They were hired right off military bases to perform such functions as "inspection of all armament maintenance activity, both light and heavy" or assisting the "Saudi Arabian Army Ordnance Corps Logistics Operations Director in a logistical command including

a headquarters and six support sites."

Officers in Mufti

Once on the Bendix payroll, the retired officers discard their drab green uniforms, dress as businessmen and fly to Saudi Arabia carrying briefcases. Their salaries range from \$800 to \$2,000 a month, plus generous benefits.

The Raytheon Corp has brought a host of missile experts to Saudi Arabia to teach the natives how to operate and maintain a multimillion-dollar Hawk missile system. At least two other giant U.S. corporations, Lockheed and Northrop, also provide military assistance to Saudi Arabia.

A corporate spokesman, while acknowledging the existence of military contracts with Saudi Arabia, refused to discuss the details. Typical was the statement from the Northrop spokesman who said tersely: "We have been asked not to discuss our contracts, particularly our foreign military sales contracts."

The officer in charge of contracting at Saudi Arabia's military office said he had no "personal knowledge" of the contracts and couldn't name anyone who did.

Our own sources in the Pentagon told us the corporate military aid in Saudi Arabia is coordinated by a U.S. military training mission, whose duties go far beyond training and

deal with just about every aspect of military affairs.

Headlines and Footnotes

ILLEGAL DRAFT — For years, the National Guard has been illegally drafting young Eskimos in Alaska. Under the law, the Guard can accept only volunteers. But about four years ago, the local unit in Bethel, Alaska, fell behind in recruiting volunteers. An Eskimo village council member, who also happened to be a lieutenant in the Guard, quietly began supplying the Guard with names of "eligible" young Eskimos. Local recruiters selected gullible Eskimos from the list and signed them into the Guard, without informing them of their legal rights.

AMERICAN IN LEBANON — American Airlines uses the patriotism appeal to attract customers. It didn't tell its customers, however, about sending a big jet to Lebanon for major structural and engine work, thus cheating American workers out of jobs. The Transport Workers Union, which is considering filing a grievance, tells us Lebanese workers are paid only about 28 cents an hour.

HICKMAN'S HOWL — When we reported how the Treasury Department and the big automakers had mishandled the return of excise taxes to new car buyers, Treasury's Assistant Secretary Fred Hickman let out a howl. As evidence,

we cited hundreds of letters from angry motorists who wrote to Ralph Nader and the about delayed payments. Hickman, nevertheless, tried to deny the charges in a misleading letter. Unable to get the letter circulated himself, he had the letter sent out at the taxpayers' expense to editors all over the country through the Internal Revenue Service's district directors.

CONTROVERSIAL SPEAKER — Steve Spingarn, a tough Truman-era White House lawyer whose forefathers came to America in the 18th century, has angrily quit the Sons of the Revolution because they invited a crony of American fascists as their guest speaker. The members are descendants of Revolutionary War soldiers, and Spingarn insisted it was an insult to their memory to invite Harold Lord Varney to speak. Varney is president of the Committee on Pan-American Policy, which he cofounded with the late Allen Zoll, a notorious American fascist and anti-Semite. Varney was invited to speak by Ralph Stever, an assistant vice president of the First National City Bank of New York. Stever explained that he learned of Varney's background too late to do anything about the talk. Varney himself told us that he was not personally a racist.

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